



# SPOKANE POLICE DIVISION

## CRAIG N. MEIDL CHIEF OF POLICE

### Closed Case Summary

Complaint Number: C18-009 OPO Number: N/A

Date of Complaint: 1/20/2018

Allegation: Inadequate Response / Unlawful Seizure

Chain of Command Finding: Sustained

Final Discipline: Document of Counseling

#### INCIDENT SYNOPSIS

Patrol officers responded to a convenience store/gas station on a report of an altercation. Upon interviewing involved parties, it was determined that an assault was alleged. An employee of the store allegedly drove toward the complainant and his friends, attempting to run them down.

#### COMPLAINT

The complainant contacted the Internal Affairs Unit to complain about the officer's response. The complainant alleged that he was handcuffed and put in a police car, and he was denied the opportunity to press charges against the employee. He alleges inadequate response and unlawful seizure.

#### INVESTIGATION

Internal Affairs investigators determined that the complainant did allege an assault had occurred, but no incident report was written. It was also determined via body worn camera (BWC) that the complainant was yelling at officers and turned away from them with his hands behind his back, telling to take him to jail. As it was unknown whether he was a suspect or not, this behavior prompted the officer to put him in handcuffs and secure him in a patrol vehicle.

#### ANALYSIS AND CONCLUSION

The complaint of inadequate response was sustained as it was determined that based on the totality of circumstances, an incident report should have been written. The officer who took the complainant into custody was exonerated of the complaint of unlawful seizure. Based on the totality of the circumstances, it was reasonable for the officer to control the complainant by placing him in handcuffs and securing him in the patrol vehicle. The officers involved received documents of counseling for inadequate response.