



SPOKANE POLICE DEPARTMENT

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CHIEF OF POLICE

Closed Case Summary

Complaint Number: C20-090 OPO Number: 20-59
Date of Complaint: 12/30/2020
Allegation: Excessive Force
Chain of Command Finding: Exonerated
Final Discipline: Not Applicable

INCIDENT SYNOPSIS

Officers were dispatched to a report of a twelve-year-old male threatening himself and other household members with a knife. When they arrived, the officers were attempting to get the victim and her children to come out of the house to them. The officers witnessed an altercation in the back yard of the residence and saw two juvenile males fighting. One was armed with a knife. The officers left cover and confronted the juvenile male who was holding a knife in his hand. Officers ordered the juvenile to drop the knife. He refused, and he was in close proximity to his mother and officers. An officer on-scene deployed a TASER to incapacitate the juvenile male so he could be disarmed and taken into custody.

COMPLAINT

The complainant filed a complaint challenging that officers responded inappropriately in this situation according to department procedures. The case involved an allegation of Excessive Force for the officer who deployed his TASER.

INVESTIGATION

As the incident involved a use of force, the incident was reviewed by the chain of command, per policy. SPD policy requires special consideration for an officer to deploy a TASER on a juvenile. Leadership noted that in this situation, officers attempted to use time, distance and cover. When a physical altercation began, officers were put in the position that required that they close distance and render the scene safe. The suspect was a juvenile, but he was armed with a deadly weapon and there were others in very close proximity. Due to the age of the suspect, officers had a limited choice in what tactics or tools could be deployed. The chain of command determined that the use of the TASER was reasonable and effective and within policy.

Separate from the use of force review, the Internal Affairs Investigator reviewed the police reports, bodyworn camera video, and interviewed the complainant and one of the juvenile's parents. He also sought clarification on tactics from department subject matter experts. A department use of force instructor explained that the officers had made an initial plan to get additional resources for the situation,

but BWC video shows within two minutes of arriving, the officers observed an altercation involving a knife which prompted them to abort their initial plan. The juvenile's mother was just a few feet away from the male, and officers wanted to avoid a deadly force encounter at all costs. One of the complainant's concerns about tactics was that mental health professionals did not respond. The investigator clarified that Frontier Behavioral Health does not respond to armed individuals. They allow for law enforcement to make it safe, so they can then access an unarmed individual without any threat of weapons. Frontier Behavioral Health does not negotiate. In dealing with someone who is actively threatening self/others and is armed with a weapon would be a form of negotiating, and we use Hostage Negotiators for that purpose. A mental health professional's role in this circumstance would be to connect this individual in crisis with resources once the threat is gone. Unfortunately, the four Behavioral Health Unit employees were off duty at that time and the one Hostage Negotiator on duty was on a Domestic Violence call at the time of this incident.

The chain of command also reviewed this complaint and determined the officers reacted in a reasonable manner and within SPD policy and within State law. The officers responded appropriately to the actions presented to them and at the pace set by the actors in the call. The case summary provides answers to the concerns raised by the complainant of why the events transpired the manner they did.

ANALYSIS AND CONCLUSION

The officer was Exonerated of the Excessive Force allegation.