



SPOKANE POLICE DIVISION

CRAIG N. MEIDL
CHIEF OF POLICE

Closed Case Summary

Complaint Number: C17-024 OPO Number: 17-13
Date of Complaint: 4/4/2017
Allegation: Inadequate Response
Chain of Command Finding: Exonerated
Final Discipline: Not Applicable

INCIDENT SYNOPSIS

Officers responded to a call for service involving the complainant's residence, a landlord-tenant issue. A woman stated she was a resident of the address and had been for about two months. Her belongings were in the house. Her backpack and house key had been stolen, and she wanted to get a change of clothes. She had been knocking and waiting outside the house, but no one was letting her in. The officer advised her that he could not help her break in. If she did indeed live there, she could use reasonable force to gain access to her residence. The woman later did that and caused some damage.

COMPLAINT

The complainant alleged that the officers encouraged a woman to break into his home. He filed a complaint against the responding officers to that incident and a claim against the City of Spokane for monetary damages.

INVESTIGATION

The Internal Affairs investigation included interview of the complainant and review of reports and body camera video. The primary officer appeared to have acted in a proper manner, including his interpretation of landlord-tenant law. The woman had a reasonable explanation of her situation, including a timeline of her residency, loss of keys, and neighbors backing her story. The officer made numerous attempts to get a response at the house at the time, knocking on front doors and back doors and explaining the situation through the door. The complainant's girlfriend inside would not answer. Later, the primary officer spoke with the complainant on the phone. The complainant referred to the woman a "roommate" who "lost her keys" during that conversation. The officer explained that the woman was able to use reasonable means to enter the house when locked out, and advised the complainant that he had to go through a legal process to evict her.

One month earlier, police contacted the woman at the residence. At that time, both people interviewed stated that the woman had been living there about a month, which confirmed the woman's statement to the officer on the night of the incident in question. Their statements were recorded on body camera video.

Investigators interviewed the officers and complainant. The investigation revealed that the complainant was being untruthful about the residency. Three times during his interview, he claimed that the woman stayed at his residence one night only, conflicting with what he told officers. He filed a claim against the City of Spokane in reference to the incident, and was awarded monetary damages, stemming from what appeared to be false information.

ANALYSIS AND CONCLUSION

The chain of command determined no misconduct on the part of the officers. Both officers were Exonerated.