



SPOKANE POLICE DIVISION

CRAIG N. MEIDL
CHIEF OF POLICE

Closed Case Summary

Complaint Number: C17-004 OPO Number: 17-3
Date of Complaint: 1/17/2017
Allegation: Inadequate Response
Chain of Command Finding: Exonerated
Final Discipline: Not Applicable

INCIDENT SYNOPSIS

The complainant believed the SPD did not respond appropriately at a call for service at a house he owns.

COMPLAINT

The complainant felt that officers did nothing to help with the squatting situation occurring at his property. One call was about a burglary in which he pepper sprayed a male. At this call, the officers laughed at him.

INVESTIGATION

The Internal Affairs investigators reviewed the complaint and bodyworn camera video from the incident. They interviewed the complainant and officers on the call. The officers explained that it was a civil property owner / tenant issue and they could not make the female leave the property because she had lived there over a month. It would have been an unlawful eviction. One of the officers said he gave clear directions to the complainant about pursuing a lawful eviction through the courts. Based on a review of video and interviews, it appeared that officers acted reasonably based on the facts available at the time of the burglary incident.

Concerning the allegation of laughing at the complainant, several officers explained that they were laughing because they were exposed to pepper spray in the man's house and were having a reaction (coughing, mucus running down their faces, and one officer accidentally swallowed his chewing tobacco). Based on the bodyworn camera footage and officer interviews, it was clear that their laughter was not directed to or about the complainant. Rather, it was due to the impact of the pepper spray on the involved officers.

The investigation revealed that there was a separate problem about arson investigations. Shortly after investigators forwarded the case to the Office of Police Ombudsman for certification, they learned that a fire damaged the complainant's house, and the complainant believed the fire was intentionally set.

The investigator spoke to various people in the Spokane Fire Department and Police Department and learned that Spokane Fire does not do investigations beyond cause and origin, but Spokane Police does not have anyone trained to investigate arson. The investigators informed police leadership. The letter to the complainant explained that the issue was in the process of being remedied.

ANALYSIS AND CONCLUSION

A chain of command review determined that there was no evidence of misconduct by the officers. The allegations against all involved officers were determined to be Exonerated.