



OFFICE OF
POLICE OMBUDSMAN
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August 20, 2012

Public Safety Committee Report

Reporting Period: July 01, 2012 through July 31, 2012

2012 OVERVIEW

Complaints Received: Since January 1, 2012, 88 complaints have been received by the Office of Police Ombudsman and forwarded to Internal Affairs. The complaints were for:

- 17 Demeanor
- 15 Harassment
- 42 Inadequate Response
- 1 Unlawful Detention/Search
- 1 Due Process
- 5 Excessive Force
- 1 Racial Bias
- 1 False Arrest
- 1 Parking
- 3 Procedural
- 1 Driving

To view a three-year snapshot graph of complaints received by the OPO on a monthly basis see Attachment #1.

Complaints Referred: Since January 1, 2012, 14 complaints have been referred to the following agencies:

- 3 complaints have been referred to the Spokane County Sheriff's Office.
- 6 complaints involving the Spokane Valley Police were referred to the Spokane County Sheriff's Office.
- 1 complaint involving the Spokane County Jail was referred to the Spokane County Sheriff's Office.
- 1 complaint involving the U.S. Border Patrol was referred to the local U.S. Border Patrol Office.
- 1 complaint involving Crime Check.
- 1 complaint involving the Colville Police Department was referred to the Colville Police Department for follow up.
- 1 anonymous complaint was forwarded to Internal Affairs.

CONTACTS

Between July 01, 2012 and July 31, 2012 the Office of Police Ombudsman was contacted 75 times.

Since January 1, 2012 there have been 534 contacts received by the Office of Police Ombudsman.

COMPLAINTS

To assist in identifying where complaints are occurring, the Office of Police Ombudsman has divided the City into four quadrants. The north-south borderline is Sprague Avenue and the east-west borderline is Division Street.

Complaint findings are updated regularly and can be viewed at the Office of Police Ombudsman website at www.spdombudsman.org under the headings "Documents and Reports" and "2012 Received Complaints."

Between July 01, 2012 and July 31, 2012, 15 complaints were received.

1. Tuesday, July 31, 2012; A **Demeanor** complaint was received by the Office of Police Ombudsman. The Complainant advised that they called the police regarding an individual who was violating a court order. After the police responded and arrested the individual an Officer told the Complainant that it was none of the Complainant's business what was going on at the residence where the person was arrested. The Complainant is caring for the homeowner who is a senior citizen with a health issue and believes that what goes on at the home is their business and was offended by the Officer's comment(s).
(S/E), (OPO # 12-88)
2. Monday, July 30, 2012: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant alleged that Officers will not enforce valid court orders and will not investigate their cell phone being "hacked". (N/W), (OPO # 12-87)
3. Monday, July 30, 2012: An **Inadequate Response and Unlawful Search** complaint was received by the Office of Police Ombudsman. The Complainant alleged that an Officer inadequately investigated an allegation that led to the Complainant's arrest and that the Officer unlawfully searched their vehicle without consent. (S/E), (OPO # 12-86)
4. Friday, July 27, 2012: A **Harassment** complaint was received by the Office of Police Ombudsman through a referral from the City Council President. The Complainant is alleging harassment through selective enforcement. The Complainant is a street musician. The Complainant advised they received a citation for playing music on private property. The Complainant advised that there were other violators in close proximity who were not contacted by the police.

The Complainant advised they had a similar experience previously while performing in the downtown area. (N/W), (OPO # 12-85)

5. Tuesday, July 24, 2012: A **Demeanor** complaint involving a non commissioned employee of the Police Department was received through a referral from the City Council President. The Complainant alleged that an employee's conduct was unprofessional and inappropriate at a public meeting the employee had been invited to speak at. The complaint was referred to Major Meidl. (OPO # 12-84)
6. Monday, July 23, 2012: An **Inadequate Response** complaint was received by the Office of Police Ombudsman by phone. The Complainant advised that they called police to report finding their runaway grand child. The Complainant advised it took an Officer 7 hours to respond to the call. After 7 hours an Officer called the Complainant asking for information the Complainant had previously provided to the 9-1-1 operator. The Complainant advised the Officer also told them that the police had other things to do besides catching runaway juveniles. (N/W), (OPO # 12-83)
7. Friday, July 20, 2012: An **Inadequate Response** complaint was received by the Office of Police Ombudsman through an e mail. The Complainant's residence was burglarized. The Complaint indicated that they know the location of the suspects and where some of the property taken may be located. The Complainant does not believe their case is being investigated in a timely manner. (N/W), (OPO # 12-82)
8. Thursday, July 12, 2012: An **Inadequate Response** complaint was received by the Office of Police Ombudsman by fax. The Complainant alleges that they called 9-1-1 to report a loud party in their neighborhood and the police did not respond. Also, the Complainant advised that they called the Public Safety Building front desk several times over the next few days and did not get a response. (N/W), (OPO # 12-81)
9. Thursday, July 12, 2012: An **Inadequate Response** complaint was received by the Office of Police Ombudsman by mail. The Complainant alleges that an Officer failed to adequately investigate and report a hit and run traffic collision where the Complainant's child was struck by a vehicle and seriously injured. (S/W), (OPO # 12-80)
10. Tuesday, July 10, 2012: An **Inadequate Response** complaint was received by the Office of Police Ombudsman after the Complainant gave testimony during the public comment portion of the Spokane City Council meeting on Monday, July 09, 2012. The Complainant advised that 6 to 9 officers participated in the arrest of an individual downtown. The Complainant advised individual arrested was not in their "right mind". The Complainant felt that the Officers should have exercised discretion in the arrest of the individual and the arrest did not require the presence of 6 to 9 Officers. (N/W), (OPO # 12-79)

11. Tuesday, July 10, 2012: A **Harassment** complaint was received by the Office of Police Ombudsman through a phone call. The Complainant advised that an Officer stopped them and issued them a citation after they “flipped” the Officer off. (N/E), (OPO # 12-78)
12. Tuesday, July 10, 2012: A **Demeanor** complaint was received by the Office of the Police Ombudsman through a referral from a City Councilmember. The Complainant advised that an Officer made an inappropriate comment to them. (N/E), (OPO # 12-77)
13. Monday, July 09, 2012: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant advised that their cell phones are being “hacked” and the Police Department is refusing to investigate even though the suspects are known. (N/W), (OPO # 12-76)
14. Friday, July 06, 2012: A **Demeanor** complaint was received by the Office of Police Ombudsman through the website. The Complainant advised that their child was in a car accident. The Complainant went to the scene and an Officer was rude and wrote inaccurate statements in the police report. (N/E), (OPO #12-75)
15. Tuesday, July 03, 2012: A **Demeanor** complaint was received by the Office of Police Ombudsman through a phone call. The Complainant advised that they asked an Officer to move their vehicle because it was blocking their driveway and they wanted to back out of their driveway. The Complainant advised that the Officer responded in a rude and unprofessional manner. (S/E), (OPO #12-74)

Between July 01, 2012 and July 31, 2012 no complaints were referred to other jurisdictions:

INVESTIGATIONS CERTIFIED

Between July 01, 2012 and July 31, 2012 6 completed investigations were certified as timely, thorough and objective:

1. Tuesday, July 24, 2012: An **Inadequate Response** complaint was received by the Office of Police Ombudsman on July 25, 2012 and referred to a Patrol Lieutenant. The Complainant alleged that an Officer failed to conduct a thorough investigation of an attempted home invasion and take appropriate action when contacting the suspect. The Ombudsman confirms that the complaint was investigated through a timely thorough and objective process. (SPD IA # 12-035), (OPO # 12-51)
2. Tuesday, July 24, 2012: An **Inadequate Response and Demeanor** complaint was received by the Internal Affairs Lieutenant on June 6, 2012. The Complainant

alleged that Officers forced them to leave a hospice where they were visiting a relative. The Complainant advised that officers then assisted hospice staff in transporting the relative to a hospital facility without the Complainants permission. The Ombudsman confirms that the complaint was investigated through a timely thorough and objective process. (SPD IA # 12-038)

3. Wednesday, July 18, 2012: An **Inadequate Response** complaint was received by the Office of Police Ombudsman on April 24, 2012. The Complainant alleged that Officers damaged their front door screen during the execution of a search warrant. The Complainant indicated that the Officer's ransacked their residence during the execution of the search warrant. The Ombudsman confirms that the complaint was investigated through a timely thorough and objective process. (SPD IA # 12-029) (OPO # 12-40)
4. Tuesday, July 10, 2012: A **False Arrest, Excessive Force and Demeanor** complaint was received by the Internal Affairs Unit Sergeant on May 14, 2012. The Complainant alleged that they were arrested in the Public Safety Building without cause and that the arresting Officer hit them for no reason and called them profane names. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 12-031)
5. Tuesday, July 10, 2012: An **Excessive Force and Theft** complaint was received by the Internal Affairs unit Sergeant on March 28, 2012. The Compliant alleged that an Officer used excessive force when arresting them and kept some of their personal property. The Complainant later advised that they located the property they accused the Officer of taking. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 12-020)
6. Thursday, July 05, 2012: An **Excessive Force and False Arrest** complaint was received by a Patrol Sergeant on May 01, 2012. The Complainant alleged that they were arrested for no reason and that Officers dragged them out of the back of a patrol car for no reason. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 12-032)

DECLINED CERTIFICATIONS and APPEALS

There were no declined or appealed certifications during the reporting period.

INTERVIEWS

- Internal Affairs, Officer Interviews: 21
- Internal Affairs, Complainant Interviews: 2
- Internal Affairs, Witness Interviews: 2
- Office of Police Ombudsman Complainant Interviews: 10
- Office of Police Ombudsman Witness Interviews: 0
- Closing (Complaint Closure) Interviews: 0

OTHER DUTIES

Critical Incident Response: There were no Critical Incidents responded to during the reporting period.

Cases Resolved Through Mediation: No complaints were resolved through the mediation process during the reporting period.

Recommendations: No recommendations were made during the reporting period.

NEXT STEPS

- Completion of Student Handbook
- Complete report on Medical Examiner Inquests
- Distribution of Citizen Complaint forms to all COP Shops

COMMUNITY OUTREACH

- Monday, July 30, 2012: Spokane City Council meeting (6p-615p)
- Friday, July 27, 2012: The NATIVE Project Indian Youth Summer Camp Graduation, Informational Table (9a-1230p)
- Tuesday, July 24, 2012: Human Rights Commission meeting (OPO Assistant 530p-7p)
- Monday, July 23, 2012: Spokane City Council meeting (6p-630p)
- Friday, July 20, 2012: Riverfront Park Mall (Intern 11a-2p)
- Tuesday, July 17, 2012: East Central Neighborhood Council meeting (645p-8p)
- Monday, July 16, 2012: Spokane City Council meeting, OPO Presentation (6p-730p)
- Friday, July 13, 2012: The Community Assembly meeting (4p-530p)
- Friday, July 13, 2012: STA Main Terminal (Intern 10a-1p)
- Thursday, July 12, 2012: Minnehaha Neighborhood Council meeting (7p-8p)
- Wednesday, July 11, 2012: Nevada Lidgerwood Neighborhood Council meeting, OPO Presentation (OPO Assistant 7p-815p)*
- Wednesday, July 11, 2012: West Central Neighborhood Council meeting (630p-8p)
- Tuesday, July 10, 2012: West Hills Neighborhood Council meeting, (630p-7p)
- Monday, July 09, 2012: Spokane City Council meeting (6p-630p)

* denotes that the Office of Police Ombudsman presented the highlights from the 2011 Annual Report to the meeting attendees. 26 of the 27 Neighborhood Councils have received the presentation.

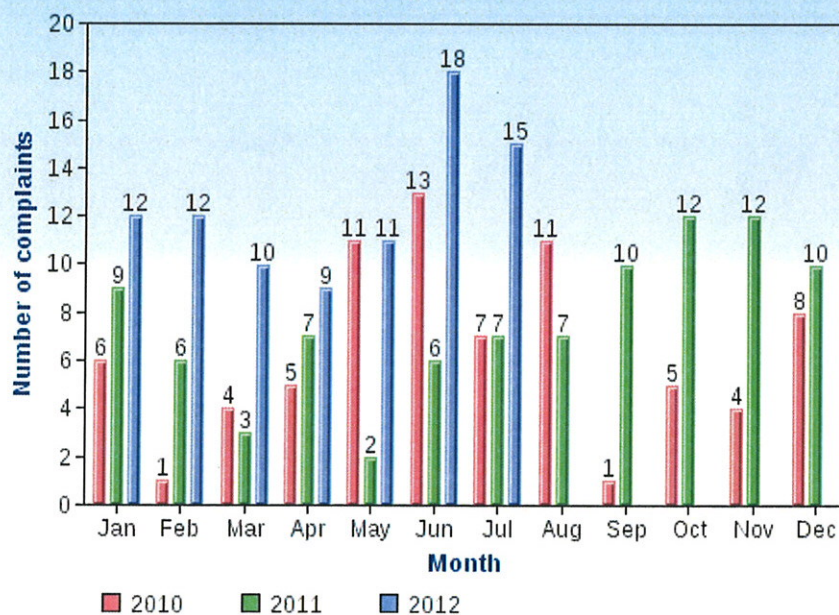
OTHER

- Wednesday, July 25, 2012: Spokane Chief of Police Panelist (1015a-5p)
- Monday, July 16, 2012: Public Safety Committee meeting (130p-3p)
- Saturday, July 14, 2012: Spokane Police Department Ride Along (6a-330p)
- Tuesday, July 10, 2012: Spokane County Supervisor Training (OPO Assistant, 9a-12n)

ATTACHMENTS

1. Three year snapshot graph of complaints received by the OPO on a monthly basis
2. OPO 2012 contact, complaint and referral information.
3. OPO Assistant, Melissa Nystrom, certificate of completion of Spokane County's Supervisor Series I training.

Office of Police Ombudsman Complaints by month





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Office of Police Ombudsman
2012 Contacts, Complaints and Referrals
Thursday, July 12, 2012

Since January 01, 2012, the Office of Police Ombudsman has been contacted 471 times for a variety of reasons. In 2011 the Office was contacted 245 times during the same time period.

Between January 01, 2012 and July 10, 2012, the Office of Police Ombudsman has received 79 complaints. During the same time period in 2011, 33 complaints were received.

Additionally, 14 potential complaints were received that involved other jurisdictions. Those complaints were referred to the appropriate jurisdiction. There were 14 referrals made during the same time period in 2011.

The combined total number of contacts, complaints received and referrals is 564. 14% of total contacts resulted in complaints being forwarded to the Spokane Police Department for consideration. If you take into account the 14 additional referrals to other agencies, 16.5% of contacts received resulted in potential complaints against law enforcement.

The 79 potential complaints received by the Office of Police Ombudsman that involved the Spokane Police Department were received through the following ways:

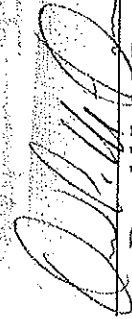
- Walk in/Office interview – 28 (35%)
- Website – 17 (21.5%)
- Telephone – 17 (21.5%)
- Referral from City Council members/Mayor/COPS Shop/public comment – 11 (14%)
- Mail/e-mail/fax – 6 (8%)

SPOKANE COUNTY

Recognizes

Melissa Nystrom

*For Your Commitment
To Improved Supervisor Skills
By Completing the Supervisor Series I
15 Hours*



Donald L. McDowell
Employee Development Coordinator

July 10, 2012

Date