



SPOKANE POLICE DEPARTMENT

CRAIG N. MEIDL
CHIEF OF POLICE

Closed Case Summary

Complaint Number: C20-038 OPO Number: 20-19
Date of Complaint: 6/2/2020
Allegation: Excessive Force
Chain of Command Finding: Exonerated
Final Discipline: Not Applicable

INCIDENT SYNOPSIS

The complainant said that while she was in Spokane on business, she was walking from Centennial Hotel to downtown. She came upon a scene where the SPD was assisting park rangers detain a male. While detaining the male, an officer put his knee upon the man's throat. The witness said that the man did not appear to be struggling, but that the officer continued to have his knee placed on the man's throat. The man continued to state he couldn't breathe. The complainant pleaded with the officers to get off of him but left before the end of the incident.

COMPLAINT

The complainant believed the officers used excessive force to subdue the male.

INVESTIGATION

The Internal Affairs investigator reviewed bodyworn camera video, police reports, photos of injuries to suspect, and photos from complainant. The investigator was unable to interview the person who was arrested as he is transient and was not located. The investigator interviewed the involved officers, the complainant, and a witness. BWC video showed proper conduct by officers.

The chain of command determined that the involved officers responded quickly, efficiently, and professionally to take control of the resistive person and overall situation. One supervisor noted that any level of force by an officer can be upsetting to an untrained person, but that does not make the force excessive. In this incident, the suspect was actively resisting the attempt by the Park Ranger to take the suspect into custody. Bodyworn camera video shows that when SPD officers arrived, the suspect was still actively resisting and continued to struggle and actively resist while officers were attempting to place the suspect into custody.

The complainant was very concerned that one of the officers maintained his position with his knee over the suspect's neck/upper back area for a little over a minute while the other officers handcuffed and conducted a quick search of the suspect. The amount of time and level of pressure applied by the officer

was not excessive considering the situation. The tactic the officer used by placing his knee on the neck of the suspect was consistent with the manner which prone handcuffing was described in the department's defensive tactic manual. The officers never applied force to the subject's throat. The force on the subject's neck was not unreasonable and was consistent with the training they have been provided. They gave clear verbal directions as well as verbal reassurances to the subject throughout this incident and turned the male on his side as soon as possible.

After this incident had occurred and unrelated to this incident, the Washington State Criminal Justice Training Commission revised the tactics for prone handcuffing to direct officers not to place the knee across the neck of a suspect. The department trained officers on this change in tactics at the following in-service training. The chain of command determined that the officers' use of force was reasonable and within department policy at the time of the incident. The officers' demeanor was professional during the encounter. Changes to prone handcuffing tactics were addressed by the department.

ANALYSIS AND CONCLUSION

The Assistant Chief of Police determined that the officers were Exonerated from the allegations of Excessive Force.