

Incident Summaries

2018 Use of Force Incidents Involving Native American Individuals

How did the incidents begin? Did officers initiate contact?

There were nine use of force incidents involving Native American individuals in 2018. Nine of the incidents originated as a call for service, with officers dispatched to the scene from 911 calls. In two cases, the officer initiated contact with the individual.

- K18-005: An officer approached a stolen vehicle. A K9 officer assisted to locate the suspect, who had fled on foot.
- K18-019: A K9 officer located a stolen vehicle and followed it. He deployed his K9 to locate the fleeing suspects.

What was the severity of the crime or need for community caretaking in each situation?

Most of the incidents ended with felony or misdemeanor arrests. In three incidents, officers transported the individual to the hospital for an involuntary mental health hold.

Are the same officers repeatedly using force on Native American individuals and are their contacts officer-initiated?

All involved officers were involved in one use of force incident with a Native American individual except one K9 handler, who was involved with two use of force incidents. In one of those cases, the K9 handler did not initiate contact, but responded to a request to come to the scene for assistance after a suspect had fled the scene. In the other case, the K9 officer was the officer who located the stolen vehicle and made contact with the individual.

Call for Service Incidents:

F18-034 / 2018-20108952

Note: This incident did not contain a reportable force application; rather, it contained standard handcuffing procedures. However, SPD policy dictates that if an individual reports an injury, SPD investigates the incident as a reportable Use of Force incident.

Officers responded to a Medics call. Callers reported that a male was lying face down in the middle of the street, stopping traffic, and likely needed medical attention. Spokane Fire Department responded and requested police assistance. Fire personnel explained that they were trying to get the male to go to detox for the night, due to his level of intoxication. Officers approached the male in a calm voice about going to detox to get help. The male was very agitated and tried to walk away several times. Officers explained they needed to check on his welfare and detained him in handcuffs. They explained that he was going to the hospital tonight. At that point, the male said he wanted to die. After further conversation with the man, officers decided he was a danger to himself and required a mental health evaluation. When the ambulance arrived, the male became more upset, saying he did not want to go to the hospital and that he would assault people. Medics placed the gurney on the sidewalk, and officers walked him over to the gurney and instructed him to sit down. He initially sat, but then laid down on his back, putting pressure on his hands, which were in handcuffs. Officers told him to sit up so they could take the handcuffs off, because in that position, all of a person's body weight is on their hands. The male sat up, officers removed the handcuffs, and secured his arms to the side of the gurney. One of the officers followed the ambulance up to the hospital. The male stated that the officer had broken his finger. Due to that statement, the officer asked for an x-ray and requested personnel contact SPD if his finger was broken. The ER nurse later reported that he had a non-displaced hairline fracture on his pinky finger. The officer's sergeant visited the male in the hospital, but it was difficult to speak to him due to his intoxication level (.28 BAC). After a

review of the body camera footage, the reviewing sergeant noted the moment when the male laid back on his hands and cried out. The sergeant found that the officers' actions did not cause an injury, and that they did not have any physical contact with him when he laid back on the gurney while still handcuffed. The Chain of Command agreed with the review that the officer's actions were within policy and that he had not applied any force to cause injury to the finger.

F18-045 / 2018-20129216

Officers responded to a Person with a Weapon call. The caller reported someone was trying to break into her house. The caller was saying she would get a knife or bat if the police did not arrive soon. Someone in the background said something about a gun. An officer arrived and heard a female voice yelling that her kids were inside and they were hurt. He saw a male standing on the porch of the residence. As the officer approached the residence, the male kicked the front door, causing it to flex from the impact. The officer yelled at the male to come down off the porch. The male walked away from the porch. The officer demanded the man stop walking and get on the ground. The male did not comply. The officer showed his TASER™ device, while continuing to give commands, as the male was a suspect for burglary and assault. The male stood up to run, and ran towards the officer, but then turned away where he could escape through the gate. The officer deployed his TASER™ device toward the man, but it was not effective as only one of the probes made contact. The male continued to run. The officer gave chase and finally caught up to the male, knocking him to the ground. Other officers arrived and placed him into handcuffs. Officers interviewed witnesses. Because the male appeared to be under the influence of a substance (sweating heavily, intermittently verbally responsive), officers requested medics to check for a potential overdose as well as to remove the TASER™ probe. Officers arranged for his transport to the hospital for medical clearance. Officers booked the 16-year-old male into Spokane County Juvenile Detention Center on Burglary and Malicious Mischief charges.

F18-059 / 2018-20187715

Officers responded to a Domestic Violence (DV) call. The caller, an employee of Frontier Behavioral Health, reported that a man was threatening to harm family members and himself. He was also under the influence of methamphetamine. Officers and a designated mental health professional from the Community Diversion Unit arrived and contacted the man. He said he had thoughts of jumping into traffic in order to kill himself. At that point, officers decided he needed to go to the hospital. Officers told him not to leave, and to remain seated while they waited for an ambulance. The man was very large and would be difficult to contain if standing or walking, and he was under the influence. The male was upset about having to go to the hospital and felt officers were taking away his rights. Officers tried to de-escalate the situation and explain why they had to take him to the hospital. They advised him not to stand, but he stood up and said he was leaving. Officers took arm control to detain him but he was immediately resistive. He hit officers in the thigh and torso during the struggle. An officer placed him in the Level I Lateral Neck Restraint control hold. The male relaxed and officers were able to place him into handcuffs until the ambulance arrived. The man did not lose consciousness from the hold and there were no visible injuries. Medics restrained him and transported him to the hospital for a mental evaluation.

F18-068 / 2018-20211868

Officers responded to a Disorderly call. Several callers had reported a disorderly male near a grocery store. An officer arrived and observed a man acting aggressively towards other citizens, throwing his hands out and squaring off in a challenging stance. He seemed to be intoxicated. The officer wanted to check on the male's welfare, so he approached him and asked if he was okay. The male squared his shoulders and asked the officer if he wanted to fight. The officer stayed calm, told him he wanted to make sure he was okay, and asked if the male could go home or to a friend's house. After the officer declined to fight him, the

male said he was okay and walked away. Two citizens stopped the officer and said they had seen the male cut a man on the arm. The officer decided there was likely a felonious assault that needed to be investigated, and based on the male's behavior, he would likely remain disorderly and a threat to the community. He asked for SPD assistance, relaying the information about the potential assault, and kept the male in his sight as he walked down the street. He saw the male blocking traffic. Backup officers arrived to address and detain the male. They made numerous announcements for the male to exit the street. Officers saw he had a folding knife clipped to his pants pocket. At a distance of 10-15 feet from officers, the male pulled the knife from his pocket and extended the blade. At this point, his actions made the incident a potentially deadly force situation. An officer immediately deployed his TASER™ device, which worked as intended. The male tensed up and dropped to the ground on his chest. Officers secured his hands, removed the knife from his reach, and placed him in handcuffs. Medics responded to the scene and removed the TASER™ probes. Officers located the person with a cut to his arm, who explained that the detained male had cut his arm, but it was with his permission, to open an abscess so it could drain. His injury was not from an assault. Officers requested medical attention for the person with the cut. Officers transported the male to jail and booked him for charges of Disorderly Conduct, Interference with Pedestrian or Vehicle Traffic, Unlawful Display of a Weapon, and for an existing warrant.

F18-077 / 2018-20223017

Officers responded to a Check Welfare call. The caller reported a male and female were arguing on the Monroe Street Bridge, and the male getting on top of the bridge ledge. An officer arrived and saw two people matching the caller's description, walking away from the bridge. He exited his car and saw that the female's face was bleeding and swollen. Another officer arrived so officers could interview the parties separately. The male was intoxicated and uncooperative. He provided a name that did not return any search results, so the officer suspected the man was being untruthful about his name. The officer detained him because he needed to determine his identity and if he had assaulted the woman. The officer told the male he was under arrest for giving a false statement. After the officer handcuffed him, the male banged his head on the car and said he would blame the officer and get him in trouble with Internal Affairs. That officer asked the other officer to assist him in searching the man incident to arrest, but the man resisted the officers' efforts. He kicked his leg forward and wrapped it behind the officer's leg. The officer pinned his boot to pin the back of the male's shoe to the ground, preventing him from moving his foot. He advised that was preventing the man from kicking him while completing the search. The male complained that his ankle was sprained. Officers transported the man to jail and advised jail staff of his ankle pain. Jail staff agreed that they would not book and release him based on his level of intoxication. The male was booked into jail for Resisting Arrest and Providing False Statements. When the sergeant later interviewed the man at jail, he claimed to have a pre-existing foot injury that was aggravated by the officer trapping his foot during the struggle to search him. The sergeant spoke with jail staff about medical assistance for the man. Jail staff confirmed nurses would assess the man, ultimately giving him medical clearance for jail. While investigating the incident, the sergeant reviewed the body camera footage that confirmed the officer's and man's actions as described in the officer's report.

Note: Officers did not establish probable cause for assault. They talked to the original complainant, who did not see any domestic violence assault between the two, but saw the female fighting with random people. Medics treated the female's injuries. She agreed to go to the hospital for further treatment.

F18-080 / 2018-20239893

Officers and a Frontier Behavioral Health professional responded to a Suicidal call. The caller, a Lifeline employee, reported that he was speaking with a woman who wanted to drive her car into the river. Officers approached the house, but the woman shut the door and told them to go away. Officers spoke to a family member, who allowed them to come inside the house. Officers tried de-escalation tactics with

the woman, who had shut herself in her bedroom. The woman, who appeared to be intoxicated, yelled that she had a gun and she would shoot officers if they came in the room. She also said she would shoot through the door. Officers continued to talk to her but she began to escalate, demanding that officers shoot her, as she wanted to die tonight. Officers removed the other family members from the house and then went outside. They spoke to her over the phone. The woman came outside. She and a sergeant continued talking while another officer watched her hands since she had claimed to have a gun. He had his 40mm direct impact launcher ready. Another officer alerted the others she pulled a gun out of her pocket and put it back in. He gave the woman commands to put the gun down but she did not comply. At that point, the officer fired his "less-lethal" 40mm direct impact launcher at her. Unfortunately, she did not fall to the ground after being hit with the 40mm rounds. Three officers pointed their firearms at her and demanded she put the gun down and show her hands. She did take off her coat and dropped it on the ground. She sat down and officers took that moment to grab her and take her into protective custody. Her gun was a realistic-looking BB gun resembling a Colt 1911 .45 caliber pistol. Officers followed the ambulance that transported the woman to the hospital. She sustained a few impact marks from the 40mm rounds. Officers provided information to hospital personnel and Frontier Behavioral Health for the involuntary mental evaluation. They asked for a longer duration on the hold since the woman told her family she could kill herself as soon as she returned home.

K18-015/ 2018-20137734

An officer responded to a Check Welfare call. A caller had reported that a driver was slumped over the wheel of a car. Another complainant stated the occupants could be overdosing on heroin or possibly deceased. Another call came in saying the vehicle had left the parking lot, and that he had seen needles, heroin, and a pistol on the driver's lap. An officer located the vehicle and asked additional SPD units to respond. He observed the vehicle swerving and stopping at yellow lights. He attempted a traffic stop and gave the driver commands to turn his vehicle off and show his hands. The man reversed his vehicle and tried to drive away in a reckless manner, driving over the sidewalk. The officer activated his emergency lights and siren and initiated a pursuit. He used a pursuit intervention technique (PIT maneuver) to stop the vehicle. The male driver fled the scene, so a K9 officer responded to locate him. The K9 apprehended the man. The officer transported him to the hospital for treatment and procured a warrant to search his blood for drugs and alcohol, due to the appearance of intoxication and syringes in the vehicle. After obtaining medical clearance, the officer transported the male to jail and booked him for charges of DUI and Attempt to Elude Pursuing Police Vehicle.

Officer-Initiated Incidents:

K18-005 / 2018-20050141

An officer had attempted a traffic stop for reckless driving, but lost sight of the car. The car was a recently recovered stolen vehicle and likely stolen again. The officer found the empty vehicle about 15 minutes later. Another officer confirmed the car was indeed stolen again. A K9 officer responded to track the driver. The K9 officer gave announcements such as "Police, Stop! Stop, or my dog will bite you!" The driver took off running. The K9 apprehended him. Officers transported him to the hospital for treatment, and then booked him into Spokane County Juvenile Detention Center with charges of Possession of a Stolen Motor Vehicle.

K18-019 / 2018-20165539

A K9 officer was on patrol when he spotted a confirmed stolen vehicle in a parking lot. He followed the vehicle until it drove into a dead-end street. As the officer pulled up to the vehicle, the two occupants fled on foot. The K9 officer gave announcements such as "Stop, or my dog will bite you!" A male took off

running and the K9 apprehended him. The other suspect was the driver and she was uninjured. Officers booked her into jail with charges of Reckless Driving and Possession of a Stolen Motor Vehicle. Prior to booking the male, officers sought treatment for his injuries at the hospital. After obtaining medical clearance, officers booked him into jail with charges of Possession of a Stolen Motor Vehicle.