



SPOKANE POLICE DIVISION

CRAIG N. MEIDL CHIEF OF POLICE

Closed Case Summary

Complaint Number: C16-037 OPO Number: N/A
Date of Complaint: 5/31/2016
Allegation: Unlawful Search
Chain of Command Finding: Sustained
Final Discipline: Verbal Reprimand

INCIDENT SYNOPSIS

An SPD officer responded to assist a neighboring law enforcement agency with a high-risk traffic stop related to a gun call. Information from the traffic stop led investigators to obtain a search warrant for a residence. The suspect in the case was charged with multiple felony charges.

COMPLAINT

A supervisor from the neighboring law enforcement agency filed a complaint against the SPD officer for an unlawful search of the vehicle. The supervisor contends that the charges against the suspect were dismissed as a result of the unlawful search.

INVESTIGATION

The investigation determined that the SPD officer had searched the vehicle after the occupants were taken into custody, but before a search warrant was obtained. The officer contends that because of the nature of the call, he decided to check the vehicle for weapons prior to any involved person being released to access the vehicle. It was determined that this was unnecessary as the occupants of the vehicle were secured, and he had no information to suggest the occupants would be allowed back into the vehicle. It was determined through the Prosecutor's Office that the search had no bearing on any charges being dismissed. Charges were not dismissed, but rather taken up by federal agencies for charging.

ANALYSIS AND CONCLUSION

This complaint closed with a finding of sustained. Although the search did not actually result in any charges being dismissed, it was still found to be an improper search. The officer received a verbal reprimand and remedial training in the area of search/seizure.