



SPOKANE POLICE DIVISION

CRAIG N. MEIDL
CHIEF OF POLICE

Closed Case Summary

Complaint Number: C17-013 OPO Number: 17-6

Date of Complaint: 2/20/2017

Allegation: Wrongful or Unlawful Exercise of Authority
Uniform Specifications
Reporting Traffic Stops
Body Worn Camera Violation

Chain of Command Finding: Multiple

Final Discipline: Written Reprimand and Additional Training

INCIDENT SYNOPSIS

The complainant was pulled over because his license plate and last name matched that of a person with a warrant issued for arrest. The complainant alleged that the officer wrongfully stopped him and that the officer's demeanor was combative.

COMPLAINT

The complainant alleged that the officer did not have the lawful authority to stop him, and that the officer was not in uniform and was driving an unmarked vehicle. He also alleged that the officer was not wearing his body camera.

INVESTIGATION

The Internal Affairs investigator reviewed available documentation, and interviewed the complainant and the officer. When he asked the complainant questions about the officer's uniform, the complainant confirmed it was a black uniform with a badge. The officer confirmed he was wearing the standard SPD black jumpsuit. The officer said he was wearing his official uniform but was not driving his regular patrol vehicle at the time of the stop because his vehicle was in the shop. He said he was driving a department vehicle that had no outward markings but was equipped with emergency lights. He was unsure why he was without his body camera on that day, but thought it might be due to low battery life or because it was at headquarters downloading videos.

As far as the validity of the traffic stop, the officer stated he had conducted a routine vehicle registration check on the vehicle and received a return of an outstanding warrant. He said he was focused on the last name and missed the fact that the first names of the complainant and wanted person were different. The investigator consulted with the prosecutor about the lawfulness of the stop. The investigator confirmed

that the wanted subject had no known association with the complainant's vehicle, and the officer lacked the authority to arrest the man outside of the state in which the warrant was issued. A closer look at the warrant would have shown the warrant was non-extraditable.

During the course of the investigation, the investigator discovered that the officer had not completed the required race data interaction form at the conclusion of the traffic stop. This policy violation was added to the complaint.

The chain of command determined that the officer did not have sufficient reasonable suspicion to stop and detain the complainant based upon a last name and close physical description. The chain of command also stated that the officer was responsible for completing a race data interaction form for all self-initiated contacts and he was responsible for wearing his body camera.

ANALYSIS AND CONCLUSION

The allegations were determined to be:

Wrongful or Unlawful Exercise of Authority - Sustained
Uniform Specifications - Unfounded
Reporting Traffic Stops - Sustained
Requirement to Wear Body Camera - Sustained

The officer received a letter of reprimand and completed remedial training on lawful stops.