



SPOKANE POLICE DIVISION

CRAIG N. MEIDL
CHIEF OF POLICE

Closed Case Summary

Complaint Number: C17-029 OPO Number: N/A
Date of Complaint: 5/2/2017
Allegation: False Arrest
Chain of Command Finding: Inquiry
Final Discipline: Not Applicable

INCIDENT SYNOPSIS

After his arrest, the complainant contacted Internal Affairs to complain that the officer wrongly arrested him for DUI.

COMPLAINT

The official allegation was False Arrest.

INVESTIGATION

The Internal Affairs investigator reviewed the available documentation, including reports and bodyworn camera video.

Based on the reports and bodyworn camera evidence, there was clearly probable cause for the arrest. The officer based his probable cause to arrest the complainant on his observations of the man's driving and his behavior after interacting with him. The court commissioner reviewed the search warrant application for blood and signed the warrant for service, indicating probable cause for the blood draw. The Internal Affairs investigator spoke with the prosecutor assigned to the case. He agreed there was probable cause for arrest, although they ended up dropping the case based on the toxicology report (BAC of .039, no presence of drugs) and that the complainant had no previous history. The decision to drop the charges was not based on a lack of probable cause; rather, it would not likely result in a successful prosecution.

ANALYSIS AND CONCLUSION

The complaint was closed as an Inquiry.