



SPOKANE POLICE DIVISION

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CHIEF OF POLICE

Closed Case Summary

Complaint Number: C19-040 OPO Number: 19-41
Date of Complaint: 5/23/2019
Allegation: Body Worn Camera Violation, Excessive Force, Demeanor and Policy Violation
Chain of Command Finding: Multiple
Final Discipline: Multiple

INCIDENT SYNOPSIS

Spokane Police Department officers were involved in an incident assisting the U.S. Marshal Fugitive Task Force with capturing a suspect wanted for Assault (Strangulation or Suffocation), Unlawful Possession of a Firearm, and Possession of a Controlled Substance. The suspect had evaded capture on multiple occasions in recent weeks. When officers attempted a traffic stop, he fled in his vehicle. The incident involved a vehicle pursuit, a vehicle blocking technique, and use of force applications including a K9 application, closed fist strikes, and the intentional pointing of a firearm. While the incident was undergoing a chain of command review (due to the pursuit and use of force), a complaint was filed with Internal Affairs for Excessive Force.

COMPLAINT

Allegations for this case were violations of the Use of Force, K9 Utilization, Body Worn Camera (BWC) Violation, and Demeanor policies.

INVESTIGATION

Internal Affairs investigated the allegations, reviewing all available documentation. Investigators interviewed the involved officers and various witnesses with the U.S. Marshal's Service, Border Patrol, and Department of Corrections. They contacted the suspect's attorney to interview him if he was willing to be interviewed but he declined. BWC video was very helpful to determine if the officers had violated any policies and if the use of force was justified.

ANALYSIS AND CONCLUSION

An Administrative Review Panel was convened to review the investigation. Both officers' use of force (K9 deployment, closed fist strikes, intentional pointing of a firearm) were determined to be within policy and officers were Exonerated of Excessive Force and violating the K9 Utilization policy.

However, one officer violated the standards for Demeanor and BWC policy; allegations of those policy violations were Sustained. The panel members noted that his choice of words and the way the words

were delivered were not within the standards of professional behavior and communication skills of the Spokane Police Department. The officer received a one-day suspension without pay and a one-day suspension held in abeyance pending no further violations from 12 months of the incident.

Another officer involved in the incident also violated the BWC policy. He received a Documentation of Counseling for the Sustained finding.

The Administrative Review Panel noted that the department would continue conversations regarding the improvement of training and policies regarding a variety of factors involved in the incident. Several concerns from the incident (de-escalation, patrol tactics, closed fist strikes, unprofessional language, high-risk vehicle stops, and tactics involving a barricaded subject in a vehicle) were addressed through department training in 2019 and 2020.