



SPOKANE POLICE DIVISION

CRAIG N. MEIDL
CHIEF OF POLICE

Closed Case Summary

Complaint Number: C19-084 OPO Number: 19-64
Date of Complaint: 9/24/2019
Allegation: Inadequate Response
Chain of Command Finding: Closed
Final Discipline: Not Applicable

INCIDENT SYNOPSIS

On 09/18/19, Spokane Police Department patrol officers responded to 217 W. Spokane Falls Blvd. on a gun call. Neighbors heard a male arguing with himself, and feared he may shoot through the walls. Fearing for their safety, police were summoned.

COMPLAINT

The complainant alleges the police did not properly search the suspect's apartment, and let the male remain at the location. The complainant additionally called a supervisor regarding the response, and was not immediately notified that the conversation was being recorded on the supervisor's body worn camera.

INVESTIGATION

A thorough investigation was completed. After reviewing all the evidence to include body worn cameras, it was clear that the responding officers properly handled the call. The officers did a protective sweep of the apartment for injured persons, but did not have the authority to completely search the residence. Officers were not able to develop probable cause to arrest the suspect, nor could they take him on an involuntary mental hold. No firearms were located. Assistance was offered to the person suffering a mental health episode, and a police report was written.

The complainant called police requesting that a supervisor call him. Both the complainant and the police supervisor recorded the phone conversation they had after the call. The complainant was upset that the officer recorded the conversation without disclosing it immediately. The Washington State Privacy Act does not require officer consent because Washington Supreme Court has recognized that a conversation between a police officer and a member of the public that occurs in the performance of the officer's duties is not private.

ANALYSIS AND CONCLUSION

This complaint was closed.