



SPOKANE POLICE DEPARTMENT

CHIEF OF POLICE

KEVIN HALL

Closed Case Summary

Complaint Number: C24-031 OPO Number: N/A

Date of Complaint: 4/16/2024

Allegation: Making a False or Misleading Statement and Policy Violation

Chain of Command Finding: Sustained

Final Discipline: Termination – Did not meet the terms of probation.

INCIDENT SYNOPSIS:

A Spokane Police Officer made several arrests for DUI over the course of four months. Spokane County Prosecutors Office staff became aware of possible wrongdoing, in that the officer was using a breath test instrument while not certified to do so and submitted reports under the penalty of perjury that they were certified to use the instrument. Additionally, the officer used other officer's access cards to log into the instrument. The prosecutor's office reported the concern to Spokane Police Internal Affairs as a possible policy violation, and the Spokane County Sheriff's Office investigated the crime of perjury related to the untruthful reports.

COMPLAINT:

This internal complaint focused on the officer's unauthorized use of other officers log in cards for the breath test instrument and for signing under the penalty of perjury they were authorized to operate the breath test instrument. Additionally, due to their involvement in the DUI cases with the primary accused officer, several other officers were investigated for policy violations related to this matter.

INVESTIGATION:

Spokane Police Internal Affairs investigated the policy violations which included interviews with the primary accused and other involved officers. Police reports and numerous body worn camera videos were reviewed. The Spokane County Sheriff's Office investigated the criminal aspect of the case (perjury).

ANALYSIS AND CONCLUSION:

The Spokane County Sheriff's Office completed their criminal investigation and forwarded the case to the Prosecutor's Office for review. The Prosecutor's Office declined to charge the primary accused officer for perjury.



Spokane Police Internal Affairs determined the primary accused officer was in violation of Policy 340.3.5 (j) – The unauthorized use of any badge, uniform, identification card or other department equipment or property, and Policy 340.3.5 (p) – Failure to disclose material facts or the making of any false or misleading statement on any application, examination form or other official document, report, form, or during the course of any work-related investigation. The primary accused officer was terminated for failing to meet the requirements of probation.

Three other involved officers received documentation of counseling for allowing the primary accused officer to use their access card to log into the breath test instrument.

