

May 20, 2013



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## April Public Safety Committee Report

Reporting Period: April 01, 2013 through April 30, 2013

### 2013 OVERVIEW

**Complaints Received:** Since January 1, 2013: 37 complaints have been received by the Office of Police Ombudsman and forwarded to Internal Affairs. The complaints were for:

- 1 Selective Enforcement
- 1 Unlawful Entry
- 1 Gratuity
- 2 Procedural
- 3 Demeanor
- 4 Excessive Force
- 25 Inadequate Response

To view a four-year snapshot graph of OPO complaints received by month, see Attachment 1.

**Complaints Referred:** Since January 1, 2013, 11 complaints have been referred to the following agencies:

- 9 complaints have been referred to the Spokane County Sheriff's Office
- 1 complaint has been referred to the Stevens County Prosecutor's Office
- 1 complaint has been referred to the Washington State Patrol

### CONTACTS

Between April 1, 2013 and April 30, 2013 the Office of Police Ombudsman was contacted 86 times.

Since January 1, 2013 there have been 369 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 outcomes are updated regularly and can be viewed at the Office of Police Ombudsman website at [www.spdombudsman.org](http://www.spdombudsman.org) under the headings "Documents and Reports" and "2013 Received Complaints."

Between April 1, 2013 and April 30, 2013, 13 complaints were received.

1. Tuesday, April 30, 2013: An **Inadequate Response** complaint was received by the Office of Police Ombudsman by phone. The Complainant was involved in a traffic collision and provided officers with witness information. Officers refused to contact the witness before issuing the Complainant a citation. (S/W), (OPO # 13-37)
2. Wednesday, April 24, 2013: An **Inadequate Response** complaint was received by the Office of Police Ombudsman by mail. The Complainant advised that they reported a property crime in progress and the Police Department did not respond. (N/E), (OPO # 13-36)
3. Wednesday, April 17, 2013: An **Excessive Force and Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant advised that they observed an Officer arrest a woman who was involved in a fight with another woman at the STA Plaza. The Complainant advised that after the woman was handcuffed by the Officer, the Complainant observed the Officer pull the woman's hair for no apparent reason. The Complainant advised that the woman was then completely wrapped in a blanket by Officers. (S/W), (OPO # 13-35)
4. Wednesday, April 17, 2013: An **Excessive Force and Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant advised that they locked their keys in their vehicle. According to the Complainant, Officers used excessive force against them while they were detained by Officers during the investigation of the incident. (S/W), (OPO # 13-34)
5. Tuesday, April 16, 2013: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant was the victim of credit card theft. An acquaintance charged over \$9,000.00 on several of the Complainant's credit cards. The Police Department has not followed up on the incident even though the Complainant has provided the PD with detailed records and video of the acquaintance using the cards. (N/A) (OPO # 13-33)
6. Tuesday, April 16, 2013: An **Inadequate Response and Demeanor** complaint was received by the Office of Police Ombudsman. The Complainant alleged that an Officer did not complete a thorough investigation of a dispute with a neighbor and was rude to the Complainant. (N/W), (OPO # 13-32)
7. Tuesday, April 16, 2013: An **Excessive Force** complaint was received by the Office of Police Ombudsman by e-mail. The Complainant advised that Officers used excessive force while arresting them. (N/W), (OPO # 13-31)

8. Tuesday, April 16, 2013: A **Procedural** complaint was received by the Office of Police Ombudsman. The Complainant advised that they were placed on a state-wide "no pawn list" eight years after they were convicted and served time for a property crime. (N/A), (OPO # 13-30)
9. Thursday, April 11, 2013: A **Demeanor** complaint was received by the Office of Police Ombudsman by phone. The Complainant alleges that their vehicle was taken inappropriately by the Spokane Police Department and when they called for a status update, the Officer was rude and hung up the phone on them. (S/E), (OPO # 13-29)
10. Monday, April 8, 2013: An **Inadequate Response** complaint was received by the Office of Police Ombudsman by fax. The Complainant alleges that they are being harassed by their neighbors on the basis of race. The Complainant called 9-1-1 and Crime Check to report this and no Officer responded. (N/W), (OPO # 13-28)
11. Tuesday, April 5, 2013: A **Selective Enforcement** complaint was received by the Office of Police Ombudsman by telephone. The Complainant alleges that their vehicles are marked to be towed while other vehicles in their neighborhood are not. They believe they are being targeted by the Police Department. (N/E), (OPO # 13-27)
12. Tuesday, April 2, 2013: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant advised that an Officer forced the Complainant to leave Riverfront Park during an event in 2012. The Complainant advised that the Officer escorted and pushed them out of the park. (N/W), (OPO # 13-26)
13. Tuesday, April 2, 2013: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant advised that they were assaulted in a local park. The Complainant advised that it took approximately two hours for an Officer to meet the Complainant at a local hospital. According to the Complainant, the responding Officer did not interview witnesses to the incident and made biased comments regarding the investigation. (N/E), (OPO # 13-25)

Between April 1, 2013 and April 30, 2013 3 complaints were referred.

1. Monday, April 22, 2013: A complaint involving Crime Check and the Spokane Valley Police Department was referred to the Spokane County Sheriff's Office for follow up.
2. Tuesday, April 16, 2013: A complaint involving the Spokane County Jail was referred to the Spokane County Sheriff's Office for follow up.
3. Friday, April 5, 2013: A complaint involving the Spokane Valley Police Department was referred to the Spokane County Sheriff's Office for follow up.

## **INVESTIGATIONS CERTIFIED**

Between April 1, 2013 and April 30, 2013 8 completed investigations were certified as timely, thorough and objective:

1. Thursday, April 25, 2013: A **Demeanor** complaint involving an Officer was received by the Internal Affairs unit on January 25, 2013. The Complainant advised that an Officer who was driving an unmarked vehicle was rude because the Officer would not allow the Complainant to merge their vehicle in front of the Officer's vehicle. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 13-006), (OPO # N/A)
2. Wednesday, April 17, 2013: A **Theft** complaint involving an Officer was received by the Office of Police Ombudsman on December 17, 2012. The Complainant alleged that an Officer who arrested the Complainant took money from the Complainant during the arresting process. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 12-084), (OPO # 12-131)
3. Tuesday, April 16, 2013: An internally generated **Unintentional Discharge of a Firearm** complaint was received by the Internal Affairs Unit on February 11, 2013. While driving through a self-serve car wash, an Officer accidentally discharged their weapon into the dash of their patrol car. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 13-010), (OPO # N/A)
4. Tuesday, April 16, 2013: A **Conduct Unbecoming** complaint was received by the Internal Affairs Unit on March 13, 2013. The Complainant advised that they were stopped for a traffic offense. The Complainant advised that the Officer made the Complainant check their vehicle several times for documents they had already given the Officer. The Complainant believed that each time they went back into their vehicle the Officer was looking at them inappropriately. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 13-016), (OPO # N/A)
5. Tuesday, April 16, 2013: An **Inadequate Response** complaint was received by a Patrol Sergeant on January 8, 2013. The Complainant was the victim of a burglary. The Complainant advised that the responding Officer did a poor job of investigating and documenting the incident. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 13-003), (OPO # N/A)
6. Monday, April 15, 2013: A **Demeanor** complaint was received by a Patrol Lieutenant on January 1, 2013. The Complainants allege that they were harassed by Officers while they were sitting in a truck parked near a business in the early morning hours. The Complainants provide a cleaning service for a local business. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 13-002), (OPO # N/A)

7. Wednesday, April 3, 2013: An **Inadequate Response** complaint was received by the Office of Police Ombudsman on November 1, 2012. The Complainant alleges that an Officer processed a citation issued to the Complainant after the Complainant failed to provide the Officer with information in exchange for the citation being dismissed. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 12-078), (OPO # 12-118)
8. Wednesday, April 3, 2013: A **Harassment and Inadequate Response** complaint was received by the Office of Police Ombudsman on September 6, 2012. The Complainant advised that two of their vehicles were towed by an Officer in retaliation for a previous incident with the Officer the Complainant prevailed in. The Complainant also alleges the assisting Officer overreacted to the Complainant questioning the Officer's authority. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 12-061), (OPO # 12-100)

#### **DECLINED CERTIFICATIONS and APPEALS**

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There were no declined or appealed certifications during the reporting period

#### **INTERVIEWS**

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- Internal Affairs, Officer Interviews: 5
- Internal Affairs, Complainant Interviews: 1
- Internal Affairs, Witness Interviews: 2
- Office of Police Ombudsman Complainant Interviews: 9
- Office of Police Ombudsman Witness Interviews: 2
- Closing (Complaint Closure) Interviews: 0

#### **OTHER DUTIES**

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

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

**Recommendations:** There were no recommendations made during the reporting period.

#### **NEXT STEPS**

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- Recruitment of Student Interns
- Report on School Resource Officers Program
- Expanding outreach hours to Crosswalk Teen Shelter

## COMMUNITY OUTREACH

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- Tuesday, April 30, 2013: Police Safety meeting, Northeast Community Center (7p-915)
- Monday, April 29, 2013: Spokane City Council meeting (6p-645p)
- Tuesday, April 23, 2013: Spokane Human Right Commission meeting (530p-715p)
- Monday, April 22, 2013: Spokane City Council meeting (6p-7p)
- Thursday, April 18, 2013: Chief Garry Park Neighborhood Council meeting, OPO Presentation of the 2012 Annual Report (730p-9p)
- Wednesday, April 17, 2013: Comstock Neighborhood Council meeting, OPO Presentation of the 2012 Annual Report (OPO Assistant 7p-8p)
- Wednesday, April 17, 2013: Hillyard Neighborhood Council meeting, OPO Presentation of the 2012 Annual Report (630p-830p)
- Wednesday, April 17, 2013: Whitman Neighborhood Council meeting, OPO Presentation of the 2012 Annual Report (6-630p)
- Tuesday, April 16, 2013: Logan Neighborhood Council Meeting (630p-8p)
- Monday, April 15, 2013: NAACP monthly meeting (7p-845p)
- Monday, April 15, 2013: Spokane City Council meeting, OPO Presentation (6p-630p)
- Friday, April 12, 2013: STA Outreach (two OPO Interns, 10a-noon)
- Thursday, April 11, 2013: Latah/Handman Valley Neighborhood Council meeting, OPO Presentation of the 2012 Annual Report (OPO Intern 7p-830p)
- Thursday, April 11, 2013: East Central COPS Shop Outreach (OPO Intern, noon-230p)
- Wednesday, April 10, 2013: Nevada Lidgerwood Neighborhood Council meeting, OPO Presentation of the 2012 Annual Report (OPO Assistant 7p-740p)
- Wednesday, April 10, 2013: Peaceful Valley Neighborhood Council meeting, OPO Presentation of the 2012 Annual Report (OPO Intern 630p-800p)
- Tuesday, April 09, 2013: Rockwood Neighborhood Council meeting, OPO Presentation of the 2012 Annual Report (OPO Assistant 7p-740p)
- Tuesday, April 09, 2013: North Indian Trail Neighborhood Council meeting, OPO Presentation of the 2012 Annual Report (OPO Intern 7p-8p)
- Monday, April 08, 2013: Spokane City Council meeting (OPO Assistant, 6p-8p)
- Friday, April 05, 2013: STA Outreach (OPO Intern, 1p-4p)
- Thursday, April 04, 2013: NevaWood COPS Shop Outreach (OPO Intern, noon-230p)
- Tuesday, April 02, 2013: Cliff/Cannon Neighborhood Council meeting, OPO Presentation of the 2012 Annual Report (OPO Assistant, 7p-8p)
- Tuesday, April 02, 2013: OutSpokane Board meeting (630p-745p)

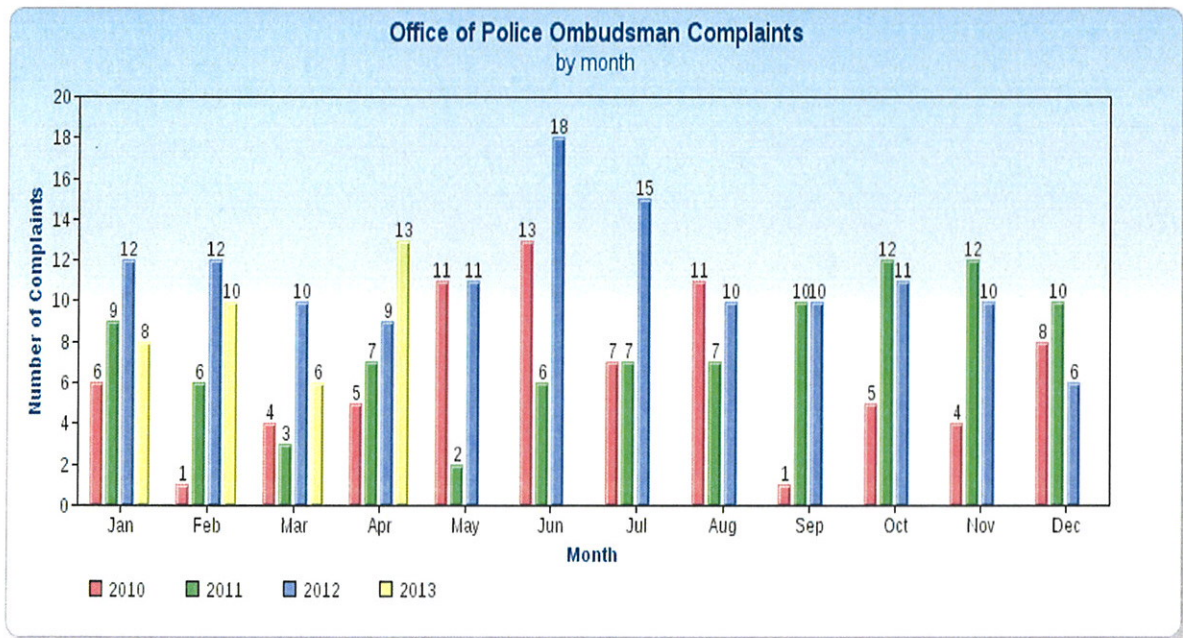
15 of 27 Neighborhood Councils have received a presentation of the 2012 Office of Police Ombudsman Annual Report.

## OTHER

- Tuesday, April 30, 2013: The OPO received SPD IA Investigation #12-083. The complaint was for **Conduct Unbecoming an Officer**. This complaint was outsourced by the Mayor and City Attorney's Office to a retired federal judge for resolution. The OPO appreciates the Internal Affairs office providing the information as a professional courtesy on the investigation.
- Friday, April 26, 2013 through Sunday, April 28, 2013: The NATIVE Project Youth Leadership Camp in Liberty Lake at Silver Lake
- Friday, April 26, 2013: SPD Ride Along (OPO Intern 10a-3p)
- Friday, April 26, 2013: YWCA Stand Against Racism (OPO Assistant 1130a-1p)
- Sunday, April 21, 2013: SPD Ride Along (10a-6p)
- Friday, April 19, 2013: SPD Ride Along (OPO Intern 4p-2a)
- Thursday April 18, 2013 thru Saturday April 20, 2013: Gonzaga University, "Pursuit of Justice Conference" (Ombudsman and OPO Assistant)
- Monday: April 15, 2013: Public Safety Committee meeting (130p-3p)
- Tuesday, April 02, 2013: Meeting with Center for Justice (930a-1045a)

## ATTACHMENTS

- 4 year snapshot graph of OPO complaints received by month



## 2013 Inadequate Response Breakdown (January – April)

<u>OPO #</u>	<u>Date</u>	<u>Info</u>
13-01	1/2/13	During a routine search, an officer planted evidence that led to an arrest
13-03	1/7/13	Call to 9-1-1/Crime Check did not generate police response
13-04	1/10/13	Property crime did not meet threshold for police follow up
13-06	1/14/13	Property crime did not meet threshold for police follow up
13-07	1/14/13	Call to 9-1-1/Crime Check did not generate police response
13-08	1/23/13	Property crime did not meet threshold for police follow up
13-09	2/1/13	Police did not contact owner of a stolen vehicle before impound
13-10	2/5/13	Police closed road to through traffic without warning
13-11	2/11/13	Call to 9-1-1/Crime Check did not generate police response
13-12	2/18/13	Unauthorized tasing
13-13	2/18/13	Called SPD front desk and was put on hold three times
13-14	2/18/13	SPD investigation not thorough
13-15	2/20/13	Protection Order did not meet threshold for police follow up
13-16	2/22/13	Call to 9-1-1/Crime Check did not generate police response
13-17	2/20/13	Police responded to 9-1-1 call, follow-up incomplete
13-19	3/14/13	Police responded to 9-1-1 call, follow-up incomplete
13-20	3/19/13	SPD investigation not thorough
13-23	3/26/13	Call to 9-1-1/Crime Check did not generate police response
13-24	3/29/13	Call to 9-1-1/Crime Check did not generate police response
13-25	4/2/13	Call to 9-1-1/Crime Check did not generate timely response
13-26	4/2/13	Officer forced complainant from a public place inappropriately
13-28	4/8/13	Call to 9-1-1/Crime Check did not generate police response
13-33	4/16/13	Property crime did not meet police threshold for follow up
13-36	4/24/13	Call to 9-1-1/Crime Check did not generate police response
13-37	4/30/13	SPD investigation not thorough