



SPOKANE POLICE DIVISION
CHIEF OF POLICE
CRAIG N. MEIDL



Spokane Police Department
2017 Annual Comprehensive Analysis of Reportable
Use of Force Incidents



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Executive Summary

The Spokane Police Department (SPD) is committed to protecting people, their property, and their rights. The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use objectively reasonable force in carrying out their duties. The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use objectively reasonable force and to protect themselves and the public requires monitoring, evaluation, and a careful balancing of all interests.

The primary purpose of the Comprehensive Analysis of Reportable Use of Force Incidents is to provide Spokane Police Department information about officers' use of force and trends associated with use of force. The analysis provides information on many factors involving the subjects and involved officers, as well as environmental details. The document also describes the training issues identified during the incident review. SPD's Training Unit and the Training Plan Committee use the information in the report to assist in their development of training curriculum.

The report also serves to inform the community about use of force. The analysis and prior year analysis reports are available on SPD's website at the following link:

<https://my.spokanecity.org/police/accountability/use-of-force/>

Trends Identified in the Annual Comprehensive Analysis

Ratio of Use of Force Incidents per Citizen Contacts Remains Low

The ratio of use of force incidents compared to citizen contacts is very low (00.07%). In 2017, officers responded to 152,823 calls, including 47,073 officer-initiated incidents. SPD officers used non-deadly force in 109 incidents in 2017.

At 109 total non-deadly use of force incidents in 2017, SPD's annual total is 26% less than 2013, with 147 non-deadly use of force incidents.

Use of Less Intrusive Force Options

The Level I Lateral Neck Restraint was the most frequent type of reportable force used by officers in 2017, followed by the use of a TASER™ device. The Use of Force Review Board (UOFRB) noted the success of the Level I Lateral Neck Restraint control technique and the significantly low occurrence of injury to subjects and officers. Officers used the Level I Lateral Neck Restraint (LNR) in 27 incidents in 2017. In 24 of those incidents (89%), officers used a Level I LNR



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application with no other force needed in order to take the subject into custody, avoiding serious injury to the subject. The mandatory documentation of this technique since 2016 has confirmed the success of this technique, negating the need for other more intrusive force options.

Most Incidents Associated with Calls for Service

Use of force incidents continue to stem most often from officers responding to a call for service, rather than court-ordered contacts, officer-initiated contacts, or contact from assisting another agency. In 2017, 76% of the use of force incidents resulted from officers dispatched to 911 or Crime Check calls rather than officer-initiated activity. In 16% of incidents, the officer initiated contact (e.g., traffic stop, served a warrant). 7% of calls involved officers assisting another agency, and 1% of calls stemmed from a citizen flagging over an officer. In 2016, 72% of the use of force incidents resulted from situations where officers were dispatched to 911 or Crime Check calls rather than officer-initiated activity. This trend has continued over the past five years, and confirms the majority of uses of force are associated with calls for service requests.

Continued Prevalence of Incidents Related to Domestic Violence (DV) Calls

Domestic Violence (DV) calls continue to be the most common type of call resulting in a use of force. In 2017, DV-related calls (include a wide variety of classifications from DV protection order violations to DV Assault) made up 18% of incidents. DV-related incidents comprised 15% of all call types in 2016, 12% in 2015 and 15% of calls in 2014. In an analysis of incidents from 2009-2013, DV-related calls were always the most frequent type of call involving force, making up between 15-24% of total calls during the five year span.

Due to the prevalence of DV calls, SPD trains officers using Reality Based Training (RBT) scenarios that involve responding to DV calls. RBT sessions provide officers opportunities to apply de-escalation, crisis intervention, use of force, and patrol procedures training in the context of a domestic violence call.



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2017 Use of Force – At a Glance

- **2017 Annual Total of Non-deadly UOF:** 109 incidents; 152,823 calls for service.
- **2017 Annual Total of Deadly UOF:** 7 incidents; 152,823 calls for service.
- **UOF Frequency:** The ratio of use of force incidents compared to citizen contacts is very low (00.07%). In 2017, SPD officers responded to 152,823 calls for service, including 47,073 officer-initiated incidents, and used non-deadly force in 109 incidents.
- **Origin:** Incidents most often develop from a call for service (911 call).
- **Call type:** Most commonly a Domestic Violence (DV) call.
- **Reason for Force:** Most commonly, involved person was assaulting officers.
- **Type of Force used:** Most frequently, Level I Lateral Neck Restraint followed by use of TASER™ device.
- **Environment:** Most often occurring in Downtown, and Northwest police districts. Violent crime statistics were the highest in Nevawood and Northeast police districts.
- **Day and Time:** Most often occurring on Thursdays and Sundays. Use of force incidents occurred equally as often between 3:00-6:00 pm, between 6:00-9:00 pm, and between noon-3:00 pm.
- **Intoxication:** Involved persons were intoxicated 51% of the time.
- **Mental Status:** Subjects were documented as mentally unstable in 39 40% of the use of force incidents in 2017.
- **Incident Outcome:** Most frequently felony arrest of involved subject.
- **Officer Demographics:** Most often a White officer, average age 39 years old, with 11 years of experience with SPD.
- **Investigation Outcome:** 96% of incidents were determined to be in compliance with policy. Four incidents were determined out of policy. In one incident, the involved officer's first TASER™ deployment was within policy but not the second deployment, because the suspect was actively resisting at that point but was no longer assaultive. In the second incident, the involved officer used Level II strikes. SPD policy does not authorize Level II strikes to overcome active resistance; assaultive behavior is required. The other two incidents involved remedial training on SPD's current training philosophy on intentional pointing of a firearm.
- **Secondary Review:** Each UOF incident receives a secondary review by the Use of Force Review Board. The UOFRB debriefs incidents to evaluate training, equipment needs, and policy/standard operating procedure (SOPs) in place or practiced department-wide.
- **Training Issues:** Issues addressed on the individual level and department-wide level included report writing, criminal procedures, and defensive tactics, and review of SPD's current training philosophy on intentional pointing of a firearm.



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Introduction

Total Use of Force Incidents

This report analyzes non-deadly applications of force (e.g., Lateral Neck Restraint, TASER™). There were 118 reportable uses of force in 2017, including seven deadly force incidents. This report analyzes the non-deadly uses of force. In two cases, two different Internal Affairs tracking numbers exist for the same incident. F17-080 and F17-082 are associated with one incident; F17-091 and F17-098 are also associated with the same incident. Due to this duplication, our internal records show a total of 118 uses of force and 111 non-deadly uses of force. After removing the two duplicates and the seven deadly force cases, our finalized total is 109 non-deadly use of force incidents.

Reportable Use of Force with Chain of Command Review

Reportable uses of force involve an officer's deployment of control tactics and/or control devices for which officers have successfully completed department-approved training. When a person allows him/herself to be searched, escorted, handcuffed or restrained, it is not considered a reportable use of force; it is considered compliance. Less intrusive control tactics are not normally deemed a "Reportable Use of Force." For example, when an officer uses his body weight to control a suspect while handcuffing the person in the prone position, that situation would not require a use of force investigation. However, if an injury occurred that is not consistent with an applied control technique or tactic, a use of force investigation would occur. Most reportable use of force incidents occur when an officer uses a physical tactic or device, such as a Lateral Neck Restraint or TASER™ device. Spokane Police Department also categorizes the intentional pointing of a firearm at a subject as a reportable use of force incident, although it does not involve the application of physical force.

Reportable Non-Deadly Use of Force Applications

- Any application causing a visible injury (with the exception of minor marks on the wrist consistent with being handcuffed or minor marks as a result of prone handcuffing)
- The subject claims an injury resulted from a use of force, even if no injury is visible (with the exception of minor marks on the wrist consistent with being handcuffed and/or minor marks or abrasions to portions of the body consistent with prone handcuffing)
- All applications of Lateral Neck Restraint (Level I and Level II)
- All applications of a Conducted Energy Weapon (e.g., TASER™)
- The intentional discharge of firearms (with the exception of training or recreation)



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- Intentional pointing of a firearm - where the officer is intentionally “pointed in” (muzzle is covering the subject) with their firearm, with the intent to use the firearm in defense of themselves or another
- Any deployment of chemical agents OC or CS by means of spray or by means of physically or mechanically delivered techniques where a person is exposed to the substance
- Any application of an impact weapon whether personal, issued or improvised to a subject (e.g., baton strikes, knee strikes)
- Any K9 deployment where a reportable contact has occurred
- When an individual alleges any of the above has occurred

Investigation and Administrative Review of Use of Force

When a use of force incident occurs, the involved officer’s supervisor uses Blue Team software to generate the use of force report. Blue Team reports contain the administrative review and supplemental documents such as police reports, radio transmissions, and investigative summary narratives. The chain of command (sergeant, lieutenant, captain) reviews the Blue Team report before sending to a Major for the final determination. This review process ensures that the application of force is within policy and law and meets department expectations. See “Non-Deadly Use of Force Investigation” flow chart at the end of the report for more information.

This review process measures the objective reasonableness of each application of force considering the following:

- The threat factors pertaining to victims, public, officers and the involved subject
- The subject’s resistance level/ability and attempts to flee officer control efforts
- The severity of the crime or community care-taking elements of the incident

The review also takes into consideration the involved officers’ level of training and experience and the fact that officers are often forced to make split-second decisions during situations that are often tense, uncertain and rapidly evolving. After the final determination has been made, the use of force report is then distributed to SPD’s Training Director, Defensive Tactics subject matter experts, Internal Affairs Lieutenant, Patrol Captain, Major, Chief, Assistant Chief, Director of Strategic Initiatives, City Attorney’s Office, and the Office of Police Ombudsman.

The Use of Force Review Board (UOFRB) conducts a secondary review of all non-deadly use of force incidents. The UOFRB meets monthly to debrief use of force incidents with the intent to evaluate training, equipment needs, and policy/standard operating procedure (SOPs) in place or practiced department-wide. The UOFRB only reviews incidents that have received a final determination from the Chief or designee, and the UOFRB is not utilized to recommend discipline or conduct investigations in unresolved use of force incidents. UOFRB members include SPD’s Training Director, Assistant Training Director, Rangemaster/Firearms Instructor, Internal Affairs Lieutenant, Defensive Tactics Instructor, Program Professional, officer peer representative, and the Police Ombudsman.



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Use of Force Data: January 1, 2017-December 31, 2017

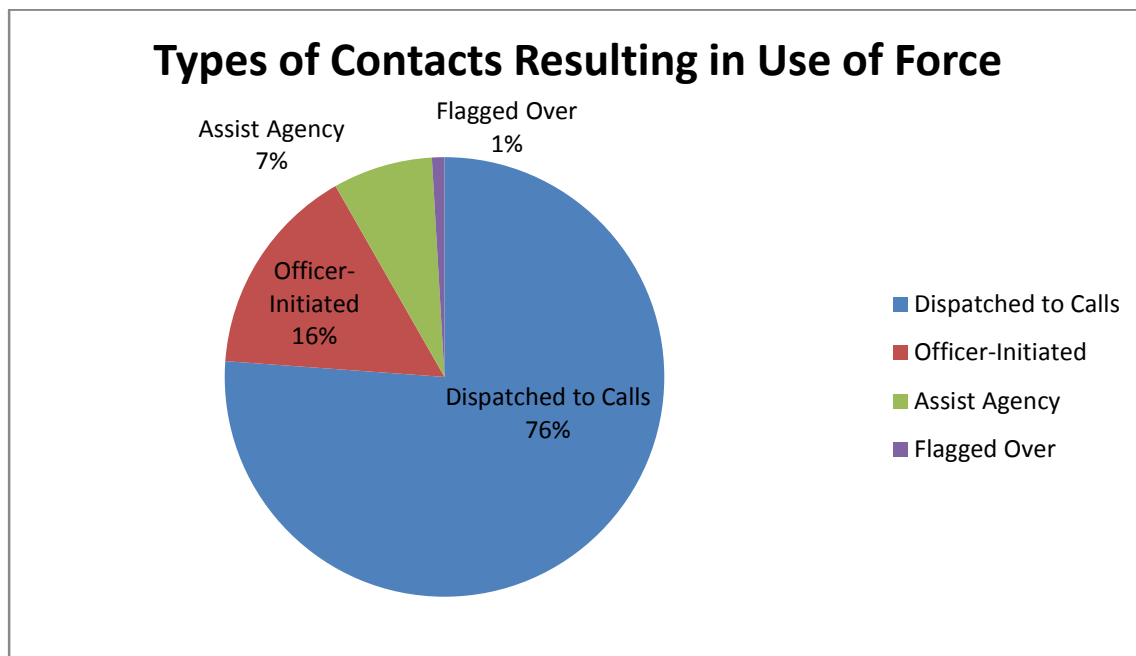
Total Reportable Use of Force Incidents versus Citizen Contacts

Spokane Police Department officers used non-deadly force in 109 incidents in 2017, which is a slight increase from 105 incidents in 2016. Overall, the total number of non-deadly use of force incidents has declined 26% since 2013.

Use of force rates are often compared against the total number of police-citizen contacts. It is difficult to provide a definitive number of police-citizen contacts, as there are many informal contacts and non-enforcement contacts with citizens (e.g., partnerships, meetings, and outreach). Looking at calls for service can be helpful, as the total calls for service provide context. Officers responded to 152,823 calls and were involved in 47,073 officer-initiated incidents in 2017. The ratio of use of force incidents compared to citizen contacts is very low (00.07%).

Calls for Service versus Officer-Initiated Contacts

Figure 1



76% of the use of force incidents resulted from officers being dispatched to 911 or Crime Check calls rather than officer-initiated activity. In 16% of incidents, the officer initiated contact. 7% of calls resulted from officers assisting another agency, and 1% of calls stemmed from a citizen flagging over an officer.



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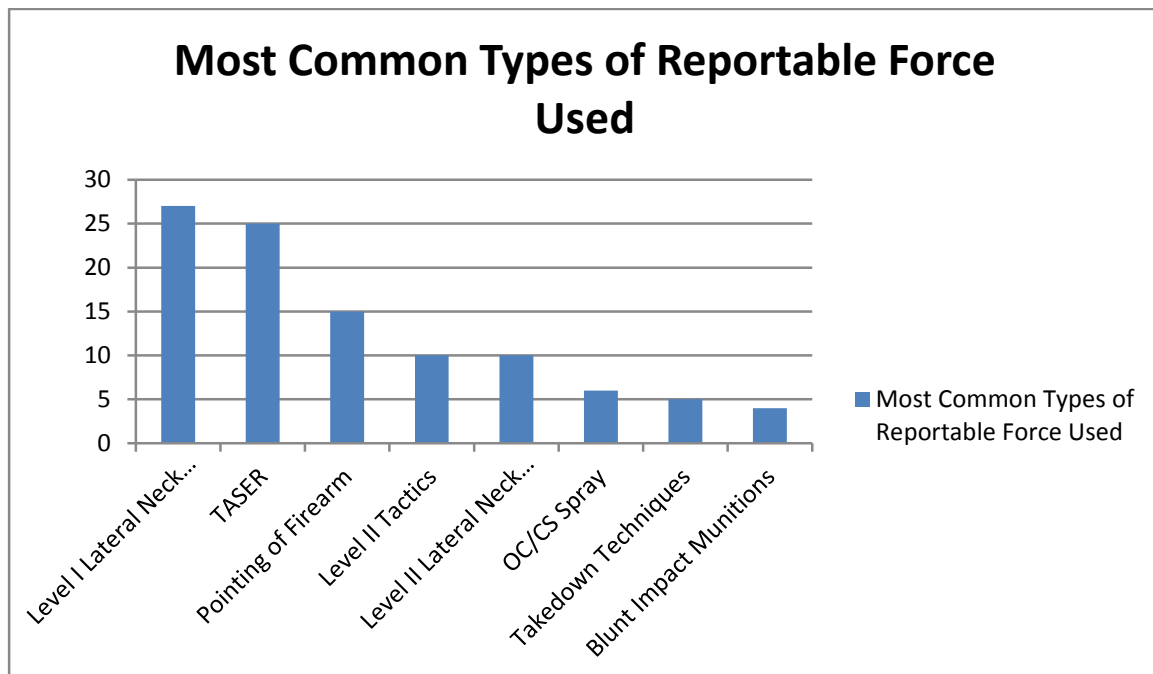
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Type of Call

Domestic Violence-related calls were the most common type of call resulting in a reportable use of force. DV-related calls (include a wide variety of classifications from DV protection order violations to DV Assault) made up 18% of incidents. Other common types of calls resulting in force included serving a court-ordered warrant (8%), Assault (7%), Traffic Stop (6%), and Person with a Weapon (6%). The rest of the calls varied and included classifications such as Argument, Burglary, Robbery, Disorderly Conduct, Fight, Suspicious Circumstances, Trouble Unknown, Check Welfare, Assist Other Agency, Vehicle Theft, Vehicle Recovery, etc.

Type of Force

Figure 2



Many of the incidents involved multiple officers and more than one type of force. For example, while taking a subject into custody, one officer might use a Takedown Technique while another officer used a TASER™ device.

The Level I Lateral Neck Restraint was the most frequent type of reportable force used by officers in 2017, followed by the use of a TASER™ device; officers used these two types of force most frequently in 2016 as well.



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Frequently Used Applications

- Officers used the Level I Lateral Neck Restraint (LNR) in 27 incidents.
- Officers deployed a TASER™ device in 25 incidents.
- The intentional pointing of a firearm application was utilized in 14 incidents.
- Officers used Level II tactics in 10 incidents.
- Officers used the Level II LNR application in 10 incidents.

Less Frequently Used Applications

- Officers deployed OC/CS spray, commonly known as pepper spray, in six incidents.
- Takedown techniques were used as a reportable use of force in five incidents.
- Impact weapons (40 mm/beanbag shotguns) were deployed in four incidents. Other impact weapons included a baton strike and an officer using his shield to knock a suspect off balance.
- Body weight/manual force and/or handcuffing techniques causing minor injury was reported as the sole type of force in four incidents. In 10 incidents, these techniques were used in addition to other applications of force.

*A Lateral Neck Restraint (LNR) is a control technique that involves an officer placing pressure on the sides of the subject's neck, compressing arteries and veins. The LNR impacts the circulatory system while leaving the airway unobstructed and protected during the deployment of this control technique. The Level I LNR involves lighter pressure as the officer does not intend to render the subject unconscious; in many cases, the subject is compliant once placed in the hold. An officer deploying a Level II LNR control technique does so with the intention of rendering the subject temporarily unconscious.

K9 Applications

Incidents involving K9 applications totaled 22. K9 applications are only an option for the six SPD officers with K9s. SPD K9s were deployed 1123 times in 2017, to assist with tracking, building searches, perimeter security, evidence finds, and suspect apprehension. K9s were involved in 152 captures and 22 incidents involving use of force, representing a unit average bite ratio of 14.1%. Industry best practices suggest that the bite to apprehension ratio should be below 20%, based on *Kerr v City of West Palm Beach*.

Effectiveness of Frequently Used Techniques

For the last two years, the SPD training unit has been tracking how often the Lateral Neck Restraint (LNR) was effective in the safe apprehension of subjects. Officers used the Level I Lateral Neck Restraint (LNR) in 27 incidents in 2017. In 24 incidents (89%), officers used a Level I LNR application with no other force needed in order to take the subject into custody, avoiding serious injury to the subject. Three incidents involved other applications in addition to the Level I LNR. In one incident, body weight and manual force were also used in order to take the subject into custody, and the



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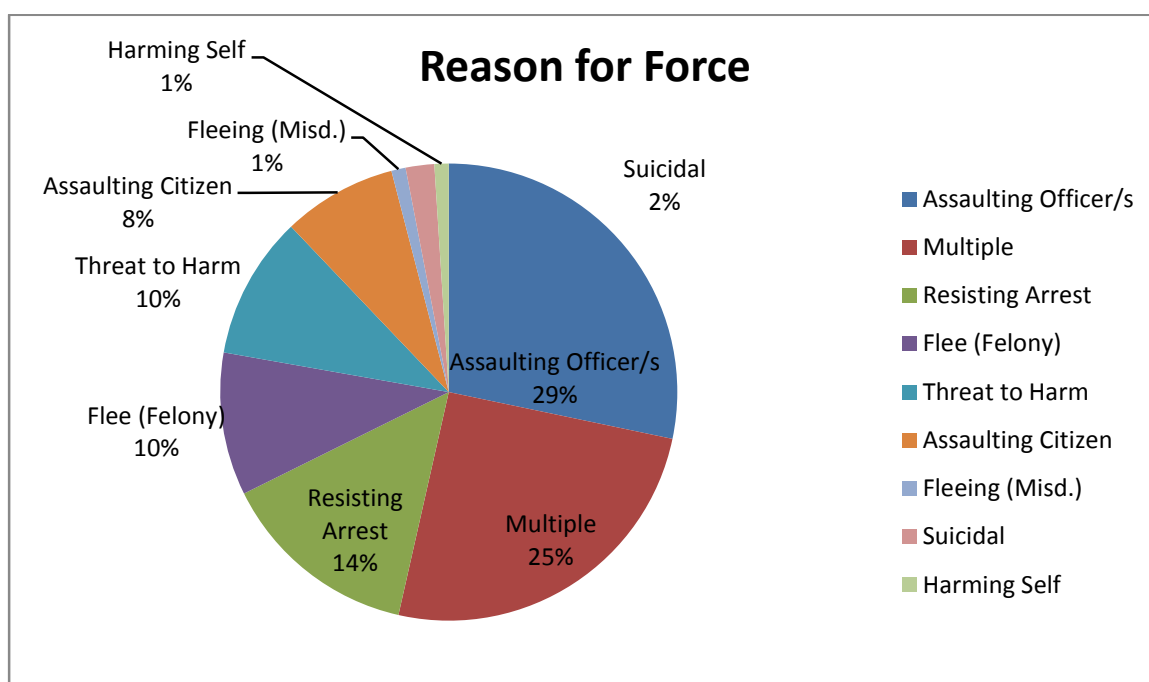
subject sustained a cut to his forehead. In two other incidents, the officer began with a Level I LNR application and transitioned to a Level II. This technique resulted in a high level of success and very low level of injury.

TASER™ device applications are the second most frequent type of force used. A TASER™ device was deployed in 25 of the 109 (23%) non-deadly force incidents and was successful in 13 (56%) of those incidents.

In 11 of the 25 (44%) incidents, the TASER™ was not effective, most often due to probes not making desired contact with the subject because of the subject's heavy clothing or other inadequate probe connections. In two of the incidents, there was an issue with the device's battery.

Reason for Force

Figure 3



Spokane Police officers are required to document the circumstances of use of force incidents and articulate the reason that force is used. The most common reason was assaulting officer/s, followed by multiple reasons and resisting arrest. An example of a Felony Flee would be a situation in which an armed robbery suspect flees the scene and hides in a nearby abandoned building, and a K9 is called to locate him. The K9 then locates and apprehends the suspect. See Figure 3.



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Resistance Threshold Guidelines

During the process of choice and application of reasonably applied force, officers are trained to identify, interpret, predict and evaluate resistance from a subject(s). Resistance thresholds will assist as a guide in force decision making. However, resistance thresholds alone will not determine the reasonableness of applied force whether excessive or insufficient.

Level of Resistance

Objectively Reasonable Officer Response

Compliant:

Presence
Verbal Commands/Draw and Direct
Compliant Handcuffing
Cursory Search for Weapons
Reasonably Objective Exceptional Techniques

Passive:

Escort Compliance Techniques (Joint Locks)
Neuromuscular Control
Passive Resistant Handcuffing
Reasonably Objective Exceptional Techniques

Active:

Active Resistant Handcuffing
Takedown Techniques
Roll Over Techniques
Level I Neck Restraint
Reasonably Objective Exceptional Techniques

Assaultive:

Impact Techniques
Level II Neck Restraint
OC / CS spray
TASER™
Reasonably Objective Exceptional Techniques

Life Threatening:

Firearms
Weapon Retention Techniques
Reasonably Objective Exceptional Techniques



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Level of Resistance Definitions:

Compliant: Cooperative response to lawful commands.

Passive: Noncompliance to lawful authority without physical resistance or mechanical enhancement.

Active: Use of physical effort or mechanical resistance in achieving and/or maintaining noncompliance.

Assaultive: Noncompliance perceived as, or resulting in, an actual assault on an individual or officer. The scope and severity of the attack would support the reasonable assumption that the actions would not result in death or serious bodily harm.

Aggravated Assaultive/Life Threatening: Noncompliance perceived as, or resulting in, an actual assault on an individual or officer. The scope and severity of the attack would support the reasonable assumption that the actions would result in death or serious bodily harm.

Tactical Interaction Commitment

Interaction with citizens is a primary function for the Officers of the Spokane Police Department. It will be the intent of every officer to demonstrate five interaction tactics. The first one will be maintained regardless of the situation. The next four will be implemented when safety of the officer, subject, citizens and property allow.

- Treat all people with dignity and respect.
- When practical, ask people instead of order.
- When practical, explain why we are asking.
- When practical, give them options that will allow them to save face yet achieve the desired goal.
- When practical, give the subject at least one additional chance to comply.



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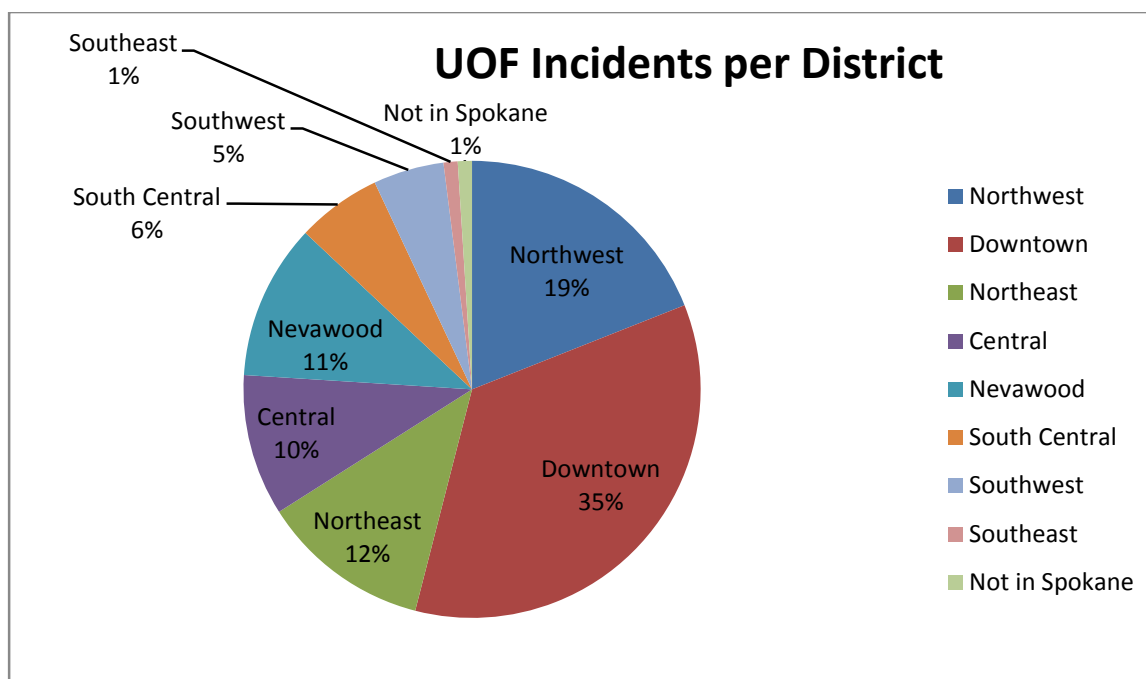
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Environmental Characteristics

Police District (Neighborhood)

Figure 4



Use of force incidents took place most often in the Downtown police district in 2017. They also occurred most frequently in the Downtown and Northwest police districts in 2016. They occurred less frequently in the Southside districts.



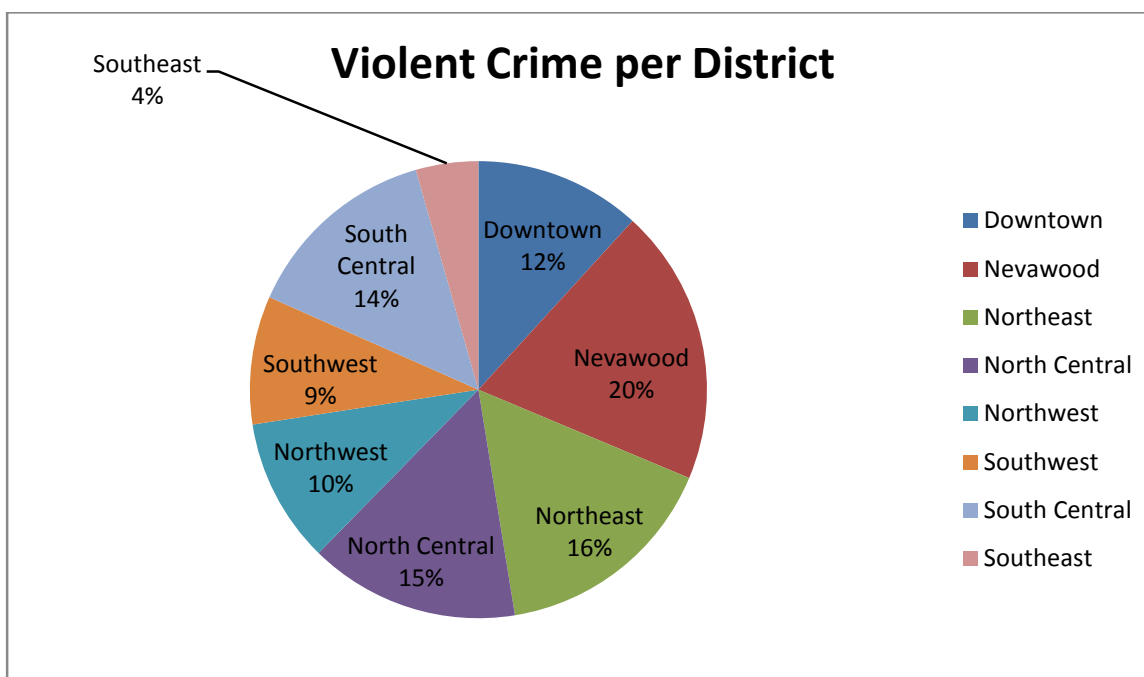
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Violent Crime per District (Neighborhood)

Figure 5



The Downtown police district was somewhat of an anomaly because Downtown had the most use of force incidents, yet violent crime statistics were the highest in three Northside districts. Downtown service calls and demographics are unique when compared to service calls and demographics throughout the rest of the City. Of the 38 incidents that took place Downtown, officers categorized the subjects as not intoxicated in only 29% of those incidents. In 71% of Downtown use of force incidents, officers noted that the subject's behavior was unusual due to unknown reasons (alcohol, drugs, mental health issues, or a combination of those factors).

The Southeast police district had the least amount of use of force incidents and had the lowest incidence of violent crime. Refer to Figures 4 and 5. Also refer to the attached map of the districts.



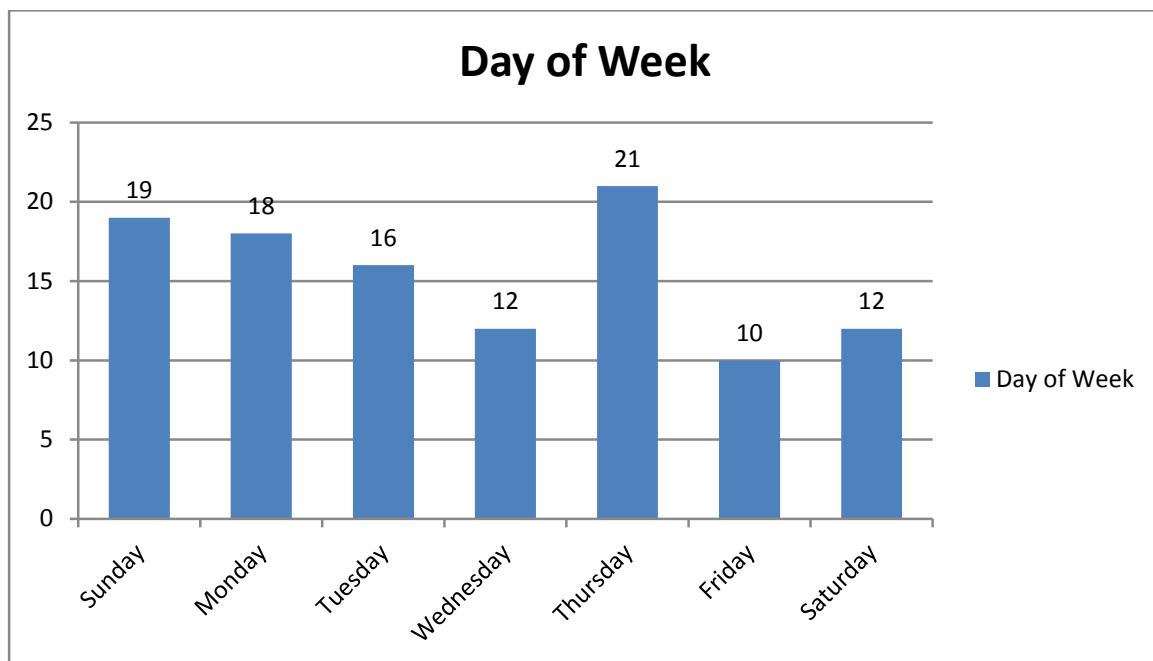
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Day of the Week

Figure 6



2017 data indicated that use of force incidents occurred most frequently on Thursdays and Sundays. See Figure 6.



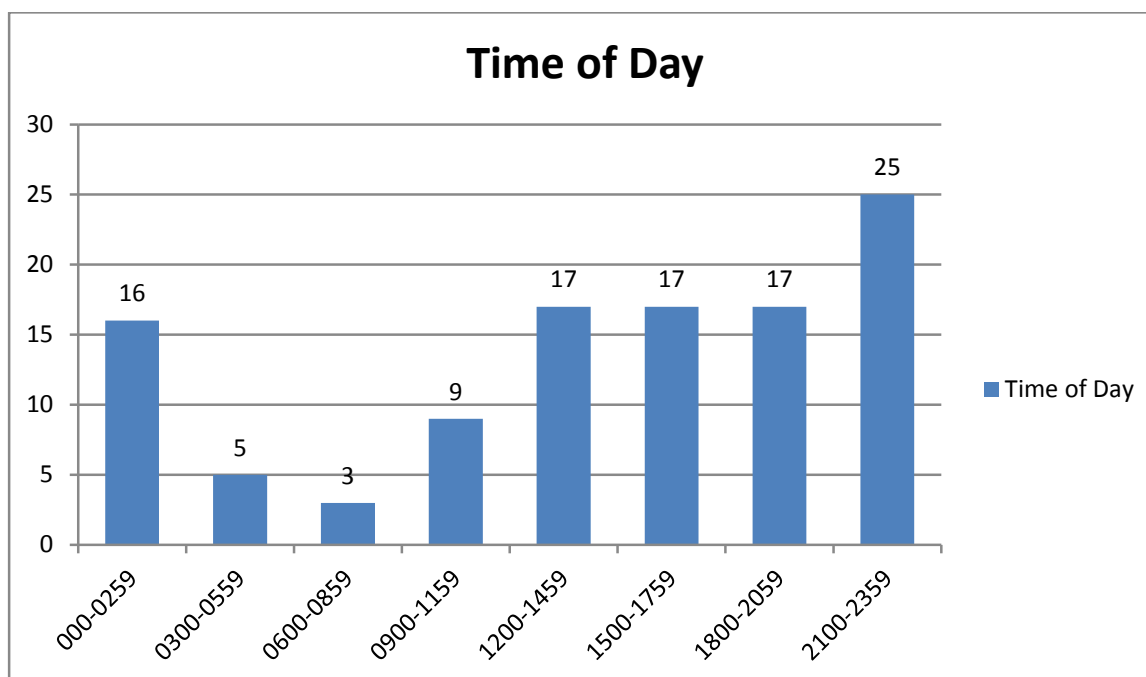
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Time of Day

Figure 7



Use of force incidents occurred equally as often between 1500-1759 (3:00-6:00 pm), which includes Day, Swing, and Power shifts; between 1800-2059 (6:00-9:00 pm), which includes Swing and Power shifts; and between 1200-1459 (noon-3:00 pm), which includes Day and Swing shift.

Day Shift hours are from 0600-1640. Swing shift hours are from 1000-2040. Power Shift hours are from 1600-0240. Grave Shift hours are from 2000-0640. SPD assigns more officers to Swing and Power shifts than to Day and Grave shifts. K9 officers are also assigned to Power shift. See Figure 7.



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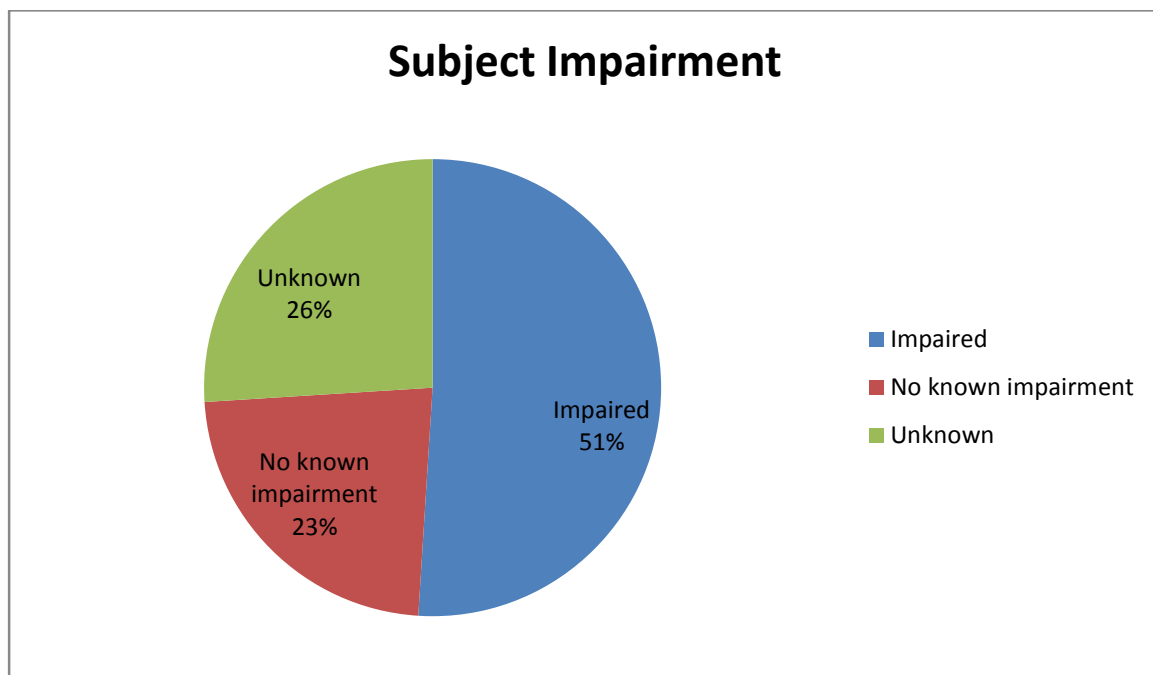
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Subject Characteristics

Subject Drug and Alcohol Impairment

Figure 8



56 of the 109 (51%) of the involved subjects appeared to be impaired by alcohol and/or drugs, as documented in Blue Team. It is difficult to determine the extent of drug and alcohol use in the incidents, as sometimes subjects are in possession of drugs but claim not to be under the influence at the time of the incident. It is also difficult to discern which drug/s or which combination of drugs that subjects are using. In 29 (26%) incidents, the supervisor reported that the subject's behavior was unusual due to unknown reasons (alcohol, drugs, mental health issues, or a combination of those factors). See Figure 8.



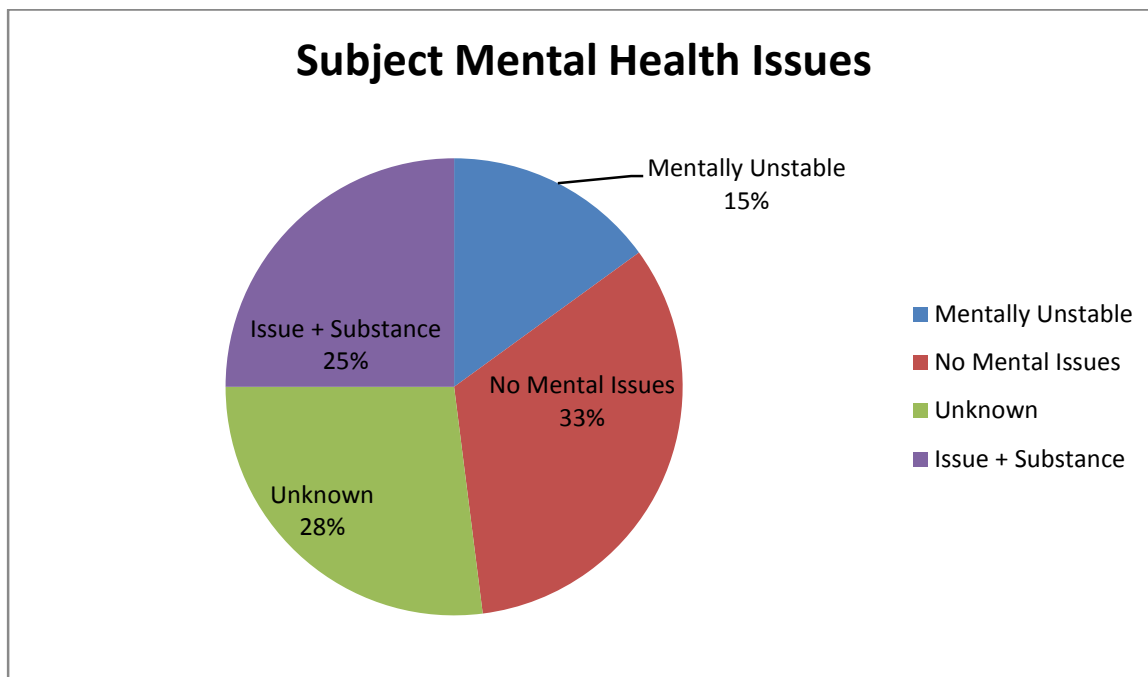
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Mental Health Status

Figure 9



Unusual behavior by the subjects is very common in situations that result in a use of force. Subjects were documented as mentally unstable without drug and alcohol intoxication in 16 (15%) of the 109 use of force incidents. Some of these incidents involved people who were actively harming themselves. In situations like these, force is used in a community caretaking function, with the need to take the person to the hospital rather than arrest the person. In 27 (25%) of the cases, officers noted possible mental health issues along with alcohol and/or drug intoxication. In 30 (27%) incidents, the supervisor reported that the subject's behavior was unusual due to unknown reasons (alcohol, drugs, mental health issues, or combination of those factors). It is difficult to know if a person exhibiting signs of intoxication and speaking incoherently has underlying mental health issues, or if the behavior is solely due to the intoxicating substance. In 36 (33%) incidents, officers were not aware of any mental health issues. See Figure 10.

Warrant Status

In 25 (23%) of the incidents, subjects had outstanding warrants.



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Subject Age

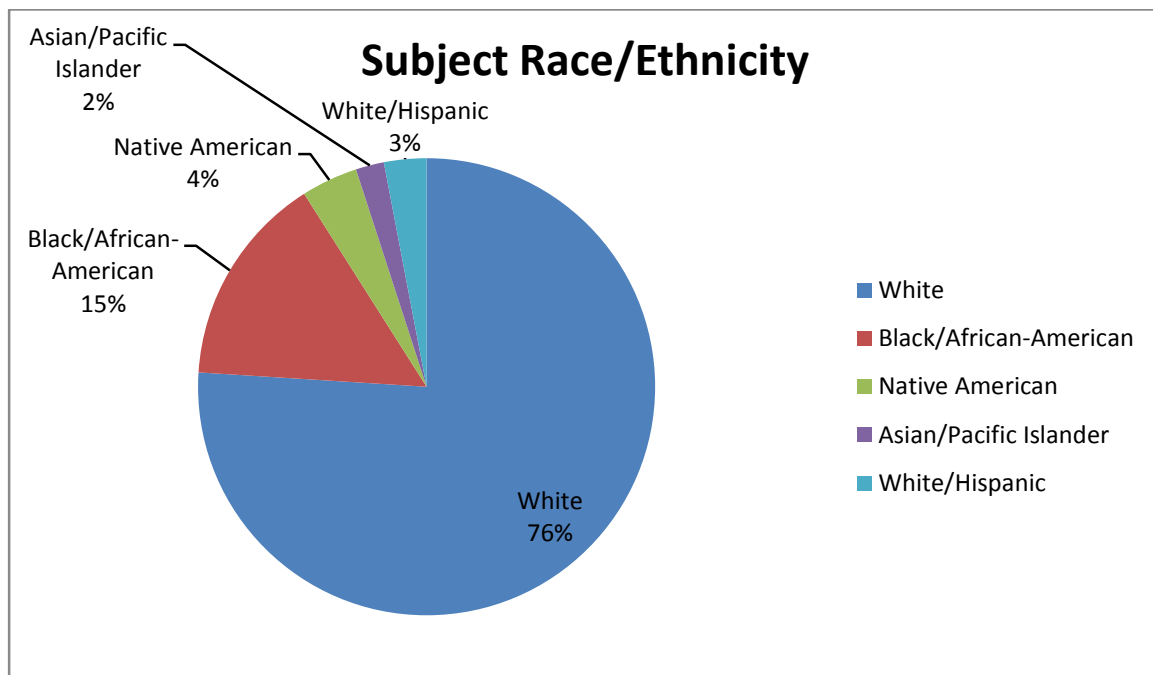
The average age of the subjects was 34 years old. Four subjects were juveniles.

Subject Gender

The vast majority of involved subjects in use of force incidents were male. 8 subjects were female.

Subject Racial/Ethnic Demographics

Figure 10



83 of the 109 of subjects involved in use of force incidents (76%) were White. 16 (15%) subjects were Black/African-American, 5 (4%) subjects were Native American, 3 (3%) of subjects were White/Hispanic, and 2 (2%) subjects were Asian/Pacific Islander. See Figure 10.



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Incidents Involving White Individuals

Of the 83 incidents involving White subject, 60 developed from a call for service. In eight cases, SPD assisted another agency such as the Washington State Patrol, Spokane City Park Rangers, Kootenai County Sheriff's Office, Frontier Behavioral Health, and Spokane County Sheriff's Office. In 15 cases, the officer initiated contact with the White individual, as listed below.

- F17-015: An officer attempted a bike stop for a traffic violation. The male jumped off the bike and started running away. He had a DOC escape warrant. The officer used body weight/manual force, as a reportable use of force, to take him into custody.
- F17-017: An officer conducted a traffic stop on a vehicle with defective equipment. After running the license plate, he noted that the driver had an arrest warrant. The driver had a firearm in the car. The officer pointed his firearm at the driver and ordered him out of the car.
- F17-021: Officers went to a residence to contact a DV Assault suspect who also had a felony DOC warrant. The male barricaded himself inside the residence and then came out with a knife. Officers pointed their firearms and a deployed 40mm impact weapon to bring him into custody.
- F17-029: Officers were investigating a stolen vehicle when they observed a male walk away from a car with no plates. When contacted, the male provided a false name and then fled. After a foot chase, an officer used Level II Tactics to take him into custody. He was a fugitive.
- F17-051: An officer recognized a person he had recently arrested who was on DOC supervision. He checked to see if the male had warrants and found that he had a felony escape warrant. When contacted, the male fled. After a foot pursuit, the male continued to resist. The officer applied a Level I Neck Restraint to detain him.
- F17-052: Officers observed a man in a vehicle, pointing an assault rifle at people near Union Gospel Mission. After the suspect fled, officers initiated a vehicle pursuit. The male crashed his car and injured other citizens, and then fled on foot. During the struggle to detain him, officers used body weight/manual force as a reportable use of force, causing minor injuries.
- F17-056: Officers executed a search warrant for a wanted suspect, reportedly armed with a handgun. After a three-hour standoff, the SWAT team deployed OC rounds into the house to force him to surrender.
- F17-058: An officer ran a license plate and observed that the registered owner had a DV-No Contact Order. He stopped the vehicle to ensure there was not an active violation of the DV order occurring. While he was arresting the driver for the violation, the passenger exited the vehicle and interfered with the arrest. The officer used a Takedown Technique to handcuff her in the prone position. She sustained a minor abrasion while struggling with the handcuffing process.
- F17-074: Officers were executing a search warrant when the suspect ran into the house and locked the doors. An officer performed a Takedown Technique, causing minor injury, while taking the suspect into custody.
- F17-081: An officer contacted a suspicious suspect and vehicle, due to the vehicle possibly being stolen (ignition punched out). During contact, the male driver fled, striking the two officers with his vehicle. Officers initiated a vehicle pursuit, and used a pursuit intervention technique to stop the car. As the suspect driver rammed two different police vehicles, an officer pointed his firearm at the suspect and ordered him out of the vehicle.
- F17-085: An officer attempted a traffic stop on a suspect driving recklessly near a school. The driver eluded police and a vehicle pursuit ensued. The suspect fled the vehicle and officers chased him on foot. The suspect claimed injury during handcuffing, so SPD investigated the incident as a Use of Force incident.



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- F17-094: An officer was patrolling downtown when he saw a male trespassing at a business. The officer had previously spoken with the business owner about her desire to press charges on anyone on the property not doing business. When he contacted the male, he discovered he had a warrant. Due to the male's resisting arrest, he used a Level II Tactic on the male during the struggle.
- F17-099: Officers were conducting a traffic stop when an involved man walked up to the car and challenged them with a metal rod, stating, "Shoot me." He did not respond to commands to drop the rod. An officer attempted to deploy his TASER™ but the device's battery was not charged sufficiently. The man eventually responded to verbal commands and officers took him into custody.
- F17-110: An officer was enforcing trespass violations in a "No Trespassing" area downtown. He contacted a subject who was trespassing and about to smoke methamphetamine. The man resisted arrest, so the officer applied a Level I Neck Restraint, which allowed him to take the man into custody.

See table below for a listing of all incidents with White individuals.

Incident	Type of Call	Reason Force was Used	Type of Force	Outcome
F17-001	Domestic Violence (DV)	Threat to harm others	Pointed Firearm	Arrest
F17-002	Alarm	Multiple (threat, resist, flee)	K9 Application	Arrest
F17-006	Suspicious Person	Resisting Arrest	TASER™	Arrest
F17-007	Warrant	Multiple	K9 Application	Arrest
F17-008	Trouble Unknown	Assaultive	Level I LNR	Mental evaluation
F17-009	Suicidal	Multiple	K9 contact	Arrest
F17-010	DV	Assaultive	Level I LNR	Arrest
F17-011	Disorderly	Resisting Arrest	Body Weight/Handcuffing	Arrest
F17-012	DV	Multiple	K9 Application	Arrest
F17-013	Suspicious Person	Multiple	Level I LNR	Mental Evaluation
F17-014	Robbery	Felony Flee	TASER™	Arrest
F17-015	Warrant	Resisting Arrest	Body Weight	Arrest
F17-017	Traffic Stop	Threat to harm others	Pointed Firearm	Arrest
F17-019	Fight	Assaultive	Takedown Technique, Level I and II LNR	Arrest
F17-020	Assault	Assaultive	K9 Application	Arrest
F17-021	DV	Multiple	40mm Impact Weapon, Pointed Firearm	Arrest
F17-022	Vehicle Recovery	Multiple	K9 Application	Arrest
F17-024	Person w/ Weapon	Assaultive	Level II Tactic, TASER™, Pointed Firearm	Arrest
F17-025	Assist other Agency	Felony Flee	OC	Arrest
F17-028	DV Violation	Multiple	K9 Application	Arrest
F17-029	Suspicious Vehicle	Felony Flee	Level II Tactic	Arrest
F17-030	Fight	Assaultive	Level I LNR	Arrest



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F17-031	Assault	Resisting Arrest	Level II LNR/ Body Weight	Arrest
F17-032	Burglary	Multiple	K9 Application	Arrest
F17-035	Suicidal	Resisting Arrest	Level I LNR	Arrest
F17-037	DV	Multiple	TASER™	Arrest
F17-039	Drugs	Assaultive	TASER™, Pointed Firearm	Arrest
F17-042	Person w/ Weapon	Assaultive	Pointed Firearm	Arrest
F17-043	Trouble Unknown	Assaultive	Level I LNR	Arrest
F17-044	Assist other Agency	Multiple	K9 Application	Arrest
F17-045	Person w/ Weapon	Threat to harm others	Pointed Firearm	Returned to guardian- no crime as it was a toy gun
F17-046	DV	Multiple	CS	Arrest
F17-047	Argument	Assaultive	Level I LNR	Medical evaluation
F17-048	DV Violation	Multiple	K9 Application	Arrest
F17-049	Warrant	Felony Flee	Pointed Firearm	Arrest
F17-050	Disorderly	Threat to harm others	OC	Arrest
F17-051	Warrant	Felony Flee	Level I LNR	Arrest
F17-052	Suspicious Person	Threat to harm others	Body Weight / Manual Force	Arrest
F17-054	Theft	Resisting Arrest	Level II LNR	Arrest
F17-056	Drugs	Multiple	OC	Arrest
F17-057	Trouble Unknown	Assaultive	Level I LNR	Arrest
F17-058	Traffic Stop	Misdemeanor Flee	Handcuffing Technique	Arrest
F17-059	Vehicle Recovery	Felony Flee	Pointed Firearm	Arrest
F17-060	Assault	Assaultive	Level I LNR	Arrest
F17-061	Assist other Agency	Assaultive	Level II LNR	Arrest
F17-062	Assist other Agency	Felony Flee	K9 Application	Arrest
F17-063	DV	Multiple	Level I LNR	Arrest
F17-064	Suicidal	Harming Self/Suicidal	Level I LNR	Mental evaluation
F17-065	Burglary	Felony Flee	Pointed Firearm	Arrest
F17-066	Person w/ Weapon	Threat to harm others	TASER™	Arrest
F17-069	DV	Resisting Arrest	Level I LNR	Arrest
F17-070	DV	Assaultive	Level II LNR	Mental evaluation
F17-071	Suspicious Person	Resisting Arrest	TASER™	Arrest
F17-073	Warrant	Multiple	K9 Application	Arrest
F17-074	Warrant	Resisting Arrest	Takedown Technique	Arrest
F17-075	Assist other Agency	Assaultive	Level I LNR	Arrest
F17-076	DV	Resisting Arrest	Level I LNR	Arrest
F17-077	Disorderly	Assaultive	Level IL LNR, Level II Tactic, TASER™	Arrest
F17-078	Suspicious Person	Assaultive	Level II Tactic	Arrest



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F17-080 & -082*	Assault	Multiple	K9 Application, TASER™	Arrest
F17-081	Suspicious Vehicle	Assaultive	Pointed Firearm	Arrest
F17-085	Traffic Stop	Felony Flee	Handcuffing Technique	Arrest
F17-088	Burglary	Multiple	K9 Application	Arrest
F17-089	Vehicle Recovery	Multiple	K9 Application	Arrest
F17-091 & -098*	Stabbing	Multiple	K9 Application, OC	Arrest
F17-093	DV	Assaultive	Level II LNR	Arrest
F17-094	Trespass	Resisting Arrest	Level II Tactic	Arrest
F17-095	DV	Multiple	TASER™	Arrest
F17-097	Person Bothering	Assaultive	Level I and Level II LNR	Arrest
F17-099	Traffic Stop	Assaultive	TASER™	Arrest
F17-101	Person w/ Weapon	Threat to harm others	TASER™	Arrest
F17-102	Suspicious Vehicle	Multiple	Level I LNR	Arrest
F17-103	Person Bothering	Assaultive	Level II LNR, Baton, TASER™	Arrest
F17-104	Assist other Agency	Assaultive	TASER™	Mental evaluation
F17-105	Burglary	Assaultive	TASER™	Arrest
F17-107	Disorderly	Threat to harm others	40 mm Impact weapon	Arrest
F17-108	Follow Up	Multiple	K9 Application	Arrest
F17-109	Traffic Stop	Multiple	K9 Application	Arrest
F17-110	Trespass	Felony Flee	Level I LNR	Arrest
F17-111	Warrant	Multiple	K9 Application	Arrest
F17-113	DV	Assaultive	Level II Tactic, Level II LNR	Arrest
F17-116	Disorderly	Suicidal	TASER™, 40 mm Impact weapon	Mental evaluation
F17-117	Disorderly	Threat to harm others	Level I LNR	Mental evaluation

*Duplicate tracking numbers: F17-080 and F17-082 involve the same incident and same subject; F17-091 and F17-098 also involve the same incident and same subject. K9 applications received their own incident number, which resulted in duplicate tracking numbers for these incidents.

Incidents Involving African-American Individuals

Of the 16 incidents involving African-American individuals, 13 developed from a call for service. In one case, a citizen flagged an officer over for assistance.



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In one case, F17-100, the officer initiated contact with the subject. The call began as a bike stop after the person ran a red light, but after the person assaulted the officer and fled, patrol summoned the K9 unit for assistance to find the subject. One of the incidents, F17-036, was a felony warrant contact. In that case, a K9 officer assisted patrol with apprehending a subject with a warrant, as he was known to be violent on past contacts. See table below for a listing of all incidents with African-American individuals.

Incident	Type of Call	Reason Force was Used	Type of Force	Outcome
F17-005	Suicidal	Harming Self	TASER™	Mental evaluation
F17-018	Disorderly	Assaultive	TASER™	Arrest
F17-023	Citizen contact	Assaultive	TASER™	Arrest
F17-026	Trespass	Assaultive	Takedown Technique, Impact weapon	Arrest
F17-027	Assault	Assaultive	Level II Tactic	Arrest
F17-036	Warrant	Felony Flee	K9 contact	Arrest
F17-038	Fight	Assaultive	Level I LNR	Arrest
F17-055	Trespass	Threat to harm others	Chemical spray released in room	Arrest
F17-067	Shooting, Assault	Resisting Arrest	Level I LNR	Arrest
F17-068	Trespass	Resisting Arrest	Level II Tactic, Level I LNR	Arrest
F17-084	DV Violation	Assaultive	TASER™	Arrest
F17-087	Person w/ weapon	Threat to harm others	Pointed Firearm	Arrest
F17-092	Check welfare	Multiple	TASER™	Arrest
F17-096	Domestic Violence	Assaultive	Level I LNR	Arrest
F17-100	Bike Stop	Assaultive	K9 contact	Arrest
F17-112	DV - Weapon	Multiple	K9 contact	Arrest

Incidents Involving Native American Individuals

Of the five incidents involving Native American individuals, four of the five were calls for service contacts.

In one case, F17-090, the officer initiated contact with the individual. The officer attempted a traffic stop, but the driver fled and was assaultive during the struggle to take him into custody. See table below for a listing of all incidents with Native American individuals.

Incident	Type of Call	Reason Force was Used	Type of Force	Outcome
F17-041	Assault	Resisting Arrest	Level II Tactic	Arrest
F17-072	Assault	Assaultive	Level I LNR	Arrest
F17-083	Stabbing	Resisting Arrest	TASER™	Arrest
F17-090	Traffic stop	Assaultive	Level II Tactic	Arrest
F17-114	Person with Weapon	Assaultive	Level I LNR	Arrest



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Incidents Involving White/Hispanic Individuals

Of the three incidents involving White/Hispanic individuals, all three stemmed from calls for service. See table below for a listing of all incidents involving White/Hispanic individuals.

Incident	Type of Call	Reason Force was Used	Type of Force	Outcome
F17-016	DV- Weapon	Threat to harm others, felony flee	Pointed firearm	Arrest
F17-033	Suicide	Assaultive	Level I LNR	Mental evaluation, charges for arrest
F17-118	Domestic Violence	Resisting Arrest	Level I LNR	Arrest

Incidents Involving Asian/Pacific Islander Individuals

Of the two incidents involving Asian/Pacific Islander individuals, both were calls for service contacts. The call types were Trouble Unknown (fight) and Domestic Violence/Warrant. See table below for a listing of all incidents involving Asian/Pacific Islander individuals.

Incident	Type of Call	Reason Force was Used	Type of Force	Outcome
F17-003	Trouble Unknown (fight)	Assaultive	TASER™	Arrest
F17-040	Domestic Violence - Warrant	Resisting Arrest	Body Weight/Manual Force	Arrest

Officer Characteristics

94 different officers were involved in use of force incidents in 2017. All of those officers were working in a patrol function at the time of the incident. A patrol assignment may include the role of Neighborhood Resource Officer or Patrol Anti-Crime Team member, or a Detective serving on the SWAT team when SWAT is called to assist patrol with a situation such as an armed barricaded suspect. Some of the officers changed shifts during the year for a variety of reasons, such as moving a probationary officer to various shifts as part of training. A majority of the officers held an officer rank. Eight officers held the rank of sergeant, six held the rank of corporal, and two held the rank of lieutenant.

Involved officers in use of force incidents were employed by Spokane Police Department an average of 11 years. Officers' previous law enforcement experience at other agencies was not factored (only their time with SPD). The average age of officers involved in use of force incidents was 39 years old; the average age of current officers is 42 years old.



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1% of the involved officers were female; 99% were male. SPD officer demographics are 10% female and 90% male. Of the 94 officers involved in use of force incidents in 2017, 85 of the involved officers have identified their race/ethnicity as White/Caucasian; 6 as Hispanic; 2 as Multi-Racial; and one as Black/African-American. Of officers that were employed in 2017, 296 have identified as White/Caucasian; 12 as Hispanic; 5 as Multi-Racial; 5 as Native American; 2 African-American/Black; 1 Asian/Pacific Islander; and 1 officer marked "Unknown" for his race. Note: It is important to note that these numbers do not reflect current staffing numbers. The numbers above included all officers employed by SPD in 2017 regardless of hire, retirement, or separation date.

Excluding the K9 team officers, the majority of officers were involved in one or two incidents. One officer was involved in four incidents. In two of those incidents, he was one of several involved officers.

Outcomes of the Investigation and Review of Use of Force

Of the 109 non-deadly uses of force in 2017, four were determined to be out of compliance with policy. In 2016, no incidents were determined to be out of compliance with policy.

In the first incident, the involved officer's use of a TASER™ device was determined to be out of policy. His first TASER™ deployment was within policy but not the second deployment, because the suspect was actively resisting at that point but was no longer assaultive. The chain of command determined that the officer did not appropriately evaluate the suspect's level of resistance before deploying the second application. His supervisor issued a Documentation of Counseling (DOC). Training included TASER™ deployment, decision-making, and report documentation regarding use of force.

In the second incident found to be out of compliance with policy, the involved officer used Level II strikes. SPD policy does not authorize Level II strikes to overcome active resistance; assaultive behavior is required. The officer was a new lateral transfer from a department that did authorize Level II strikes for active resistance. The officer's supervisor issued a DOC and the officer received two hours of Defensive Tactics Training and policy review.

In the third and fourth incidents, the involved officers reverted to prior training when they utilized the Intentional Pointing of a Firearm application. Both officers received instruction on "On Target, On Trigger" SPD firearms training philosophy, and one of the officers also received training on report-writing and proper documentation, memorialized in a DOC.

Spokane Police Department received five Excessive Force complaints in 2017. Officers were exonerated of the allegations in four cases. In one case, Internal Affairs administratively suspended the investigation due to it being a duplication; the use of force incident was investigated and officers were found to have acted within policy.



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Training Issues Identified During the Review Process

SPD's extensive reviews of incidents often identify opportunities for training, both on an individual basis and for the entire department. The Chain of Command review identified training issues in 17 of the 109 non-deadly force incidents and recommended individual training in the areas of report writing, criminal procedures, and defensive tactics. Two of the officers whose actions were determined to be in violation of policy received disciplinary action. A Documentation of Counseling (DOC) was the sanction for officers that used a level of force not appropriate for the suspect's level of resistance. The officers who inappropriately utilized the Intentional Pointing of a Firearm application received training, and one of the officers also received disciplinary action (DOC).

The Use of Force Review Board (UOFRB) identified the intentional pointing of a firearm as a department-wide training issue. In nine incidents, officers were justified by case law in intentionally pointing in at a subject, and the applications of force were determined to be within policy, but the officers were not following the department's current training philosophy of lowering their weapon and returning to guard position when indicated. The goal of the training philosophy is to prevent unintentional firearm discharges. SPD welcomes the Police Ombudsman attendance at these reviews to provide perspective and input into tactics and policies.

The change in training philosophy requires ongoing department-wide training over several years. In the past few years, SPD has provided training in a variety of ways: In-service training, supervisor training, individual training and at department firearm qualifications. SPD will continue to address the issue at both the spring and fall in-service training of 2018. Supervisors will be encouraged to provide shift-level training.

Conclusion

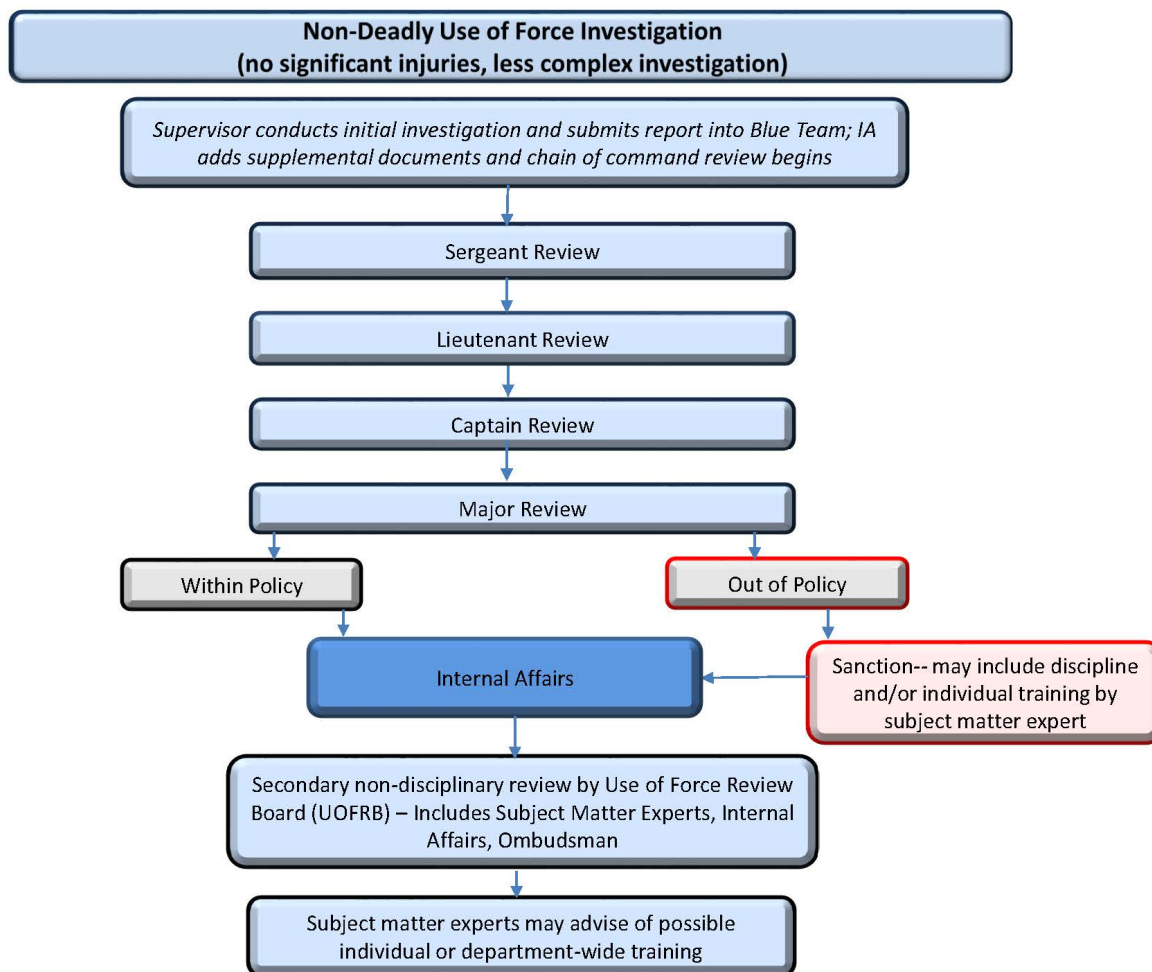
Thorough review of use of force incidents is critical to Spokane Police Department. These reviews provide a comprehensive analysis of all incidents that have been individually reviewed and reveals trends that inform future training decisions. A proper review also helps improve the police department's legitimacy and relationship with the community. Police departments derive their authority from legal and constitutional principles designed to uphold the safety and dignity of the public, and unreasonable use of force undermines the community's trust. Therefore, thorough evaluation is required when vesting officers with the authority to use objectively reasonable force. Spokane Police Department is committed to providing a comprehensive annual review of incidents and making that review available to the public.



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