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May 19, 2014

## **April Public Safety Committee Report**

Reporting Period: April 1, 2014 through April 30, 2014

### **2014 OVERVIEW**

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Complaints Received: Since January 1, 2014, **28** complaints have been received by the Office of Police Ombudsman and forwarded to Internal Affairs. The complaints were for:

- Driving: **2**
- Harassment: **1**
- Racial Profiling: **1**
- Demeanor: **5**
- Excessive Force: **3**
- Inadequate Response: **16**

To view a five-year snapshot of OPO complaints received by month, see “Attachment #1” at end of this report.

**Complaints Referred:** Since January 1, 2014, **14** complaints have been referred to the following agencies:

- 10 complaints were referred to the Spokane County Sheriff’s Office.
- 2 complaints were referred to the STA Ombudsman.
- 1 complaint was referred to the Cheney Police Department.
- 1 complaint was referred to the Spokane Parking Enforcement Department.

### **CONTACTS**

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Since January 1, 2014, the Office of Police Ombudsman has been contacted **315** times. To view a five-year snapshot of OPO citizen contacts by month, see “Attachment #2” at end of this report.

Between April 1, 2014 and April 31, 2014, the Office of Police Ombudsman was contacted **85** times. Beginning this month, the Office of Police Ombudsman began tracking the method of contact in addition to the number of contacts. For the month of April 2014, the 85 contacts by citizens were received by the following methods:

- Walk-in: **9**
- Phone: **40**
- Voicemail: **19**
- Email: **11**
- Mail: **1**
- Social Media: **0**
- Outreach: **5**

To view a snapshot of the methods used by citizens to contact the OPO by month, see “Attachment #3” at end of this report.

## **COMPLAINTS**

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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 "2014 Received Complaints."

Between April 1, 2014 and April 30, 2014, **11** complaints were received by the Office of Police Ombudsman:

1. Thursday, April 3, 2014: An **Inadequate Response** and **Demeanor** complaint was received by the Office of Police Ombudsman. The complainant was not satisfied with how two officers handled a disturbance involving the complainant's children and their neighbor. The complainant also advised that one of the officers was rude. **(OPO # 14-18), (N/W)**
2. Friday, April 4, 2014: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The complainant advised they called 9-1-1 and requested an ambulance after they partially consumed a rum and coke at a local bar and thought they may have been poisoned. The complainant advised that an officer responded and refused to call an ambulance for them. **(OPO # 14-19), (N/W)**
3. Monday, April 7, 2014: An **Excessive Force** complaint was received by the Office of Police Ombudsman. The complainant advised that an officer broke the complainant's hand while arresting and handcuffing the complainant. **(OPO # 14-20), (N/W)**
4. Monday, April 7, 2014: An **Excessive Force** complaint was received by the Office of Police Ombudsman by phone. The complainant advised that they were injured by an officer when the officer threw the complainant to the floor and arrested them. **(OPO # 14-21), (S/E)**
5. Monday, April 7, 2014: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The complainant called Crime Check three times to report that they thought they had been poisoned from a cocktail while at a local bar. The complainant was advised that an officer would respond; however, no officer ever responded. *The complainant for this incident is the same as in #2 above (OPO #14-19).* **(OPO # 14-22), (S/W)**
6. Thursday, April 10, 2014: A **Harassment** complaint was received by the Office of Police Ombudsman. The complainant advised that 2 officers are associated with an individual that is staking the complainant. **(OPO # 14-23), (S/E)**
7. Thursday, April 10, 2014: A **Demeanor** complaint was received by the Office of Police Ombudsman. The complainant advised that an officer was rude and hung up on the complainant. **(OPO # 14-24), (N/A)**
8. Monday, April 14, 2014: A **Demeanor and Excessive Force** complaint was received by the Office of Police Ombudsman. The complainant advised that Officers arrested their spouse on a recalled warrant and when applying the handcuffs used unnecessary force in handcuffing their spouse. The complainant advised that their spouse's hand is broken and they advised the officer prior to handcuffing but the officer did not take that into account while cuffing their spouse. The complainant advised that the officer threatened to beat their spouse's brother up for no reason. **(OPO # 14-25), (N/E)**

9. Wednesday, April 16, 2014: A **Driving** complaint was received by the Office of Police Ombudsman. The complainant advised that an officer tailgated them and the same officer shined their spot light in the complainant's face on a different occasion. (OPO # 14-26), (N/W)
10. Thursday, April 24, 2014: A **Demeanor** complaint was received by the Office of Police Ombudsman. The complainant advised that an officer inferred that they were going to open a fraud case against the complainant without cause. (OPO # 14-27), (N/A)
11. Monday, April 27, 2014: An **Inadequate Response** complaint was received by the Office of Police Ombudsman. The complainant was involved in an altercation over the repossession of a vehicle. The complainant advised that as they were preparing to repossess at vehicle the person in possession pointed a gun at them while they were parked down the street from where the car was parked. (OPO # 14-28), (N/W)

Between April 1, 2014 and April 30, 2014, 6 complaints were referred to the following agencies:

1. Wednesday, April 2, 2014: A complaint involving the Spokane County Sheriff's Office was referred to the Spokane County Sheriff's Office for follow up.
2. Monday, April 7, 2014: A complaint involving the Spokane County jail was referred to the Spokane County Sheriff's Office for follow up.
3. Thursday, April 10, 2014: A complaint involving the Spokane County Sheriff's Office was referred to the Spokane County Sheriff's Office for follow up.
4. Monday, April 14, 2014: A complaint involving the Spokane Valley Police was referred to the Spokane County Sheriff's Office for follow up.
5. Wednesday, April 16, 2014: A complaint involving Spokane Parking Enforcement was forwarded to the Spokane Parking Enforcement Department for follow up.
6. Wednesday, April 16, 2014: A complaint involving the Spokane County Jail was referred to the Spokane County Sheriff's Office for follow up.

#### **INDEPENDENT INVESTIGATION S REQUESTED**

Between April 1, 2014 and April 31, 2014, the Office of Police Ombudsman received 1 request to conduct an independent investigation:

1. Tuesday, April 22, 2014: A Request was made of the Office of Police Ombudsman to conduct an independent investigation of a 2013 Officer Involved Shooting. The requestor has been advised that the matter would be referred to the OPO Attorney for review and comment and would be placed on hold pending completion of the Deadly Force Review Board on the incident.

#### **INVESTIGATIONS CERTIFIED**

Between April 1, 2014 and April 31, 2014, the Office of Police Ombudsman certified 7 completed investigations as timely, thorough, and objective:

1. Monday, April 07, 2014: A **Restricting Freedom, Handcuffing and Failure to Document complaint** was received by the Office of Police Ombudsman on September 25, 2013. The complainant advised that an officer detained them for no reason. Attempts to mediate this complaint were unsuccessful. The Ombudsman confirms that the investigation was investigated through a timely, thorough and objective process. (SPD IA # 13-095), (OPO # 13-90)
2. Monday, April 07, 2014: A **Demeanor** complaint was received by the Internal Affairs Unit on October 30, 2013. The complainant reported that officers were harassing the complainant after officers came back to the complainant's residence two days in a row. The Ombudsman confirms that this complaint was investigated through a timely, thorough and objective process. (SPD IA # 13-103), (OPO # N/A)
3. Tuesday, April 8, 2014: A **Sexual Relations On Duty, Soliciting Sexual Relations On Duty, Neglect Of Duty and Conduct Unbecoming An Officer** complaint was received by the Internal Affairs Unit on January 16, 2014. The complainant reported that an officer had sex with their spouse while on duty. The ombudsman confirms that this complaint was investigated through a timely, thorough and objective process. (SPD IA # 14-002), (OPO # N/A)
4. Tuesday, April 8, 2014: An **Inadequate Response and Demeanor** complaint was received by the Office of Police Ombudsman on December 3, 2013. The complainant advised that an officer failed to stop and render assistance at an injury traffic collision as the officer drove past the accident scene. The Ombudsman confirms that the complaint was investigated through a timely, thorough and objective process. (SPD IA # 13-109), (OPO # 13-101)
5. Wednesday, April 16, 2014: An **Inadequate Response** complaint was received by the Internal Affairs unit on March 5, 2014. The complainant indicated that an officer failed to write a police report when required to do so. The Ombudsman confirms that the investigation was completed through a timely, thorough and objective process. (SPD IA # 14-013), (OPO # N/A)
6. Thursday, April 24, 2014: An **Absence without Leave** complaint was internally generated by the Internal Affairs Unit on January 30, 2014 after an officer volunteered to attend Reality Based Training and then failed to attend the training. The Ombudsman confirms that the investigation was completed through a timely, thorough and objective process. (SPD IA # 14-014), (OPO # N/A)
7. Tuesday, April 29, 2014: A **Dereliction of Duty** complaint was internally generated by the Internal Affairs Unit on January 24, 2014 after 2 patrol supervisors determined that an officer was not performing to minimum performance standards. The Ombudsman confirms that the investigation was completed through a timely, thorough and objective process. (SPD IA # 14-009), (OPO # N/A)

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

Between April 1, 2014 and April 31, 2014, the Office of Police Ombudsman declined to certify 1 completed investigation as timely, thorough, and objective:

1. Tuesday, April 8, 2014: The Office of Police Ombudsman declined to certify an **Inadequate Response** complaint related to a traffic accident investigation that was received by the Police Department on October 28, 2013. For unknown reasons, the OPO was overlooked in the certification process and the complaint was closed without the OPO's participation in the process until after the fact. (SPD IA # 13-100)

Between April 1, 2014 and April 31, 2014, the Office of Police Ombudsman received 1 appeal, which is under review:

1. Thursday, April 17, 2014: The Ombudsman met with a complainant regarding a completed Internal Affairs investigation related to an Inadequate Response complaint. The case is being reviewed to determine whether there is persuasive and probative new information that would warrant a reopening of the investigation, pursuant to Spokane Municipal Code Section 4.32.030 K.

## **INTERVIEWS**

Between April 1, 2014 and April 31, 2014, the Office of Police Ombudsman participated in 27 interviews in the course of their duties:

- Internal Affairs, Complainant Interviews: 1
- Internal Affairs, Witness Interviews: 4
- Internal Affairs, Officer Interviews: 4
- Office of Police Ombudsman, Complainant Interviews: 11
- Office of Police Ombudsman, Witness Interviews: 6
- Closing (Complaint Closure) Interviews: 1

## **OTHER DUTIES:**

**Critical Incident Response:** Between April 1, 2014 and April 31, 2014, the Office of Police Ombudsman was advised of 2 critical incidents:

1. On Wednesday, April 2, 2014 at 12:55pm, IA Sergeant Staben called the Ombudsman and advised that an Officer had been involved in a pursuit, and the person chased had ingested drugs and suffered a medical emergency as a result. The SIRT was activated to investigate the incident. The Ombudsman was out of town at the time of the incident.
2. On Tuesday, April, 29, 2014 at 1:54 pm IA Lieutenant Lundgren called the Ombudsman and advised that Officers had been involved in a shooting at the intersection of Jackson and Standard while investigating a homicide in the area. As a result the confrontation, the individual died from injuries sustained in the incident. The SIRT was activated to investigate the incident. The Ombudsman responded to the scene with the Lieutenant and received a preliminary briefing and tour of the crime scene.

**Cases Resolved Through Mediation:** There were no cases resolved through mediation during the reporting period.

**Recommendations:** No recommendations were made during the reporting period.

## **NEXT STEPS**

1. Continue recruitment of Student Interns

## **COMMUNITY OUTREACH**

Between April 1, 2014 and April 30, 2014, Office of Police Ombudsman staff members participated in the following community meetings, events, and/or outreach efforts:

1. Thursday, April 3, 2014: Block Watch Crime Prevention Forum, All Saints Lutheran Church (6:30pm-7:30pm)
2. Friday, April 4, 2014: The Community Assembly meeting (4:00pm-5:30pm)
3. Monday, April 7, 2014: LGBT Board meeting (6:30pm-8:00pm)

4. Tuesday, April 8, 2014: West Hills Neighborhood Council meeting, OPO 2013 Annual Report provided to Neighborhood Council Chair with distribution request since Council meets quarterly (6:30pm-7:15pm)
5. Tuesday, April 8, 2014: North Indian Trail Neighborhood Council meeting, OPO presentation of 2013 Annual Report (7:30pm-8:30pm)
6. Wednesday, April 9, 2014: Police Advisory Committee meeting (7:00am-8:30am)
7. Wednesday, April 9, 2014: SPARC meeting (5:30pm-6:45pm)
8. Wednesday, April 9, 2014: West Central Neighborhood Council meeting, OPO presentation of 2013 Annual Report (7:00pm-8:30pm)
9. Thursday, April 10, 2014: Latah Hangman Neighborhood Council meeting, OPO presentation of 2013 Annual Report (7:00pm-8:45pm)
10. Friday, April 11, 2014: House of Charity (8:30am-9:30am)
11. Friday, April 11, 2014: STA Main Terminal (Intern 10:00am-noon)
12. Monday, April 14, 2014: Spokane City Council meeting (6:00pm-6:45pm)
13. Tuesday, April 15, 2014: East Central Neighborhood Council meeting, OPO presentation of 2013 Annual Report (6:30pm-7:15pm)
14. Tuesday, April 15, 2014: OutSpokane Board meeting (7:30pm-8:30pm)
15. Wednesday, April 16, 2014: Bemiss Neighborhood Council meeting (6:00pm-6:30pm)
16. Wednesday, April 16, 2014: Hillyard Neighborhood Council meeting (6:30pm-8:00pm)
17. Thursday, April 17, 2014: Northwest Neighborhood Council meeting, OPO presentation of 2013 Annual Report (7:30pm-8:30pm)
18. Friday, April 18, 2014: House of Charity (10:00am-11:00am)
19. Friday, April 18, 2014: The NATIVE Project (2:00pm-4:30pm)
20. Monday, April 21, 2014: Public Safety Committee meeting (1:30pm-3:00pm)
21. Monday, April 21, 2014: Spokane City Council meeting, OPO presentation of highlights from the March OPO Report to the Public Safety Committee meeting (6:00pm-6:30pm)
22. Monday, April 21, 2014: NAACP meeting (7:00pm-9:00pm)
23. Tuesday April 22, 2014: Smart Justice meeting, NATIVE Project (12:00pm-1:30pm)
24. Tuesday, April 22, 2014: Manito Cannon and Comstock Neighborhood Council meetings, OPO presentation of 2013 Annual Report (6:30pm-8:30pm)
25. Tuesday, April 22, 2014: Spokane Human Rights Commission meeting (5:30pm-6:45pm)
26. Wednesday, April 23, 2014: Christian Service Team Advisory Council breakfast meeting, Salvation Army (8:00am-9:30am)
27. Wednesday, April 23, 2014: The NATIVE Project Wellness Dinner (6:00pm-7:30pm)
28. Thursday, April 24, 2014: OutSpokane Murder Mystery and Silent Auction (6:30pm-9:00pm)
29. Friday, April 25, 2014 through Sunday, April 27, 2014: The NATIVE Project Youth Leadership Camp at Medical Falls
30. Monday, April 28, 2014: OPO Commission Development Public Meeting (12:00pm-1:00pm)
31. Monday, April 28, 2014: Kootenai County Human Rights Task Force banquet in Coeur d'Alene (5:30pm-8:00pm)
32. Tuesday, April 29, 2014: OPO Commission Development Public Meeting (OPO Assistant) (5:00pm-6:00pm)
33. Wednesday, April 30, 2014: The Crosswalk Teen Shelter Outreach (12:00pm-12:45pm)

Since January 1, 2014, the Office of Police Ombudsman has presented the 2013 Annual Report to:

- Spokane Neighborhood Councils: 12 of the 27 neighborhood councils
- Community Assembly
- NAACP, Spokane Branch #1137

## **TRAINING**

Between April 1, 2014 and April 30, 2014, Office of Police Ombudsman staff members participated attended the following training:

1. Wednesday, April 9, 2014: Our Kids, Our Business: Annual Luncheon and Training (1130a-3pm)
2. Thursday, April 10, 2014: First Aid Renewal (OPO Assistant, 8:00am-noon)
3. Thursday, April 10, 2014: EWU at Spokane City College, Africana Studies, African American Women's History (5p-6:30pm)
4. Thursday, April 17, 2014: INBA LGBT demographics presentation at Gonzaga School of Law (12n-1:00pm)
5. Thursday, April 17, 2014: EWU at Spokane Community College, Africana Studies, Urban Metaphysics, How Hip Hop Can Be A Spiritual and Educational Mechanism (5pm-7pm)
6. Thursday, April 24, 2014: Supervisor Training (OPO Assistant 8a-12n)
7. Thursday, April 24, 2014: EWU at Spokane Community College, Africana Studies, The Civil Rights Movement in Spokane (5p-6:15pm)

## **OTHER ACTIVITIES**

Between April 1, 2014 and April 30, 2014, Office of Police Ombudsman staff members participated in the following other activities:

1. Saturday, April 5, 2014: SPD Ride Along (10:00am-8:00pm)
2. Sunday, April 13, 2014: SPD Ride Along (OPO Intern, 6:00am-4:15pm)
3. Tuesday, April 22, 2014: SPD Ride Along (OPO Assistant, 10:00am-3:30pm)
4. Friday, April 25, 2014: SPD Ride Along (OPO Assistant, 4:00pm-9:00pm)

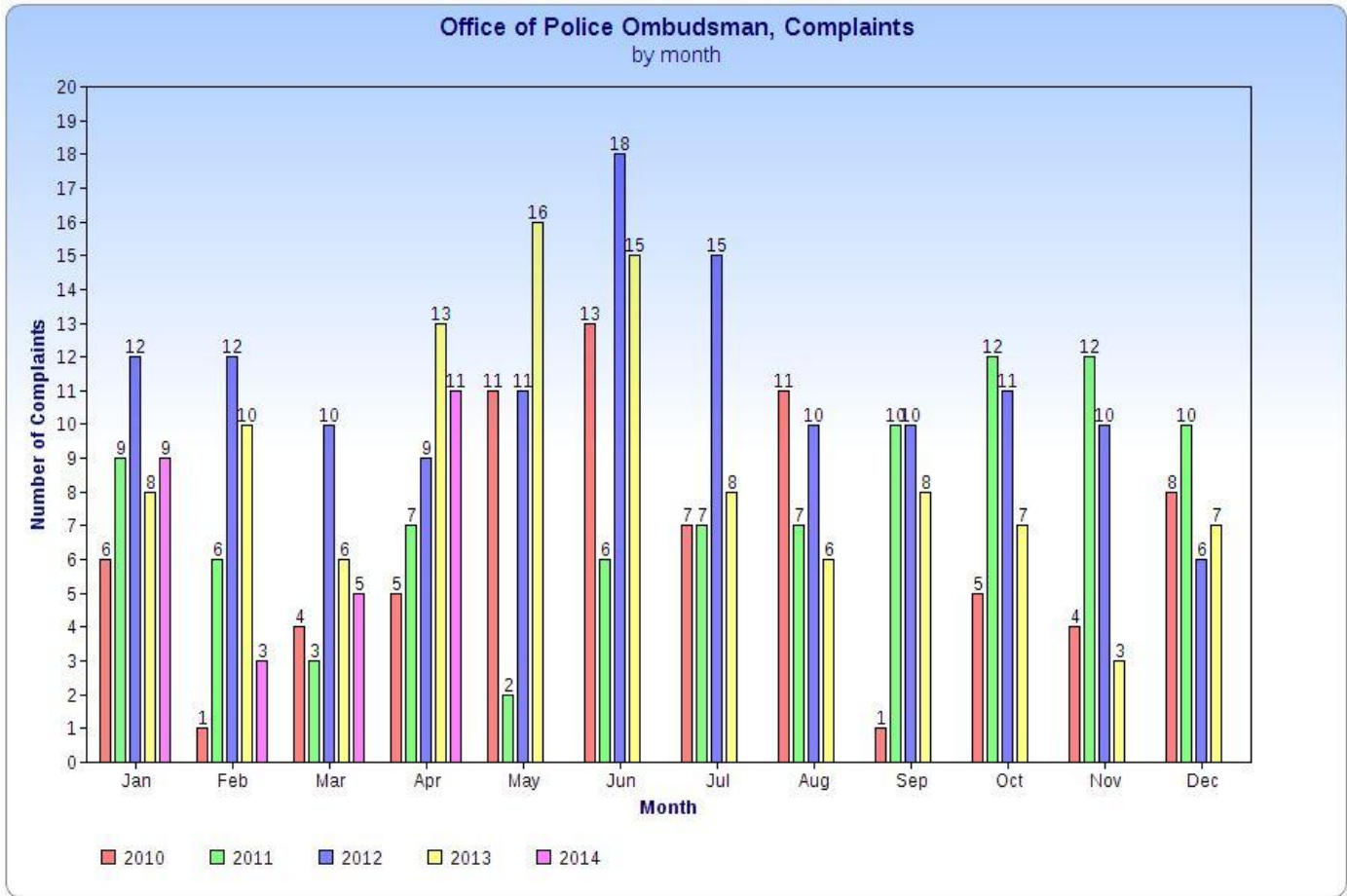
## **COMPLIMENTS & COMMENDATIONS**

Between April 1, 2014 and April 30, 2014, Office of Police Ombudsman staff members received **1** citizen compliment and/or commendation of a Spokane Police Officer:

1. Wednesday, April 9, 2014: Officer Commendation: While at the West Central Neighborhood Council meeting an Officer Commendation was received and forwarded to the Police Department.

**ATTACHMENT #1**

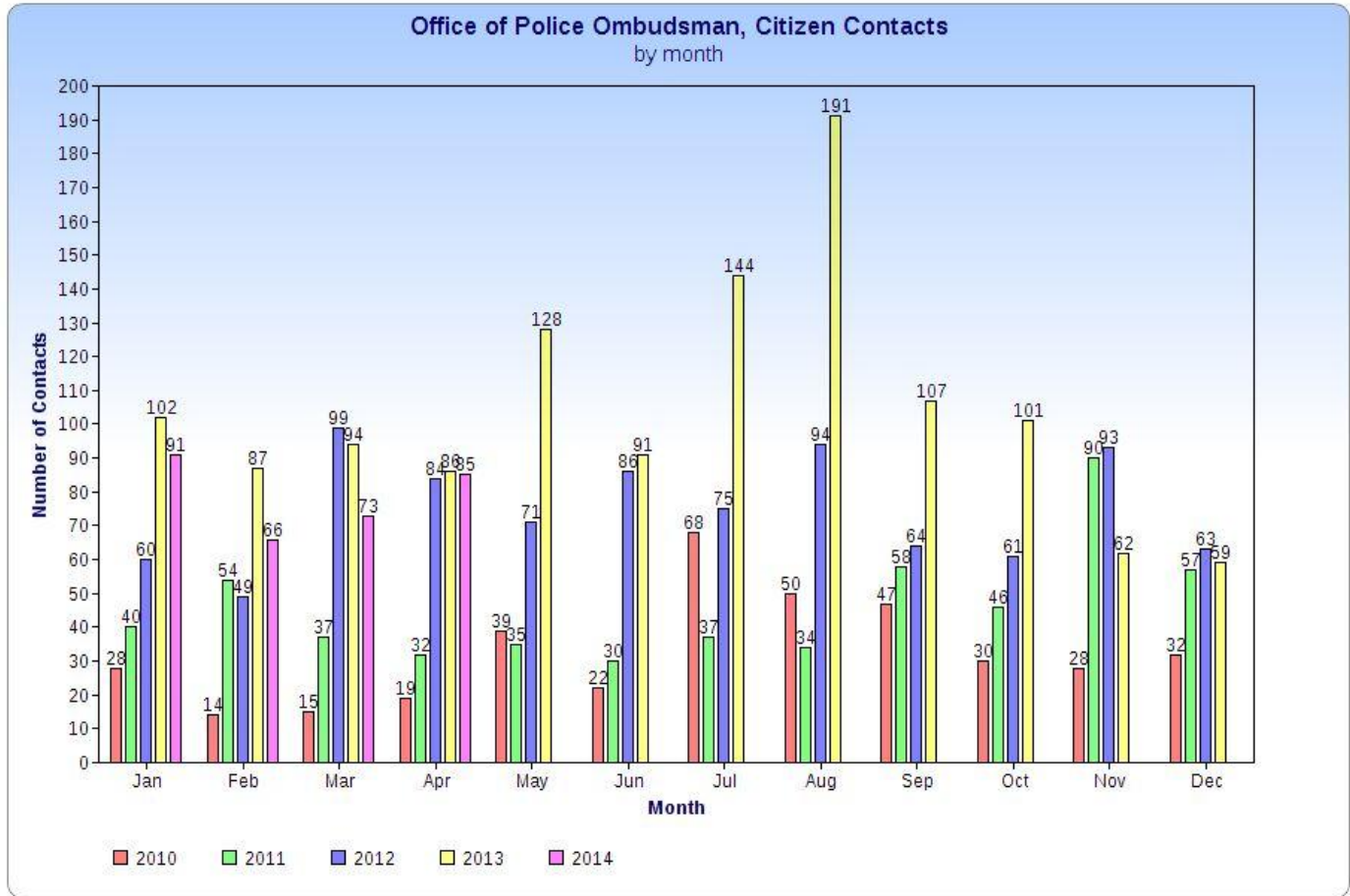
Five-year snapshot graph of Office of Police Ombudsman complaints received by month.





**ATTACHMENT #2**

Five-year snapshot graph of the number of times citizens contacted the Office of Police Ombudsman by month.



**ATTACHMENT #3**

Snapshot graph of the method used by citizens to contact the Office of Police Ombudsman by month.

