

**June 17, 2013**



**Office of Police Ombudsman**  
808 W. Spokane Falls Blvd  
Spokane, WA 99201  
509-625-6742  
Fax 509-625-6748  
SPDOmbudsman.org  
www.facebook.com/SPDOmbudsman

## **May Public Safety Committee Report**

Reporting Period: May 1, 2013 through May 31, 2013

### **2013 OVERVIEW**

**Complaints Received:** Since January 1, 2013: 53 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
- 1 Harassment
- 1 Driving
- 1 False Arrest
- 5 Procedural
- 9 Demeanor
- 5 Excessive Force
- 28 Inadequate Response

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

**Complaints Referred:** Since January 1, 2013, 15 complaints have been referred to the following agencies:

- 11 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 for follow up
- 1 complaint has been referred to the Spokane Transit Authority
- 1 complaint has been referred to the Spokane Streets Department

### **CONTACTS**

Between May 1, 2013 and May 31, 2013 the Office of Police Ombudsman was contacted 128 times.

Since January 1, 2013 there have been 497 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 May 1, 2013 and May 31, 2013, 16 complaints were received.

1. Thursday, May 30, 2013: A **Harassment** complaint was received by the Office of Police Ombudsman. The Complainant advised that their life was put at risk as a result of an undercover police action. Also, according to the Complainant, they have been harassed by an Officer for the past five years. (N/A), (OPO # 13-53)
2. Wednesday, May 29, 2013: A **Demeanor** complaint was received by the Office of Police Ombudsman. The Complainant was not pleased with an Officer's response to a call involving a child with a mental health disorder. (N/W), (OPO # 13-52)
3. Tuesday, May 28, 2013: A **Demeanor** complaint was received by the Office of Police Ombudsman by phone. The Complainant advised that their adult grandchild was assaulted in a store parking lot and transported to a local hospital for treatment. An Officer responded to the hospital and made comments about the grandson to the Complainant that the Complainant took offense to and believed were inappropriate (N/E), (OPO # 13-51)
4. Tuesday, May 28, 2013: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant advised that they took a polygraph test at the request of an Officer. The Officer has since misrepresented the results of the test to CPS which has caused an unnecessary hardship for the Complainant. (N/A), (OPO # 13-50)
5. Friday, May 24, 2013: An **Inadequate Response and Demeanor** complaint was received by the Office of Police Ombudsman. The Complainant advised that their child was assaulted and Officers responded inappropriately and in a rude manner. (N/E), (OPO # 13-49)
6. Monday, May 20, 2013: An **Excessive Force** complaint was received by the Office of Police Ombudsman by email. The Complainant witnessed an incident in 2010 that they opted not to file a complaint about until they recently read an article in the newspaper regarding the officer being disciplined. (N/E), (OPO # 13-48)
7. Monday, May 20, 2013: A **Driving** complaint was received by the Office of Police Ombudsman through a referral from the Office of the Mayor. The Complainant advised they observed an Officer who appeared to be with the Officer's child at a local youth activity. The Officer was in uniform and driving a marked police car. The Complainant advised that the Officer's child appeared to be 9-10 years old and should be riding in the backseat, however, the Complainant watched as the Officer drove away with the child in the front seat of the police car. (N/E), (OPO # 13-47)

8. Friday, May 17, 2013: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The Complainant was involved in an altercation with their neighbor and during the altercation the neighbor assaulted the Complainant's adult child. The Complainant advised that the responding Officers failed to thoroughly investigate the incident and were rude. ((N/W), (OPO # 13-46))
9. Friday May 17, 2013: A **Procedural** complaint was received by the Office of Police Ombudsman. The Complainant advised that they resell electronic equipment and they were arrested by an Officer for possession of stolen property. According to the Complainant, the property they sold to the Officer actually belonged to the Officer but had not been reported stolen. (S/E), (OPO # 13-45)
10. Friday, May 17, 2013: A **False Arrest** complaint was received by the Office of Police Ombudsman. The Complainant advised that Officers falsified information to arrest their significant other for domestic violence. The Complainant advised that Officers then provided CPS with inaccurate information that led to the Complainant's infant child being temporarily removed from their custody. (S/W), (OPO # 13-44)
11. Monday, May 13, 2013: A **Procedural** complaint was received by the Office of Police Ombudsman. The Complainant was arrested by an Officer, handcuffed and placed in the back seat of the police car. The Complainant advised that they struck their head and shoulder several times while being transported to jail. (S/E), (OPO # 13-43)
12. Friday, May 10, 2013: A **Demeanor** complaint was received by the Office of Police Ombudsman. The Complainant advised that an Officer at the Public Safety Building was rude and refused to take their complaint. The Complainant demanded to speak with the Officer's supervisor who then took the complaint. (N/W), (OPO # 13-42)
13. Thursday, May 09, 2013: A **Procedural** complaint was received by the Office of Police Ombudsman. The Complainant advised that their neighborhood was blocked off by the Police Department but alleges that this was not done in a consistent and fair manner. The Complainant was concerned that vehicles could enter and exit the neighborhood while pedestrians could not, which kept a child living at their residence from getting home. (N/W), (OPO #13-41)
14. Wednesday, May 08, 2013: A **Demeanor** complaint was received by the Office of Police Ombudsman through a referral from City Council. The Complainant advised a friend of theirs was arrested by Officers after the friend requested the Officers' names and badge numbers and the Officers refused to provide the information. (S/W), (OPO # 13-40)
15. Monday, May 06, 2013: An **Inadequate Response** complaint was received by the Office of Police Ombudsman by email. The Complainant alleges that they were threatened by a stranger. While the assailant was still in view, the Complainant flagged down a Spokane Police Officer but was told that no back-up was available at that time so the Officer could not apprehend the suspect. (S/W), (OPO # 13-39)

16. Thursday, May 02, 2013: A **Demeanor** complaint was received by the Office of Police Ombudsman. The Complainant advised that they called police to report that a person who had previously stolen electronic equipment from the Complainant was parked in front of their residence. The Complainant advised that it took Officers an hour to respond and by that time the suspect had left. The Complainant alleges that when they refused to open their door to speak with the Officers, the Officers became angry, threatened to kick in the door and arrest the Complainant. (N/E), (OPO # 13-38)

Between May 1, 2013 and May 31, 2013 4 complaints were referred.

1. Wednesday, May 15, 2013: A complaint involving a Parking Enforcement Officer was referred to the City of Spokane Streets Department for follow up.
2. Monday, May 13, 2013: A complaint involving the Spokane County Jail was referred to the Spokane County Sheriff's Office for follow up.
3. Thursday, May 9, 2013: A complaint involving Spokane Transit Authority security officers was forwarded to the Spokane Transit Ombudsman for follow up.
4. Tuesday, May 7, 2013: A complaint involving the Spokane County Sheriff's Office was referred to the Sheriff's Office for follow up.

#### **INVESTIGATIONS CERTIFIED**

Between May 1, 2013 and May 31, 2013 3 completed investigations were certified as timely, thorough and objective:

1. Friday, May 24, 2013: An **Inadequate Response** complaint was received by the Office of Police Ombudsman on March 14, 2013. The Complainant has a Protection Order and advised that an Officer arrested an individual for violating the order. After two convictions, subsequent violations are to be charged as a felony but the Officer only charged the violator with a misdemeanor. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 13-021), (OPO # 13-19)
2. Tuesday, May 14, 2013: An **Inadequate Response and Demeanor** complaint was received by the Internal Affairs Unit on March 14, 2013. The Complainant was involved in a dispute with three bicyclists riding bikes on the sidewalk. The Officer advised the Complainant that the Complainant's conduct could be construed as disorderly conduct and they could be arrested in the future for similar behavior. The Complainant was upset by the way the Officer handled the dispute. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 13-019)

3. Wednesday, May 8, 2013: An **Inadequate Response** complaint was received by the Internal Affairs Unit on March 5, 2013: The Complainant advised that an Officer failed to properly document and follow up an incident. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 13-015)

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

There were no declined or appealed certifications during the reporting period

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#### **INTERVIEWS**

- Internal Affairs, Officer Interviews: 29
- Internal Affairs, Complainant Interviews: 1
- Internal Affairs, Witness Interviews: 19
- Office of Police Ombudsman Complainant Interviews :13
- Office of Police Ombudsman Witness Interviews: 1
- Closing (Complaint Closure) Interviews: 1

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#### **OTHER DUTIES**

##### **Critical Incident Response:**

- Thursday, May 16, 2013 at 3:21a.m.: The Ombudsman was advised by SPD IA Sergeant Singley that an Officer involved shooting/death had occurred at 22007 N. Charles in Nine Mile Falls, WA. Sergeant Singley transported the Ombudsman to the location for a briefing and scene familiarization. Sergeant Singley, Lieutenant Arnzen and the Ombudsman returned to the location at 1:00p.m. for a more comprehensive briefing and tour of the scene.

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

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

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#### **NEXT STEPS**

- Recruitment of Student Interns
- Report on School Resource Officers Program
- Report on quarterly performance measures including OPO contacts and outreach

## **COMMUNITY OUTREACH**

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- Friday, May 31, 2013: The NATIVE Project (2p-5p)
- Thursday, May 30, 2013: PJALS Soiree/Auction (6p-7p)
- Wednesday, May 29, 2013: Crosswalk Teen Shelter Outreach (OPO Assistant, noon-1245p)
- Wednesday, May 29, 2013: City Council/Community Assembly joint meeting at West Central Community Center (330p-5p)
- Tuesday, May 28, 2013: Human Rights Commission meeting (OPO Assistant 530p-7p)
- Thursday, May 23, 2013: Guest Speaker, OutSpokane "Raid of the Rainbow Lounge" movie at Garland Theatre (645p-930p)
- Thursday, May 23, 2013: East Central COPS Shop Outreach (OPO Intern noon-230p)
- Wednesday, May 22, 2013: Crosswalk Teen Shelter Outreach (OPO Assistant noon-1230p)
- Tuesday, May 21, 2013: East Central Neighborhood Council meeting (630p-8p)
- Monday, May 20, 2013: Spokane City Council meeting, OPO Presentation (6p-730p)
- Thursday, May 16, 2013: Northwest Neighborhood Council meeting (7p-8p)
- Wednesday, May 15, 2013: Crosswalk Teen Shelter Outreach (OPO Assistant, noon-1245p)
- Wednesday, May 15, 2013: Hillyard Neighborhood Council meeting (630p-830p)
- Tuesday, May 14, 2013: N. Indian Trail Neighborhood Council meeting (7p-815p)
- Monday, May 13, 2013: Spokane City Council meeting (6p-630p)
- Friday, May 10, 2013: STA Main Terminal Outreach (OPO Intern 10a-1p)
- Thursday, May 9, 2013: Minnehaha Neighborhood Council meeting, OPO presentation 2012 Annual Report (730p-830p)
- Thursday, May 9, 2013: North Hill Neighborhood Council meeting, OPO presentation 2012 Annual Report (OPO Assistant 630p-7p)
- Thursday, May 9, 2013: Center for Justice, Jazzed for Justice (OPO Assistant 530p-615p)
- Thursday May 9, 2013: Hillyard Community Futures, Domestic Violence the Musical orientation meeting at Spokane Club (3p-5p)
- Thursday May 9, 2013: East Central COPS Shop Outreach (OPO Intern noon-230p)
- Wednesday, May 8, 2013: Southgate Neighborhood Council meeting, OPO presentation 2012 Annual Report (OPO Assistant 7p-720p)
- Wednesday, May 8, 2013: West Central Neighborhood Council meeting, OPO presentation 2012 Annual Report (630p-830p)
- Wednesday, May 8, 2013: SPARC meeting (530p-615p)
- Tuesday, May 7, 2013: E.N.U.F.F. meeting (645p-715p)
- Tuesday, May 7, 2013: YMCA Youth and Community Leadership Forum (4p-6p)
- Monday, May 6, 2013: LGBT Board meeting (7p-8p)
- Monday, May 6, 2013: Spokane City Council meeting (6p-645p)
- Friday, May 3, 2013: Community Assembly meeting (4p-6p)
- Friday, May 3, 2013: STA Main Terminal Outreach (OPO Intern 930p-noon)

- Thursday, May 2, 2013: NevaWood COPS Shop Outreach (OPO Assistant 1230p-230p)
- Wednesday, May 1, 2013: Balboa S. Indian Trail Neighborhood Council meeting (7p-815p)

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

## **OTHER**

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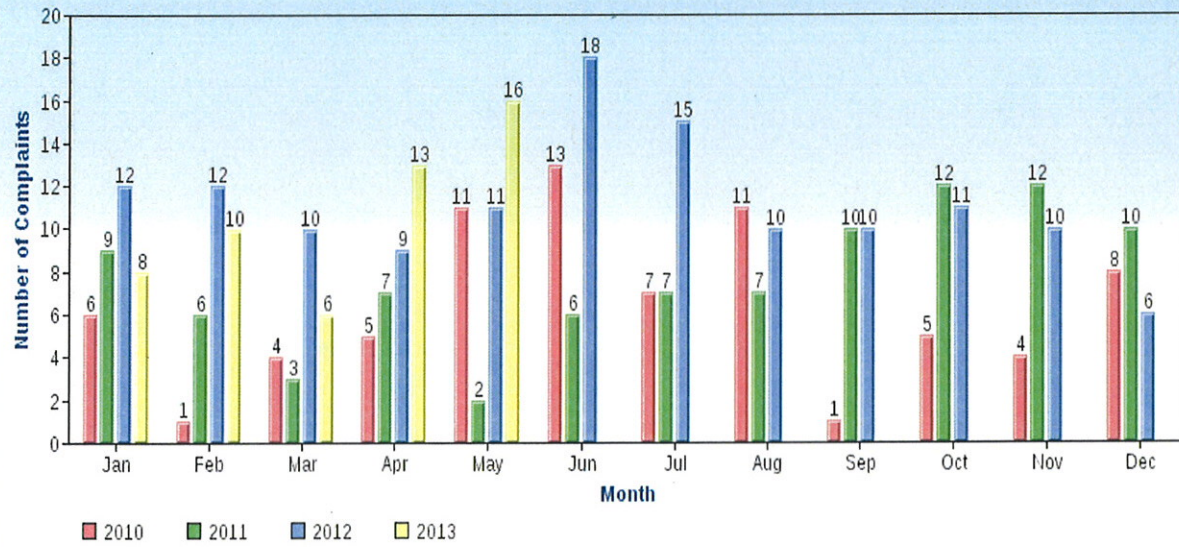
- Thursday, May 23, 2013: The OPO received a commendation regarding Spokane Police Officer Carroll. The individual wanted to thank Officer Carroll "for caring enough to take the time to dig for the information I desperately needed. You were able to handle the situation well when I was having a hard time. You are a special man."
- Monday, May 20, 2013: Public Safety Committee meeting (130p-3p)
- Saturday, May 18, 2013: SPD Ride Along (4p-1030p)
- Thursday, May 16, 2013: Skill Skin "Right Response" training (8a-11a)
- Wednesday, May 15, 2013: OPO Assistant began outreach at the Volunteers of America Crosswalk Teen Shelter located at 525 W. 2<sup>nd</sup> Ave.; this outreach will occur every Wednesday during Crosswalk's lunch time.
- Wednesday, May 8, 2013: SPD Ride Along (OPO Assistant 10a-215p)
- Tuesday, May 7, 2013: Law Enforcement Memorial Presentation (1130a-1215p)

## **ATTACHMENTS**

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- 4 year snapshot graph of OPO complaints received by month
- 2010, 2011 and 2012 data for taser use

# Office of Police Ombudsman Complaints by month





2012 Taser Reports – 54 applications in 32 incidents

<u>#</u>	<u>Month</u>	<u>M/F</u>	<u>Race</u>	<u>Age</u>	<u>Notes</u>	<u># of app*</u>
004	Jan	M	W	31	Intoxicated, drug possession, assaulted officer	1
007	Jan	F	W	28	Armed with knife, suicidal, intoxicated, off meds, possible OD	2
008	Jan	M	W	18	Possibly armed with knife	1
009	Jan	F	W	38	Armed with knife, suicidal, off medications	1
014	Feb	F	A	29	Intoxicated, inviting suicide	1
016	Feb	M	W	22	Fighting with officers, intoxicated	2
018	Feb	M	W	34	Armed with gun, fighting with officers, murder suspect	1
022	Mar	M	W	36	Intoxicated, spitting blood, fighting with officers	1
023	Mar	M	W	39	Meth possession/consumption, armed w/ knife/gun, assaultive	1
028	Apr	M	NA	16	Intoxicated	1
029	Apr	M	W	36	Suicidal	2
031	Apr	M	W	39	Resisting arrest	1
042	May	M	W	46	Drug possession/consumption, DUI, assaulting officers	2
044	May	M	W	33	Intoxicated, assaulting officers	2
046	Jun	M	B	37	Assaulting officer	1
050	Jun	M	W	31	Overdose on Rx, assaulting officer	2
053	Jul	M	W	30	Drug consumption, assaulting officers	2
055	Jul	M	W	24	Mental illness, off meds, suicidal, fighting with officers	1
060	Jul	F	B	42	Armed with knife, DV, obstructing, hostile crowd situation	1
062	Jul	M	W	30	Obstructing, aggressive actions towards officers, DV	1
063	Jul	M	W	33	Assaulting/resisting officers, mental illness (several misfires)	12
064	Aug	M	W	47	DV, armed with improv weapons, exact impact round used	1
095	Oct	M	W	32	DV	1
097	Oct	M	W	26	Drug use, mental illness, prowler, fighting with officer	2
099	Oct	F	W	41	Off meds, mental illness, suicidal, armed w/ knife, threatening	1
112	Nov	F	W	23	DUI, resisting arrest	1
115	Nov	M	W		Approached officer aggressively, prowler suspect	3
116	Nov	M	B	38	Armed w/ knife, assaultive, threatening, false imprisonment	1
117	Nov	M	W	36	DV	1
120	Dec	M	W	23	Mental illness, off meds, suicidal, fighting, meth consumption	1
122	Dec	M	B	26	Armed with knife, viciously attacked police/K9, DV	2
124	Dec	M	W	46	Armed with knife, threatened to kill, intoxicated	1

2011 Taser Reports – 41 applications in 21 incidents

<u>#</u>	<u>Month</u>	<u>M/F</u>	<u>Race</u>	<u>Age</u>	<u>Notes</u>	<u># of app*</u>
009	Jan	M	W	26	Assaulted officers, resisting arrest, meth possession	1
013	Feb	M	W	26	Resisting arrest, intoxicated, suicidal, off meds, ignoring officers	1
018	Mar	M	W	21	Trespass, resisting arrest, intoxicated	1
022	Mar	M	B	26	Resisting arrest, drug paraphernalia	1
023	Mar	M	B	37	Excited delirium, assaulted officer w/ skateboard, resisting arrest	4
032	Apr	M	W	31	Assaulted officer, meth possession/consumption	3
033	Apr	M	W	52	Intoxicated, suicidal, armed with knife	1
035	Apr	M	W	26	Intoxicated, assaulted officer	2
042	May	M	B	28	Intoxicated, one suspect armed with knife, threatening officers	1
054	Jun	M	B	31	Assaulted officers, warrants out for arrest	4
068	Jul	M	NA	15	Verbally vulgar, armed w/ CO2 gun, assaulted officer	1
071	Jul	F	W	23	Mentally ill, resisting arrest by kicking/biting officer	2
077	Jul	M	NA	29	Assaulted officers, refused commands/arrest	1
079	Aug	M	W	51	Mentally ill, armed with knife	1
100	Oct	M	W	46	Intoxicated, assaulted one officer through the tasing	3
101	Oct	M	NA	27	Intoxicated, banging on doors/windows, blood on hands/body	1
106	Oct	M	W	27	Intoxicated, suicidal, armed with knife	2
110	Oct	M	W	47	Intoxicated, drug use, resisting arrest	5
119	Dec	M	W	31	Armed with knife, threatening, resisting/assaulting officers	3
120	Dec	M	W	50	Intoxicated	2
125	Dec	M	NA	34	Armed with knife	1

2010 Taser Reports – 44 applications in 26 incidents

<u>#</u>	<u>Month</u>	<u>M/F</u>	<u>Race</u>	<u>Age</u>	<u>Notes</u>	<u># of app*</u>
010	Feb	M	W	22	Suicidal, armed with knife, intoxicated	1
018	Feb	M	W	26	Mentally ill, weapons within reach, no response to OC spray	1
019	Mar	F	W	26	Suicidal, slipped from cuffs, resisting arrest	1
024	Apr	M	W	27	Mentally ill, armed with large sticks, refusing commands	1
026	Apr	M	W	29	Intoxicated, violated protection order, assaulted officer	1
029	Apr	M	W	42	Possible meth consumption, DV, assaulted officers	1
031	May	M	B	43	Excited delirium, cocaine/alcohol, vicious fighting with officers	3
038	May	M	W	39	Armed with daggers, refusing commands, mentally ill	1
041	Jun	M	W	32	Intoxicated, DV call w/children present, resisting/fighting officers	2
047	Jun	M	W	36	Obstructing, meth possession, resisting officers	1
050	Jul	M	W	23	Grabbed at officer's gun, resisting arrest, obstructing	3
055	Aug	M	NA	24	Intoxicated, rape suspect, menacingly approached officer	1
058	Aug	M	W	17	Resisting arrest	1
059	Aug	M	W	32	Intoxicated, resisting arrest in a tense/crowded area	1
063	Aug	M	W	43	Actively resisting arrest, menacingly approached officer	3
064	Aug	M	W	37	Intoxicated, parole violation, attempted to assault officer/resisting	1
065	Aug	M	NA	18	Armed with gun, gang affiliation, intoxicated	2
071	Sep	M	W	23	Intoxicated, DV suspect, resisting arrest, obstructing	1
077	Oct	M	H	22	Assaulted officer, grabbed at taser/gun/ had taser in hand/fired	2
079	Oct	M	A	18	Suicidal, armed with knife, intoxicated, ignoring commands	1
082	Oct	M	W	23	Intoxicated, meth use, armed with scissors, suicidal	1
092	Dec	M	W	25	Intoxicated, stolen/vehicle pursuit, actively fighting officers	5
093	Dec	M	W	35	Resisting arrest	1
096	Dec	M	B	34	Reckless driving, eluding, ignoring commands	5
097	Dec	M	W	21	Ignoring commands, cocaine, resisting arrest	2
098	Dec	M	W	31	Resisting arrest, marijuana and paraphernalia	1

\*Number of taser applications per incident (applications of taser)

Race: A = Asian or Pacific Islander; B = Black; H = Hispanic; NA = Native American; W = White

Information compiled by Benjamin Gallion