



# SPOKANE POLICE DIVISION

**CRAIG N. MEIDL**  
**CHIEF OF POLICE**

## Closed Case Summary

Complaint Number: C17-007 OPO Number: N/A  
Date of Complaint: 2/9/2017  
Allegation: Excessive Force and Sexual Assault  
Chain of Command Finding: Exonerated  
Final Discipline: Not Applicable

### INCIDENT SYNOPSIS

The complainant was arrested for Robbery. During the incident, officers deployed a TASER.

### COMPLAINT

The complainant alleged that officers used their TASER against him without notifying him they were police officers, and that officers made him lay face down and on his back on the cold, wet pavement. He also alleged that an officer sexually assaulted him with the officer's erection pressed against his lower back.

### INVESTIGATION

The Internal Affairs investigators reviewed the complaint, associated reports, and bodyworn camera video. Investigators also interviewed the complainant.

SPD investigated the use of force (TASER application) separately per policy. The force was determined to be within policy. The complainant's statements contradicted the bodyworn camera video evidence of the use of force. He had claimed he was never assaultive toward officers and did not threaten officers, while the bodyworn camera footage showed him threatening to stab officers and turning toward them with his right hand raised in the air. He had a wooden skewer in his hand.

Concerning the allegation of having to lie on the pavement, due to the threat of assault and flight demonstrated by the complainant, it was a reasonable action to have him on the ground immediately after handcuffing. The bodyworn camera video also showed that officers placed him in a sitting position once he asked if he could get up.

Upon review of the bodyworn camera videos, the allegation of sexual assault was found to be false. The complainant complained of rape while being handcuffed. Several officers are shown on video and none of them touched the man in an inappropriate way.

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.