



SPOKANE POLICE DIVISION

CRAIG N. MEIDL CHIEF OF POLICE

Closed Case Summary

Complaint Number: C16-059 OPO Number: N/A

Date of Complaint: 8/11/2016

Allegation: Conduct Unbecoming

Chain of Command Finding: Not Sustained

Final Discipline: Document of Counseling.
The allegation was not sustained, however the officer did not follow proper procedure for traffic stops.

INCIDENT SYNOPSIS

The complainant was stopped speeding (74 mph in a 60 mph) on Hwy 195 near Hatch. The officer asked her to exit the vehicle to speak with him. A citation was not issued. The complainant alleges that the officer seemed nervous and because of this she was scared. He did not yell at her nor was he aggressive. He told her "sometimes I make mistakes too". She was uncomfortable during the stop and believes he was looking her up and down.

COMPLAINT

The complaint is that an officer made her feel uncomfortable during a traffic stop.

INVESTIGATION

The officer and complainant were interviewed by Internal Affairs. Internal Affairs conducted a review of the officer's citations and traffic stops for the past three months. This officer is assigned to the Traffic Unit and this was a large sample of contacts.

ANALYSIS AND CONCLUSION

The traffic stop in which the complainant references was not in CAD nor was there body camera video of it. It was noted in this investigation that there was no evidence beyond a "feeling" to support the complainant's claim. The Internal Affairs Investigator started by reviewing the officer's unit history for the day the traffic stop occurred, but could not locate the traffic stop. The investigator looked at the entire week in which the stop was said to have occurred, as well as two weeks before. The investigator compared the CAD with body camera video downloads. The investigator verified the traffic stop was on a different day, from which the complainant remembered and could not find it. The day the stop occurred, the officer has video stored up until about 1330 hours. The officer continues to stop vehicles according to CAD but none are recorded. The officer noted in CAD at 1517 hours that his camera was dead. The investigator found at least one other incidence of him putting "camera dead" in his unit history, which he explained in his interview.

It appears that the officer does not always put all his traffic stops out via police radio. The investigator saw videos in which the officer would stop a violator, make contact, and then inform radio of the stop if it appeared he was going to write a ticket. There was another traffic stop that had a video but nothing in CAD. The investigator also reviewed the officer's generated tickets to see if he is unfairly targeting male or female drivers. In a review of his tickets, about 36% of his infractions and citations are to female drivers. The bulk of his tickets are written to male truck drivers which is consistent with the nature of his job. In one sampling, about 12% of his tickets are written on Hwy 195. As he explained, he has a performance expectation of twelve tickets or inspections per shift and appears to exceed this expectation. In the videos that were review, the officer was polite and respectful. There were traffic stops documented in CAD that did not have video though. The officer's traffic stops were very matter of fact and sometimes brief even when citations were issued. In the review of video, the investigator did not see the officer treat anyone any differently than the next. There are no records to be found of the officer's interaction with the complainant and no witnesses. The only things left are: the complainant's perception of the officer's intent, his lack of recall of the stop, and the reviewing of his work habits via body camera video. The complainant was very clear that the officer was not rude or aggressive, nor did he ask her any questions outside the scope of the traffic stop. The complainant does believe she was targeted because she was a woman traveling alone. The officer says he does not recall the stop. His unit history shows him making fifteen stops on that day, just not a stop of the complainant. The investigated requested a search of CAD to see if the complainant's name or license plate had been run by any officer in August. The response received was that Internal Affairs was the only one running the complainant's information via CAD.