



SPOKANE POLICE DIVISION

CRAIG N. MEIDL
CHIEF OF POLICE

Closed Case Summary

Complaint Number: C19-022 OPO Number: 19-22

Date of Complaint: 3/13/2019

Allegation: Policy Violation, Standard Violation and Body Worn Camera Violation

Chain of Command Finding: Multiple

Final Discipline: Document of Counseling

INCIDENT SYNOPSIS

An anonymous complainant reported to the Office of Police Ombudsman that a traffic officer was harassing businesses in the trucking industry.

COMPLAINT

The complainant alleged that the officer was falsifying information in order to issue tickets to truck drivers.

INVESTIGATION

Internal Affairs reviewed traffic citations, reports, and bodyworn camera video of the traffic stops. Investigators interviewed several drivers and the involved officer. The investigation found no misconduct as alleged. The stops that were identified that involved the allegations showed the officer's behavior as courteous and the body worn camera (BWC) footage supported the violations that he identified and documented. The portable scales that he utilized to weigh the vehicles are inspected by the Washington State Patrol for accuracy. The officer positioned his BWC to capture the reading on the scale during the inspection. Additionally, he invited the drivers of the vehicles to exit their vehicles and observe the readings on the scales during the inspection. The officer was authorized to conduct the stops; commercial vehicle officers are allowed to stop commercial vehicles to perform inspections without observing any violation. The enforcement records for the involved officer showed that his enforcement involving the companies associated with this complaint made up less than 1.5% of his enforcement activities. There was no evidence to support that the officer is unfairly targeting the companies of the complainants or that any of the nine traffic stops were not for bona fide violations.

The chain of command noted that bodyworn camera video confirmed that violations had occurred. In fact, in several instances, "The violator can be heard acknowledging or admitting behavior that would constitute a violation during the initial contact." Reviewers also stated, "The officer conducts himself in a

professional, friendly, and very transparent manner.” However, the officer failed to activate his BWC before exiting his vehicle, as required by policy, in eight of the nine videos associated with the complaint.

ANALYSIS AND CONCLUSION

The BWC video showed courteous and proper conduct and led to the Unfounded determination on the allegations of misconduct. The officer was found to have violated Policy 703 due to late BWC activation.

The sanction was a Documentation of Counseling.

Policy 447.2.3 (All status changes will be transmitted verbally over police radio or through the MDD system): Unfounded.

Standard 1.5 (Spokane Police Officers shall endeavor to uphold the spirit of the law, as opposed to merely enforcing the letter of the law): Unfounded.

Body Worn Camera Violation, Policy 703: Sustained.