



**SPOKANE POLICE DEPARTMENT  
OFFICE OF PROFESSIONAL ACCOUNTABILITY**

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**Office of Professional Accountability  
July 2014 Report**

**Public Safety Committee Briefing  
August 18, 2014**



## SPOKANE POLICE DEPARTMENT OFFICE OF PROFESSIONAL ACCOUNTABILITY

### Selected Officer Commendation Letters

I attended “Enhancing the Survival Mindset” at the Spokane Police Academy, led by Sergeant Shawn Kendall. This class was outstanding! I know I speak for all of the ladies who attended. All of the material in the Power Point was helpful and some of it new to me. The time in the gym with the “hands on” self- defense was very practical and useful and well taught. The scenarios that were set up really put the danger schemas into use and I feel much more confident knowing what I learned at these two classes. The staff did a great job and took the time needed to be sure each and every one of us understood how to survive and not become a victim. If this class could be offered much more often it would be very worthwhile for all involved. Thanks to all of the staff for organizing this and I look forward to sending my friends and family to the next one!

*-Kathy Burrowes*

I approached Ben Krauss with SPD’s Crime Analysis Division and requested his assistance in completing an informational flyer for dissemination. Mr. Krauss offered his assistance without hesitation and selflessly stayed past his normal work hours to complete this task. The information provided in this flyer assisted in the ultimate arrest of two persons for Murder in the 1<sup>st</sup> degree and the recovery of the decedent and her vehicle within the City of Spokane. Mr. Krauss should be commended for his willingness to assist local law enforcement, his willingness to work past his normal work hours and the professional and expedient work product he provided in this investigation.

*-Detective Kirk Keyser, Spokane County Sheriff’s Major Crimes Unit*

On July 23, a strong storm moved into the Spokane area, causing significant issues. As I was driving home, I saw a very large pine tree had fallen north across Fleming and into a house at the NW corner. Officer D. Lesser was using a chain saw to cut the tree into smaller pieces as Officer Jensen was moving the pieces out of the street. I was very impressed to see both officers working hard to aid a citizen that had just experienced a traumatic event. It would have been easy for the officers to tell the homeowner to call his insurance company and then advise Streets to come clear away the tree. Rather than take the easy route, both of them chose to jump in and provide any assistance possible. Having worked around both officers in the past I imagine their intent was to simply help out in any way they could and not have concerns that this was not part of their normal duties or that they would get dirty or tired. I also know, because of my experiences working around them, they did not help hoping they would receive praise or because they were trying to improve our Department’s image. They helped this citizen and his neighbors simply because they wanted to help. A beneficial byproduct of their actions was that it did show these citizens the high caliber and character of our officers.

*-Sergeant Steve Braun, Spokane Police Department*



# SPOKANE POLICE DEPARTMENT

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### Internal Affairs Unit Update

#### 2014 January 1<sup>st</sup> through July 31<sup>st</sup> Complaints

##### Source of 2014 Complaints\*

Received by the Office of Police Ombudsman	<b>Total: 48</b>
Inquiries	38
Citizen Complaints	10
Received by the Spokane Police Department	<b>Total: 31</b>
Inquiries	23
Citizen Complaints	8

\*Note: Sometimes a citizen will report a complaint in multiple places, in those cases the place where the complaint was first reported is noted.

Internally Generated by the SPD	<b>Total: 8</b>
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##### Categories of Complaints\*\*

Allegations associated with **Citizen Complaints** received between January 1st and July 31st, 2014

Allegation	Number
Demeanor	7
Failure to Report Domestic Violence	2
Failure to Take Report (Non-DV)	2
Sexual Assault***	1
Excessive Force	4
Lack of or Inadequate Response	9
Failure to Take Reasonable Action	1
Exceeding Authority	1
Improper Search/Seizure	1

\*\*Note: Some investigations involve multiple allegations. Investigations do not include Inquiries.

\*\*\*Allegation was received during this period, but was alleged to have occurred in 2012. The accused officer is no longer an employee of the SPD. The case is complete and is being reviewed by the Spokane County Prosecutor's Office for charging consideration.



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Allegations associated with **Internal Complaints** received between January 1st and July 31<sup>st</sup>, 2014

<b>Allegation</b>	<b>Number</b>
Absent Without Leave	1
Crime (Off-Duty DUI Arrest)	1
False Reporting****	1
False Statements****	2
Integrity****	1
Lack of / Inadequate Response	1
SPD Policy Violation	3
Untruthfulness	1
Insubordination	1

\*\*\*\*Investigation involved a civilian employee. The investigation was forwarded to HR and the employee was exonerated.

### **Current Status of 2014 Cases**

#### Citizen Complaints

<b>Status</b>	<b>Number</b>
Exonerated	3
Not Sustained	2
Founded	1
Unfounded	3
Under Investigation	3
Under Review by OPO	0
Under Chain of Command Review	1
Under Review by Prosecutor	1
Resigned prior to Termination	1
Administratively Suspended	4

#### Internal Complaints

<b>Item</b>	<b>Number</b>
Founded	2
Referred to City Human Resources	2
Under Investigation	0
Under ARP Review	1
Under Chief's Review	1



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**Unfounded** - When the investigation discloses that the alleged act(s) did not occur or did not involve department personnel.

**Exonerated** - When the investigation discloses that the alleged act occurred, but that the act was justified, lawful and/or proper.

**Not Sustained** - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the employee.

**Sustained** - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

**Training Failure** - Deficiency in training was the cause of the alleged act.

**Closed Due to Mediation** - Is an alternative to the investigation, adjudication and disciplinary process.

### 2014 Deadly Force Incidents

#### **2014 Investigative Reviews**

**Total: 4**

#### **March 2014**

March 26th, 2014---Internal Affairs Lt. Lundgren responded to 1527 W. Grace Avenue after an Officer Involved Shooting. Officers were investigating the suspect's involvement in a series of Armed Robberies at the time of the shooting. Sgt. Braun will be the lead on the Deadly Force Review after the SIRR Team investigation and Prosecutorial Review are completed.

#### **April 2014**

April 3rd, 2014-- Sgt. Staben responded to Magnesium and Division after a suspect required medical treatment after fleeing from the scene of a collision. The suspect choked on a plastic bag that a witness reported seeing him swallow while attempting to flee from pursuing officers. The suspect died after choking on the plastic baggie. **UPDATE:** The Medical Examiner's Office has determined the cause of death to be accidental. Sergeant Staben's investigation is being reviewed at ARP.



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April 29th, 2014-- Sgt. Braun and Lt. Lundgren responded to 2512 N. Standard on the report of an Officer-Involved Shooting. Officers, Detectives, and civilian media were on scene investigating a possible homicide after a woman was found dead at the location. A person of interest in the homicide reportedly drove through the barricades at the location and confronted officers at the location. Sgt. Braun is the lead investigator on the case.

Continuing Investigation for Investigators:

Director Schwering and Lt. Lundgren attended the Force Science certification course. Both are now certified Force Investigators. Sgt. Staben and Sgt. Braun previously completed this course which provides a strong research-based foundation for completing investigations where force was used by officers in the performance of their duties.

### Training Unit Update

#### Training and Hiring Statistics

CLASSIFICATION	HIRED	IN PROCESS	DECLINED	NOTES
Entry Level Police Officer	0	30	3	Physical Agility Test 8/18/2014 for 14 of 22 applicants; others in process
Lateral Police Officer	0	10	4	Physical Agility Test 8/18/2014 for 5 of the applicants; others in process
Reserve Officers	N/A	28	N/A	Academy is assisting Volunteer Services with Reserve Officer applicant
Entry Level Dispatchers	0	0	0	New test will be administered September 2014
Lateral Dispatchers	0	3	5	
Records Specialists	0	3	12	New test date July 29, 2014



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### Records Unit Update

#### Public Record Disclosures as of 8/11/2014

Oldest request not completed: 5/07/14  
New requests received this week: 317  
Total requests started but not complete:\* 182  
(This totals 212 incidents/reports responsive to these new requests. 16 of the requests are very large and the requestors have been provided with an extended completion date.)  
Total requests not processed: 19 (oldest date of 8/7/2014)

### Body Camera Implementation Project

- Pilot program begins September 1.
- The first week of September, Evidence.com will provide training to the 17 officers involved in the pilot program. A few Records Specialists and the IA Secretary will also participate in the training.
- The draft policy will be released September 1.
- Community outreach regarding body cameras is ongoing. 15 presentations have been scheduled so far. Over 50 community groups in Spokane have been approached about having Director Schwering present, including every neighborhood council.
- A community forum will be held in October.
- City Council members will receive a body camera training at the Academy.

### Spokane Police Department Statistics: January-June 2014

#### SWAT Activations

The SPD SWAT Team was activated a total of 34 times from January 1st, 2014 to July 16th, 2014. Below is a list and explanation of the number and types of SWAT activations.

#### High Risk Warrant Service – 15

These operations include warrant service for other SPD Units (SIU/Major Crimes/Regional Drug Unit, etc.) as well as outside agency requests (Washington State Patrol/Federal agencies).

#### Tactical Operations – 16

Tactical Operations include barricade suspects, armed suicidal suspect, high risk arrests and other high risk operations (both ad hoc on patrol and prior planned). This statistic includes incidents involving high risk prisoner transport, homicide suspect arrests, armed robbery specials and sensitive item protection.



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### Special Events – 2

Bloomsday, Lilac Parade

### Outside Agency Assists – 1

SPD SWAT was called out to assist the Spokane County Sheriff's Office with a hostage taking incident, but was cancelled prior to team arrival.

### SWAT Training

#### Training Received

SPD SWAT Officers have participated in over 168 hours of team training, 20 hours of chemical agent and blunt impact munitions training (CART Team), and 48 hours of sniper team training. Training topics have included decision-making scenarios, use of force de-escalation and report writing, hostage rescue, dignitary protection, advanced firearms training, and barricade subject resolution.

#### Training Provided by SPD SWAT Team

SWAT team instructors have provided 500 + hours of training to SPD officers and outside agencies. This training includes basic SWAT instruction, active shooter response and tactical emergency medicine.

SPD SWAT consulted with the Kennewick Police Department and provided Rescue Task Force training materials. SWAT also provided training to the Spokane Fire Department. One of the SWAT instructors provided training at the Basic SWAT School for agencies from all across the state.

SPD SWAT is also in the process of working with District 81 bus drivers on safety training and the Washington State Attorney General's Office (Spokane Office) with active shooter response training.

### K9 Program Statistics

From January 1<sup>st</sup> to June 30<sup>th</sup>, 2014, SPD K9s were deployed 672 times, to assist with tracking, building searches, perimeter security, accelerant searches, explosive sweeps, evidence finds, and suspect apprehension. Deployments often were associated the following types of calls: burglary in progress, felony warrant service, vehicle theft, domestic violence, murder, assault, shooting, robbery, and so on. Canine contacts occurred 11 times, 1.6% of total K9 deployments.



## **2014 Mid-Year Use of Force: Patterns and Analysis Spokane Police Department**

In the first six months of 2014, Spokane Police Officers used force in 59 incidents out of 67,009 contacts with individuals in the community. Many of the incidents involved multiple officers and more than one type of force.

### **Total Use of Force Incidents for the first six months of 2014: 59\***

\*In of the 14 incidents, a Use of Force report was created because an officer pointed a firearm, but no other force was needed. 45 incidents involved other types of force.

#### **Reason Force was used:**

- Resisting Arrest: 27%
- Assaulting Officer: 17%
- Fleeing (Felony): 17%
- Threat to Harm Others: 14%
- Suicidal/Harming Self: 12%
- Fleeing (Misdemeanor): 7%
- Assaulting Citizen: 5%

#### **Type of Call**

Suicide attempt was the most common type of call, involving 12% of calls. Domestic Violence calls comprised 8%. Other common types of calls included serving a warrant, Argument, and Suspicious Person, each representing 7%. The rest varied from Burglaries, Traffic Stops, Animal Problems, Shootings, Stabbings, Check Welfare, Assist Other Agency, Disorderly Conduct, Trespassing, Vehicle Theft, and so on. For the past five years, Domestic Violence calls were the leading type of call, but not in the first six months of 2014.

#### **Type of Force**

Note: Most incidents involve multiple officers and more than one type of force.

In the first six months of 2014, the most frequent types of force included: Body weight/manual force (also labeled Arrest Tactics), firearm-pointing, and Taser use. K9 Contacts and Lateral Neck Restraints were also common.

- Body Weight/Manual Force (also described Arrest Tactics) was used 21 out of 59 incidents, a total of 26 applications.
- Officers pointed their firearms 23 times in the first six months of 2014.
- Officers fired Taser probes 13 times in that time period.
- A total of 11 K9 contacts were made.
- Lateral Neck Restraint applications totaled 12 for the six month period. 6 applications were Level 1 restraints; 6 were Level 2.
- Other common types of force involved Takedown Techniques (10 applications), Personal Impact Tools\* (3 applications), Bean bag rounds (3 applications), and Impact Tools\*\* (2 applications).

\*Personal impact tools are commonly defined as an officer using part of their body for impact (for example, a knee strike to the torso while attempting to gain compliance to affect an arrest).

\*\*Impact tools are commonly defined as using a Department-issued tool such as an expandable baton.

Compared to prior years, there are more incidents involving Body Weight/Manual Force and more incidents that only involve the pointing of a firearm.

### **Neighborhood/Police Service Area**

19% of Use of Force incidents occurred in the Downtown service area, while 17% occurred in the Nevawood, South Central (formerly called Garry) and Northeast neighborhoods. Northwest followed with 14% of incidents. 8% of incidents occurred in the Southwest area (includes Browne's Addition and Peaceful Valley) and none took place in the Southeast. 1 incident occurred outside of Spokane (Spokane County) due to inter-agency cooperation. These statistics are similar to 2013, as 17% of incidents happened Downtown; Northeast comprised 14% of the incidents.

Please see attached Police District areas.

### **Type of Shift**

41% of Use of Force incidents took place on Power shift, 4 pm to 2:40 am. 29% took place on Swing shift, 10 am to 8:40 pm. 17% of incidents occurred on the Graveyard shift, 8 pm to 6:40 am. 14% took place on Day shift (6 am to 4:40 pm), which was a significant increase. Over the past five years, Day shift has accounted for less than ten percent. Another change was an increase in Swing shift incidents from prior years.

### **Type of Shift 2009-2013:**

2009: Power 48%; Grave 29%; Swing 17%; Day 2%  
2010: Power 43%; Grave 30%; Swing 18%; Day 9%  
2011: Power 46%; Grave 29%; Swing 19%; Day 6%  
2012: Power 46%; Grave 30%; Swing 18%; Day 7%  
2013: Power 44%; Grave 27%; Swing 26%; Day 3%

### **Time of Day**

During the first six months of 2014, force was most frequently used between 1800 and 2059 hours, and likely used in the later part of the day rather than early morning hours, as in 2013.

- 0000-0259 5%
- 0300-0559 3%
- 0600-0859 5%
- 0900-1159 8%
- 1200-1459 12%
- 1500-1759 17%
- 1800-2059 24%
- 2100-2359 17%

In contrast, Force was most frequently used between 2100 and 2359 hours during 2013.

- 0000-0259 20%
- 0300-0559 10%
- 0600-0859 2%
- 0900-1159 5%
- 1200-1459 5%
- 1500-1759 11%
- 1800-2059 22%
- 2100-2359 25%

### **Day of the Week**

The majority of incidents happened on Monday: 22%.

- Sunday: 17%
- Monday: 22%
- Tuesday: 8%
- Wednesday: 15%
- Thursday: 15%
- Friday: 8%
- Saturday: 14%

### **Drugs and Alcohol**

21 of the 59 incidents (36%) involved an intoxicated subject. 24% of Use of Force incidents involved alcohol; 13 (22%) incidents involved a suspect under the influence of drugs, but only twice were the specific drugs actually identified (in one case, meth, and in another, LSD). The other 11 cases (19%) involved unknown drugs. 6 of the incidents involved the suspect being under the influence of both drugs and alcohol.

### **Mental Health Factors**

In the majority of incidents during this time period, the subject's mental health was not a factor. However, the subject appeared mentally unstable in 14 of the 59 incidents (24%). Overall during the time period, Spokane Police officers responded to 583 incidents involving persons with a mental illness or mental disability, but force was only necessary for 14 (or 2%) of those calls.

7 Use of Force incidents occurred when officers were responding to Attempted Suicide calls. During the first six months of 2014, officers responded to 870 Suicide attempt calls, but only used force less than 1% of the time, as 7 cases required officers to use force to detain the subjects.

### **Racial/Ethnic Makeup of Subjects**

The racial/ethnic makeup was very similar to Spokane County racial demographics, with the majority of subjects being White (78%). 7% of subjects were Black; 8% Native American; 3% Hispanic; and 3% Asian.

According to the 2010 United States Census, the population within the City of Spokane was 208,916. Of the people living in Spokane in 2010 86.7% were White, 5.0% were Hispanic or

Latino, 2.6% were Asian, 2.3% were Black, 2.0% were Native American, 0.6% were Pacific Islander, and 4.6% claimed two or more races.

### **Circumstances of Note**

One subject exhibited Excited Delirium symptoms and was transported to the hospital for evaluation.

No officers were involved in six or more Use of Force incidents in this time period, except one K9 officer. K9 officers have a different threshold for activating the Early Warning System because their K9s are used so extensively. From January 1st to June 30th, 2014, SPD K9s were deployed 672 times, to assist with tracking, building searches, perimeter security, accelerant searches, explosive sweeps, evidence finds, and suspect apprehension. Deployments often were associated the following types of calls: burglary in progress, felony warrant service, vehicle theft, domestic violence, murder, assault, shooting, robbery, and so on. Canine contacts occurred 11 times, 1.6% of total K9 deployments.

One incident occurred outside of Spokane, in Spokane County, due to inter-agency cooperation.

## CITY OF SPOKANE POLICE DISTRICTS

P 1: Northwest

P 2: Central

P 3: Nevawood

P 4: Northeast

P 5: South Central

P 6: Southeast

P 7: Southwest

P 8: Downtown

