



SPOKANE POLICE DIVISION

CRAIG N. MEIDL
CHIEF OF POLICE

Closed Case Summary

Complaint Number: C16-006 OPO Number: N/A
Date of Complaint: 01/17/2016
Allegation: Excessive Force
Chain of Command Finding: Inquiry
Final Discipline: Not Applicable

INCIDENT SYNOPSIS

Officers responded to a Domestic Violence call for service. The involved suspect had a confirmed felony warrant as well. It was reported that the suspect was high on meth and almost snapped his wife's neck. Officers made contact with the wife and observed the suspect asleep on the couch. The suspect was very large in stature. Officers approached the suspect and placed their hands on him to wake him up and advise him he was under arrest. The suspect struggled with the officers. The officers were able to control and handcuff him. The officers requested medics for him because of his meth use and behavior. The sergeant arrived on scene and observed the suspect sitting on the couch and could see him swaying his upper body and head from side to side. He appeared to be under the influence of something. The wife of the suspect was also present during this time. Paramedics arrived, checked on his condition and advised he was clear to be transported to jail. The suspect was not complaining of any injury or of being assaulted. The sergeant did not observe any visible injuries to the suspect. Photographs were taken of the suspect, he was walked to the patrol car and he was then transported to jail.

The wife later called and wanted to file a formal complaint against officers who she said used excessive force on her husband. She described a specific officer and said he punched the suspect numerous times. The sergeant told her the officers had body cameras on and she said she was standing by her complaint that the officer punched him. The sergeant asked her if he was high on meth and she confirmed he was high on meth.

INVESTIGATION

Internal Affairs set up an interview to get the details of the complaint. The complainant said that she was aware that the incident was captured on body camera and stated that the police edit the videos.

During the interview, she signed a warning regarding false statements, Spokane Municipal Code 10.07.020. The investigator read the warning into the record and the complainant said she understood.

The complainant said that officers came to her door to arrest her husband on a warrant. She said that he was asleep on the couch. She said that her husband had been using meth about two days prior and was on the downside. The complainant said that officers just grabbed him and didn't give him a chance to wake up. She said one officer held his hands and the other officer held his feet. She said an officer in the middle punched him 2 to 3 times, while he was being held. She described this as a closed fist punch. The investigator asked her if the officer reared his arm back and she said, not way back, but a little bit. The investigator went through other parts of the videos to clarify the exact time that the punches took place.

The investigator asked the complainant if she was distracted by anything or had her view obscured. She said no. The investigator showed her the body camera footage and that two officers were each controlling one of her husband's arms. The investigator pointed out in the background where she could be heard saying "stop punching him". The investigator showed her another camera view where the third officer was holding her husband's feet and again pointed out the background audio. These two views clearly show that the complainant's allegation was false. The investigator asked the complainant again if the officers punched her husband. She again claimed that officers punched him. At that point the complainant was placed under arrest for making a false statement and she was booked in to jail. Internal Affairs did not seek an exception to hold her in jail. The complainant was cited and released.

ANALYSIS AND CONCLUSION

Spokane Municipal Code 10.07.020: Making a false or misleading statement to a public servant/false reporting: A person who knowingly makes a false or misleading material statement to a public servant is guilty of a gross misdemeanor. "Material Statement" means a written or oral statement reasonably likely to be relied upon by a public servant in the discharge of his official powers or duties.