



SPOKANE POLICE DIVISION

CRAIG N. MEIDL
CHIEF OF POLICE

Closed Case Summary

Complaint Number: C16-024 OPO Number: N/A
Date of Complaint: 3/17/2016
Allegation: Unlawful Entry
Chain of Command Finding: Sustained
Final Discipline: Document of Counseling and Training

INCIDENT SYNOPSIS

An officer was asked to go to an address to arrest a juvenile suspect on several felony charges. The arrest was based on probable cause, not a warrant. The officer arrested the suspect at his house. The suspect's parents complained about unlawful entry into their home to make the arrest.

COMPLAINT

The complainant told the officer that she could not enter and the officer entered anyway.

INVESTIGATION

This incident was captured on body camera. Internal Affairs interviewed the complainant, the involved officer and officer witnesses.

The complainant said in her interview that she told officers they could not come in. The officer's body camera video captured the officer asking to come in, and was refused entry by the complainant. The officer then asked to speak to her son outside. The complainant's response was that he "could stay where he was at." Her son was positioned inside the house approximately 6-10 feet inside the door. It was after the complainant refused the officer entry, and then refused to have her son come outside, that the officer entered the home over the continued protest. The complainant can be seen in the video with her arm impeding the officer and the other arm pushing her son further into the house.

ANALYSIS AND CONCLUSION

Police Officers can't enter a house to make an arrest on probable cause. A warrant is required to enter the house without consent, unless there are other exigent factors are present. This complaint was sustained