



SPOKANE POLICE DEPARTMENT

CHIEF OF POLICE

KEVIN HALL

Closed Case Summary

Complaint Number: C24-043 OPO Number: N/A

Date of Complaint: 5/18/2024

Allegation: Sexual Assault and Demeanor

Chain of Command Finding: Closed

Final Discipline: Not Applicable

INCIDENT SYNOPSIS:

Officers contacted a group of persons blocking a sidewalk in Downtown Spokane. One of the persons was arrested for Order of Protection violation, Making False Statements to a Public Servant, and Pedestrian Interference.

COMPLAINT:

The complainant was contacted during a pedestrian stop and was arrested for an Order of Protection violation, Making False Statements to a Public Servant, and Pedestrian Interference. The complainant then requested a supervisor and alleged that when they were placed in handcuffs, one of the officers searched them and made intentional contact with their groin area. The complaint alleged the contact was sexual assault, and another officer involved in the arrest made comments to intentionally anger the complainant. A patrol supervisor responded to the scene and accepted the complaint.

INVESTIGATION:

A patrol supervisor at the scene spoke with the complainant and several witnesses who were present during the alleged incident. A separate patrol supervisor reviewed the initial complaint. Because there was an allegation of sexual assault, which, if found to be true, would constitute a criminal offense, Spokane Police Department Internal Affairs investigated this complaint. The involved officers' police reports and body worn camera videos were reviewed.

ANALYSIS AND CONCLUSION:

The investigation into the allegation of sexual assault was classified as Closed – Unfounded. *When the investigation discloses that the alleged act(s) did not occur or did not involve department personnel.*



Spokane Police Internal Affairs conducted a comprehensive review of all aspects of the allegation of sexual assault. Based upon the body worn camera video and the interviews, it was determined the complainant's allegations were unfounded. The officer conducted a pat search of the complainant, and during that time, their pants were falling from their waist. The officer's contact with the complainant's lower body and pants pockets was momentary, appropriate, and within department policy and training guidelines for a pat search. There was no evidence to support the allegation that an officer sexually assaulted the complainant and there was no evidence to suggest any illegal or inappropriate contact was made with their groin area.

The investigation into the allegation of demeanor was classified as *Closed – Not sustained. When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.*

Spokane Police Internal Affairs conducted a comprehensive review of all aspects of the allegation of the officer making comments to intentionally anger the complainant. It was determined the officer's commentary during the incident did not violate department policy, however, the officer was provided guidance regarding his interaction with the suspect in this incident.

