



SPOKANE POLICE DIVISION

CRAIG N. MEIDL
CHIEF OF POLICE

Closed Case Summary

Complaint Number: C18-022 OPO Number: 18-05
Date of Complaint: 3/27/2018
Allegation: Demeanor, Unlawful/Improper Search and Seizure, Excessive Force
Chain of Command Finding: Administratively Suspended
Final Discipline: Not Applicable

INCIDENT SYNOPSIS

Officers arrested the complainant for a felony warrant and used force to take him into custody. The complaint is cross-referenced with Use of Force file F18-022.

COMPLAINT

The complainant alleges the involved officer used excessive force and unlawfully searched and seized him and his vehicle. Officers also watched a video of the arrest and made fun of him (demeanor allegation).

INVESTIGATION

As the incident involved force, it required a chain of command review, which addressed the allegations of Excessive Force and Unlawful/Improper Search and Seizure.

The investigation showed that the involved officer had contacted the complainant because he believed the complainant had a felony warrant, associated with the vehicle's license. The complainant did not comply with the officer's request to identify himself or get out of the vehicle after being told he was under arrest. The officer deployed a TASER during his arrest. The use of force and search and seizure were within policy.

Because the officer's conduct was determined to be within policy, the scope of the IA investigation concerned the demeanor complaint. Internal Affairs reviewed body worn camera footage and officer reports and interviewed the involved officers. The officer who had used force was not at the jail since he had not transported the complainant. One of the officers who transported the complainant had shown

video of the incident to jail staff, advising them that the complainant had fought with officers at the scene of the arrest and had been wearing a loaded pistol at the time. He advised he did not recall any conversation with the complainant that would be considered demeaning.

Internal Affairs began to interview the complainant, and advised him that internal investigations are public records and are subject to release, and the complainant said he was currently in court from the incident's arrest. Investigators asked him if he had advised his attorney before attending the interview. He had not, so IA investigators asked him to contact his attorney before making a statement and stopped the recording. The complainant contacted his attorney and then reported that the attorney had advised him not to make a statement. IA informed the complainant that he could contact them after the criminal case was resolved if he wanted to pursue the complaint.

ANALYSIS AND CONCLUSION

The complaint was administratively suspended until the conclusion of the complainant's criminal case.