

**Special  
Summer Guide**

# Spokane

**MAGAZINE**

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“It was that one cop who was pushing his face into the ground. There was so much blood I thought he’d been shot, his face was just a complete mess. The kid kept saying, ‘I didn’t do nothin’, stop, please.’”

# “Smoldering Questions” About Police Violence

By Tim Connor

**T**he two Spokane police officers apparently had reason to be suspicious. Friday night was more than two hours into Saturday morning, May 31, 1980, and it wasn't at all clear what the four men standing beneath the Washington Trust Bank sign were up to. As they continued north on Monroe Street one of the officers could see a fifth person in a car parked near the bank's drive-in bay. At the same time, it was apparent the four men on the corner were arguing: ample cause to turn around and investigate. "It appeared," officer Earl J. Ennis would later write in his report, "that possibly a fight was about to start."


A fight was about to start, and when it did, Officer Ennis would be one of the fighters. When it was over, 20-year old Angelo Kiourkas would be lying on the sidewalk, face down, in a puddle of blood. He'd also be under arrest, accused of a felony; Kiourkas had wantonly assaulted Officer Ennis, the police would report.

Angelo Kiourkas, on the other hand, would add his name to a growing list of people who feel they've been victims of excessive and unjustified force wielded by Spokane police officers. Kiourkas would try, without success, to bring his side of the story to the attention of Officer Ennis' superiors in the police department. Though the department claims all allegations of police misconduct are investigated, Kiourkas is not the only one to have found it is difficult or impossible to get the police to listen to a complaint.

The third degree assault charge against Kiourkas was eventually reduced to simple assault, a misdemeanor. "There was the question," Spokane Prosecutor Donald Brockett explained, "of whether or not Officer Ennis provoked the fight." Even the simple assault charge could have resulted in a fine of up to \$500 or six months in jail, or both. But although he had, allegedly, punched and broken the nose of a police officer while resisting arrest and, in the process, destroyed \$250 worth of the officer's property, a judge would fine Kiourkas only \$30 in fines and court costs in exchange for a guilty plea.

It did not take long that night on Monroe Street for Officer Ennis and his partner, Officer Rick Albin, to find there was no threat being posed to the bank, but backup units were already on the way. Three of the men on the corner, Kiourkas, Robert Allen, 19, and Greg Samis, 20, were together and their story jibed with that of a fourth man, a 27-year-old whose name was Johnson. The three younger men had been hitchhiking and had mistaken the long-haired silhouettes of Johnson and another man as those of "chicks" and had motioned for their car to stop. The three then turned down the offered ride and Kiourkas' explanation of the mistake hadn't set well with Johnson. They were arguing, but not on the verge of a fistfight, they all agreed, when the policemen approached. As the officers began to ask for identification the first backup police unit arrived.

Officer Ennis' report stated: "Kiourkas made some remarks about shooting us . . ." Officer James Powell, the first backup to arrive, reported: "Allen stated that if he had a gun he would kill both officers . . ." Kiourkas insists he made a remark, upon seeing the backup units arriving, "You'd think



somebody had been shot." His friend, Allen, recalled: "Bud [Kiourkas] said something to the effect that there were enough policemen there, it was like one of us shot somebody."

There was no gun. Yet, without having been searched, Kiourkas was put in the back seat of the patrol car on the corner. While sitting there, Kiourkas heard the police radio report a "hit" on Samis' name—an outstanding warrant for failing to appear on a traffic citation. Kiourkas was let out of the car; Samis put in in his place.

In recalling the moments after Samis was arrested, there is only one common denominator in the police version and that of the young men. Allen and Kiourkas were told to leave the scene and they did not; both admit telling the police they were not going to leave, that they had done nothing wrong. Then things got violent. The police claimed it was an unprovoked assault on Officer Ennis. Both Kiourkas and Samis say Ennis knocked Kiourkas to the street before the fists started flying. First the police version.

From Officer Ennis' report:

Officer Powell told them [Kiourkas and Allen] several times to get out of the street and they told Powell to go ahead and write them a ticket and that they really wanted him to do just that. At this time I got out [of the patrol car] and told Kiourkas he was under arrest for disorderly conduct. He was still talking about fighting us and was pulling away from me while I was going to put him in the car. I told Kiourkas as he was struggling if he was going to fight to do what he was going to and he then pulled completely away. I went to grab him again and he struck me in the face and a fight ensued.

From Officer Powell's report:

Kiourkas was with Allen and they both refused [to get out of the street.] Allen began demanding that this officer write him a ticket and Kiourkas told me to take off my badge so we could fight. Kiourkas at this point was

yelling and screaming. Officer Ennis approached Kiourkas and commented on Kiourkas' proposal to fight and told him he was under arrest. Kiourkas then struck Officer Ennis with a closed fist and broke the officer's eyeglasses which went flying from his face. It also appeared the officer sustained facial injury as blood appeared.

Kiourkas' view is quite different. He said he approached Officer Ennis to ask how much money would be needed to get Samis bailed out of jail and then:

He [Officer Ennis] said Greg would have to take care of it and that I should leave. He then told me to get up on the curb. I got up on the curb and said, 'No, I'm not going to leave.' He then called me a smart ass and pushed me. Then he started to take off his jacket and I said, 'I'm not going to fight you but if you weren't a cop I'd beat the sh\_\_ out of you.' He said 'Come on' and pushed me to the ground on Monroe Street. After I got up he started juking like he was going to fight and I turned to the other officer and asked, 'Is this right? Can he do this?' The other officer turned away.

Kiourkas, a former high school wrestler, claims it was the officer who threw the first five punches; that he blocked them all and then knocked Ennis back into the shrubs beneath the bank sign.

He fell on his back and laid there. I had a hold of his shirt with my fist raised, but I didn't hit him [again]. I got up and was standing over him, like it was all over, when another cop came up behind me and grabbed me around the neck with a choke hold.

Kiourkas claims it was then that Ennis got up off the ground and threw the punches that broke his nose. He remembers going down to the sidewalk, with the neck hold still on him, before blacking out.

Samis, seated in the patrol car 15-20 feet away, said he had an unobstructed view of the fight. His version:

It was still pretty quiet at this time and I

could hear what was being said. The cop told him [Kiourkas] to get out of the street or he would write him a ticket. I heard Bud say 'Sorry' as he stepped up onto the curb. The cop said, 'So you think you're pretty smart, huh?' and pushed him into the street again and this time Bud went down. He got up and pushed him [Ennis] and they went at it.

I'd say there were six or seven cops standing right by there just watching to see that Bud didn't get away. Not one cop had come over to help them. They just let them brawl.

Bud was getting the best of him. He had the policeman down and was on top of him. When he got off him some other cop jumped on him from behind and put him down to the ground to put the handcuffs on him. After Bud was handcuffed one of them [an officer] helped the cop up and right then Bud was cuffed, lying on his stomach. The cop started swinging at him, kicking him in the ribs. There was nothing Bud could do. The cop was getting them in there any way he could. To the face, everywhere, just really nice shots.

**Spokane Magazine:** This was after Kiourkas was handcuffed?

**Samis:** Yes.

**SM:** Are you sure?

**Samis:** Yes.

All three young men—Allen, Samis and Kiourkas—claim that Kiourkas was assaulted by a police officer after he had been subdued by another officer.

The fact that there are two very different sides to the story is the rule rather than the exception in cases of alleged police brutality. The arrest victim and his companions have one story, the police have another quite different, and one would have to think twice before fully believing or discarding either.

There was, however, another witness to the arrest of Angelo Kiourkas.

Larry Marchioro, a 30-year-old Kaiser-Trentwood employee, says he and a friend were heading home from a party at a downtown restaurant, driving north on Monroe.

when they noticed several police cars and officers. It was his friend, Marchioro says, who yelled, "Look, that cop just hit that kid!" as their car passed the corner. They quickly turned off to park and Marchioro says he ran over to within feet of where the struggle was taking place. He remembers seeing one youth sitting in a patrol car.

"I couldn't believe it," Marchioro says. "The kid was on his stomach and they were beating his face into the ground. I remember thinking, 'Why would these police officers be standing around letting this go on?' Even if he'd robbed the bank, he didn't deserve a beating like that."

Marchioro said that although he could not remember seeing handcuffs on the young man on the sidewalk, he did recall that his hands were behind his back and not moving, "He couldn't do anything."

It was that one cop who was pushing his face into the ground. There was so much blood I thought he'd been shot, his face was just a complete mess. The kid kept saying, 'I didn't do nothin', stop, please.' I couldn't believe it. I came so close to hitting that cop myself, I was three feet from him.

Marchioro said he called the police department when he got home and talked to a desk officer, telling him he wanted to report what he'd seen. "The cop listened and said, 'We'll look into it, thanks.'"

The Spokane Police Department says it has no record of Marchioro's complaint.

. . .

**K**en White says he doesn't believe the Spokane Police Department has a problem with police brutality. White, SPD's deputy chief, says he's surprised that the department, for a law enforcement agency its size, doesn't receive more complaints against police officers.

"You know," White said, "I'm surprised at the crap these guys put up with on the streets and still keep their cool."

There are few who wish to argue that point with White. For the most part, those who work with the county's criminal justice system—particularly the judges and public defenders who handle the bulk of criminal cases—have good things to say about the overall quality of the department's officers. Some, without invitation to do so, go out of their way to cite instances they know of where officers showed extraordinary restraint in handling situations in which they were being showered with expletives, taunts and spit.

Yet, there is no blanket endorsement of all police behavior. There are what Judge James Murphy called "smoldering questions" about a relatively small number of SPD officers who may be brutalizing their arrest victims. Nobody's list of "suspects" in blue uniforms amounts to more than a dozen names, and most of the names are on more than one source's list. There is, however, an admission from those within the local criminal justice system that the instan-

ces of police brutality may be greater than they are able to acknowledge. After all, excessive force on the part of a police officer is a most difficult thing to prove and it seldom, if ever, would be proven in a criminal courtroom where the arrested suspect, not the police officer, or officers, is on trial. It has been three years since an SPD officer has been charged with assaulting an arrested suspect.

On April 6th, SPOKANE MAGAZINE went to Spokane Police Chief Robert Panther with a list of nine cases investigated for this article. At the same time, SPOKANE MAGAZINE requested face-to-face interviews with more than a dozen officers involved in the incidents in question. Panther referred our inquiries to Dep. Chief White and it was White, two days later, who reported that the department would not release any "specific" information about any of the incidents in question. Although White agreed to deliver written notices to the officers informing them of SPOKANE MAGAZINE'S desire to meet with them, the messages were delivered with instructions from the department that, "You will not be interviewed." No officers were interviewed; all the police reports referred to in this article were obtained outside the department.

As to why the department wouldn't talk, SPOKANE MAGAZINE received two answers. The first, which came in a letter from city assistant counsel Richard Robinson, was that some of the cases had resulted in litigation against the City of Spokane. Those cases that hadn't resulted in litigation or claims against the city were not to be discussed by the officers, nor anybody else at SPD, on the grounds that: "To discuss those publicly could encourage potential litigation or claims."

The second reason came from Dep. Chief White himself and was simply: "I don't feel as though the officers have to sit down and be interviewed about these [cases]. They are within-the-department matters."

. . .

**W**hat began as just another day in the life of a 25-year-old insurance salesman named Roland LeBlanc ended in a jail cell with the fear of one particular Spokane police officer etched indelibly on his mind.

On the evening of Feb. 9, 1980, LeBlanc was returning to the city from the Spokane Valley when he decided to visit a friend, Brenda Lee Kish, and Mrs. Kish's three children. Mrs. Kish wasn't home. From the doorstep LeBlanc saw two teenage girls, neither of whom he knew, but no children. One of the girls was Mrs. Kish's babysitter, the other was a friend of the babysitter who, as it turned out, was in the home against Mrs. Kish's wishes. When the babysitter came to the door, LeBlanc stepped in the house, something he would later be charged with criminal trespass for doing. Moments after LeBlanc entered, Mrs. Kish's children came upstairs from the basement and one of

them, 7-year-old Holly Kish, ran over to LeBlanc in tears complaining of something in her eye.

Meanwhile, the babysitter's friend, who had telephoned her own home before LeBlanc knocked on the door and continued talking after LeBlanc entered, described what was happening, and apparently suggested there was a problem (LeBlanc was never accused of threatening the two girls). While LeBlanc was still seated on the couch attending to Holly Kish's eye, the friend's well-meaning mother and a neighbor, 54-year-old Chester Robinson, entered the home. After a verbal standoff lasting several minutes, LeBlanc tried to leave the house. It was then that a scuffle between LeBlanc and Robinson took place and LeBlanc, a student of karate, kicked Robinson in the face, fled to his parked pickup on the street, and drove off. Although LeBlanc has been found guilty of simple assault in both District and Superior Court for kicking Robinson, he still insists it was self-defense. In a separate trial before District Court Judge Charles S. Dorn, LeBlanc was acquitted of the criminal trespass charge.

LeBlanc says he was bleeding from a scratch on his neck when he fled the Kish residence. He says he drove home, changed clothes, and drove his wife's car to a local grocery store. He says he intended to call Mrs. Kish and tell her what had happened as soon as he returned from the store. While LeBlanc was shopping, he was summoned to the store's telephone by a clerk. The caller was his wife, Shirley.

"Shirley was crying," LeBlanc said, "and all she could say was 'Come home, but don't take the car.' I knew there was a problem, but I didn't know what it was."

LeBlanc says he quickly left the store and tried calling his wife back from a phone booth outside. The line was busy and he left the booth.

I'm in a trot on the way home wondering what's wrong and I get a block, maybe a block and a half from the store and I hear a loud "Hey!" Then another loud "Hey!" Then I hear "Stop or I'll shoot!" and I stop and turn around and see this guy coming toward me in the dark. I am at a dead stop facing him and he just blocked me with his forearm ten or fifteen feet to the ground. Next thing I know, he is on top of me, beating the hell out of me, throwing punches to the back of my head and to my kidneys. Then he grabs me by the hair and smashes my face into the ground.

LeBlanc claims that when a patrol car arrived at the scene he was lifted off the ground and thrown several feet through the air onto the car's hood. Then, he claims, after being "spread-eagled" against the side of the car to be searched, he was put back on the ground and held down by a foot on his back.

LeBlanc says the person who did this to him is Spokane Police Officer Ed Quist.

The arresting officers, Quist and Officer J. Lundgren, reported they were told upon arrival at the Kish residence that LeBlanc had forced his way into the home. When LeBlanc walked out the front door, the officers

reported they were told. Robinson followed him out and was immediately kicked in the face by LeBlanc who then fled in his truck.

From the officers' report: "Robinson along with the others described the suspect as a white male (poss. ARAB) [sic] 20-25 years, 5'8" to 5'9", 130 lbs. to 145 lbs. . . ."

With that information, the officers reported, they went to the restaurant where Mrs. Kish worked and contacted her.

Mrs. Kish recalls the officers arriving at the restaurant and telling her there had been an incident at her home: "I was in such a pain worried about the kids, then he [one of the officers] said there had been a burglary and asked if I knew an Arab."

Mrs. Kish said she thought momentarily of Arab friends of hers who live in Pullman and Portland, but as the policemen continued with the physical description of the suspect it sounded to her like they were describing her friend Roland LeBlanc, who is not Arab. She was asked: "Does Roland LeBlanc have your permission to break into your house?" She replied, "No one has permission to break into my home."

Mrs. Kish said that one of the officers warned her that she would be arrested for harboring a fugitive if LeBlanc came into the restaurant and she did not notify the police. She says she felt "intimidated and threatened" by the officer.

The two officers' next stop was the LeBlanc residence on N. Madelia where they spotted LeBlanc's pickup truck outside. Shirley LeBlanc met the officers at the door and, according to the officers' report:

"We explained we had probable cause to arrest LeBlanc for burglary and assault and asked if he were there. She stated 'No' that he had left for the store in their orange VW."

It was a very frightened Shirley LeBlanc who called the grocery store and asked for her husband. She said she thought one of the officers was too emotionally involved in the pursuit of her husband and, "I didn't know how they were going to treat Roland."

The officers' next stop was the grocery store and, they reported:

We went inside and found nothing but upon departure, were advised there was a subject using the phone on the west side of the building. As we proceeded around the west side I observed a subject running northbound on Perry approaching Montgomery. I yelled at the subject to stop, which he did turning toward me, I yelled "It's the police, we'd like to talk to you!" At this point he turned and ran northbound but was caught after a brief foot chase at Carlisle and Perry. The subject was frisked and advised of his civil rights while waiting for other officers to arrive. He stated his name was Roland LeBlanc at which point he was advised he was under arrest for 1st degree burglary and simple assault, cuffed, and placed in the rear of veh. #383. LeBlanc was extremely belligerent and had a very cocky attitude toward these officers.

LeBlanc, when interviewed by SPOKANE MAGAZINE, said the arresting officer, during and after the arrest, referred to him several times as "a f---ing Arab."

LeBlanc wasn't the only one who heard it. Dean Hoppman says he was watching TV

the night of LeBlanc's arrest when he heard noises coming from the street on the south side of his home. "At first I thought it was kids," Hoppman said, "but it was a man's voice."

The noise, which Hoppman described as "cussing and swearing," prompted him to look out his window. When he saw it was a police officer and another man, Hoppman walked out on his porch. Describing what he saw, Hoppman said:

The cop was doing all the shouting, the little fella [LeBlanc] was just wondering what the hell was going on. He was asking, "What did I do? What's going on?" The cop was doing all the fighting. The only resisting the guy was doing was resisting getting his head beat in. He was getting the sh--- kicked out of him.

SM: "How long did this go on?"

It really wasn't all that long, a full minute maybe. He [the police officer] was punching and kicking the guy. He had his knee on the little guy. There was a little punching, kicking, and gouging. It was unnecessary, that's for goddamn sure. When he did handcuff him, he lifted him up by the back of the shirt and the handcuffs. He didn't walk him, he dragged him about 15 feet—the little guy's feet were just barely tapping the ground—and threw him right on top of the hood—KAW-THUMP! My son heard what was going on and I remember turning around and asking him, "Do you believe this?" You know how they're supposed to put you in the car—watch your head, place you in the seat—he [the police officer] just shoved him [LeBlanc] into the car headfirst, right on the floorboard."

Hoppman, during the interview said the police officer had called "the guy" [LeBlanc] an unusual name. Hoppman, eating lunch as he answered questions, said he was trying to recall what he'd heard when, with his fork halfway between his plate and his mouth, he suddenly snapped, "He called him a f---ing A-rab, that's what it was. I remember the cop saying, 'How do you like that you f---ing A-rab?'"

LeBlanc, for his part, claims the roughest treatment he received that night came after he'd been removed from the police car at the City-County Public Safety Building. He says he was forced by Officer Quist to literally kiss the floor three times on the way to jail and, once in a holding cell, was slugged in the face by Quist.

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**T**he Spokane Police Department has a nemesis on the police brutality issue and her name is Mary Ann Tripp. For the past year and a half Mrs. Tripp has been at the center of an informal citizens group known as CIVIL (for Citizens Investigating Violence In Law). For most intents and purposes, CIVIL is Mary Ann Tripp, a Spokane dance teacher of 25 years who is making a second career out of being an angry mother turned concerned citizen. She runs ads in local newspapers asking people who have complaints against law enforcement officers to contact her, writes every complaint down, keeps what amounts to an unofficial clipping service on the Spokane Police Department and proba-

bly witnesses more court cases than anyone else in Spokane County who doesn't earn a living in a courtroom. In the first year she advertised for complaints, Mrs. Tripp says, she received more than 150 responses, the greater share against Spokane police officers.

Mary Ann Tripp would be the first to admit the Spokane Police Department doesn't take her seriously. She claims the department has been negligent in investigating the numerous allegations of police brutality she has tried to bring to their attention. The department, in turn, insists Mrs. Tripp is due no formal recognition for her efforts; that she has no legal standing to represent other people bringing complaints against the department's officers.

(Although a number of the complaints compiled by Mrs. Tripp are also cases involving as yet unresolved civil suits against the city, none of the allegations have yet been proven in a courtroom. While most of the incidents cited in this article do appear on CIVIL's list of alleged instances of police brutality, SPOKANE MAGAZINE'S investigation was initiated and conducted independent of CIVIL efforts).

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David Tripp admits it was his mistake to run from the police that morning in October, 1979. Tripp had been out with a friend, David Maas, celebrating Maas' 21st birthday before they decided to leave Gatsby's tavern on S. Browne St. It wasn't until they neared North Central High School that they noticed the flashing lights behind them. Maas was driving and, rather than stop, he drove the pickup truck through a maze of turns until it skidded on wet leaves in the roadway, went out of control into a park and struck a tree.

"I was scared," Tripp recalled, "I didn't know what to do. He [Maas] wanted to stay. I wanted to get out of there. I wasn't thinking rationally." Both fled. Maas would avoid capture by hiding beneath some bushes about 35 yards south of where Tripp was caught. He turned himself in the next day.

First, the police version of David Tripp's arrest from the report of officer R. Bragdon:

At Lincoln and Chelan, [the] backup unit and I caught up with the still running suspects. The suspects split-up—I chased Tripp and [Officer] Bennett went after Maas. I caught up with Tripp in a front yard and yelled for him to stop. He stopped and turned toward me with his hands coming up in a boxer-type stance. My momentum brought me very close to him. I gave him a light punch to his face and then wrestled him to the ground. He struggled to get up while I attempted to get ahold of his arm. At this time Tripp turned on his stomach and both his hands went to the front belt area. Fearing a weapon, I told him to get his hands in sight quickly. Tripp ignored my command. I couldn't pull his arm out. I punched him in the right side of his head. This action caused his arm to come out and I started to apply an arm bar.

At that point, Bragdon reported, two other officers came to assist in restraining Tripp and, after a short struggle, Tripp was

handcuffed and led off to a police car.

As for his side of the story, Tripp said he knew he was being chased by the police when he heard a shout behind him, "Stop or I'll shoot." He did stop and turn around, he says, thinking, "I'm not going to get shot for this."

I had both hands up. I turned around and Bragdon was heading at me down the sidewalk. When he got a few feet away I knew he was going to do something and I may have moved my hands forward to protect myself. He just tackled me to the ground.

After hitting the ground, Tripp said, he got slugged hard twice in the face and could feel more than one person on top of him as he was "getting twisted all around."

I remember screaming, "What are you doing?!" and "I am not resisting!" but they weren't saying anything. It was like they were enjoying it. It was just weird, like they were releasing tension.

Tripp claims he had been rolled over onto his back after the handcuffs were placed on him when one of the officers grabbed him by the hair and pulled him up to his feet. He remembers losing a clump of his reddish hair the following day.

There was a witness to the arrest of David Tripp, a woman who, apparently unknown to the police, was watching from a window less than 20 feet away. The woman, who asked not to be identified, said she saw this:

There were two policemen standing over a kid who was lying on his stomach. One of the officers slapped the kid repeatedly on the

head. The boy was crying and yelling, "I didn't do anything!" At first he was lying on his hands. Then he put his hands behind him and was handcuffed. One officer hit him again and ordered him to get up. I don't know if the boy didn't want to get up or if he couldn't get up, but then the policeman jerked him up by the hair.

The woman is a strong supporter of the police. In fact, she was reluctant to come forth; she didn't want her account of what she saw to be used as a condemnation of all police officers. But, she says, "What I saw just wasn't right." In retrospect she wishes she had turned on her porch light and stepped out to ask the police what was going on. "Maybe it was the fact that he was crying that got to me. I'm a mother myself."

What happened to David Tripp is significant for two reasons.

First, it was the inspiration Mrs. Tripp needed to start her CIVIL campaign. Second, Tripp's case illustrates the license the police have in using physical force and just how vulnerable an arrested suspect is should the police use excessive force.

Tripp was found guilty of resisting arrest. District Court Judge James M. Murphy ruled that because Tripp had ignored a police officer's command to stop while he was fleeing on foot from the scene of the accident, he had committed a crime. Although Murphy permitted testimony about the alleged police brutality during Tripp's trial, Murphy, in the end, pointed out that the alleged abuse could not change the fact that

Tripp tried, knowingly, to elude the police. More to the point, it was Tripp who was being tried before the court, not the police officers who arrested him. Murphy told Tripp that his recourse on the complaint against the officers was to bring a civil suit, something David Tripp has thus far chosen not to do.

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**P**aul Nadeau, Jim Robideaux and Charles Spring weren't found guilty of anything. But all were roughed up by the police and only one of them, Spring, ever received what might be called an apology from the City of Spokane for his injury.

Nadeau, 30, is suing the city over an incident that occurred in December of 1979 in the parking lot of the Pine Shed restaurant on North Division. There are several witnesses SPOKANE MAGAZINE talked to who say Nadeau had just finished breaking up a fight in the parking lot when he was grabbed by a police officer and hurled to the pavement. If anything, the witnesses say, Nadeau had helped to stop a violent confrontation by restraining a rowdy drunk as the police arrived on the scene. After Nadeau's head hit the pavement (creating a gash on his forehead that required 13 stitches to close), he says the same officer who threw him down gripped him in a neck hold until, in the officer's own words, "He was nearly unconscious." Nadeau was taken to jail and later charged with obstructing an officer. He was found not guilty.

In January 1981 Jim Robideaux\* was at a party at a residence on N. Hamilton St. when several police officers entered the house apparently in search of another man for whom an arrest warrant had been issued. Robideaux says he had just walked out of a bathroom when he saw the backs of two police officers. He'd retreated into a bedroom when he saw, just outside in the hallway, one of the officers arresting the suspect they had come in after. When he saw the officer making the arrest pry the suspect's wrists behind his back and move them up to just below the neck, Robideaux says he shouted, "You're breaking his arm!" Just then, he says, another officer strode into the bedroom and slammed him against a wall hard enough to cause him to lose consciousness for a few moments.

"I didn't know where I was," Robideaux says, "I stood up thinking it was all over and as I walked through the door of the bedroom I just kind of looked at him [the officer]. I tried walking around him and he says, 'Where do you think you're going, punk?' and he grabbed me around the neck."

Says Mark Porder, a witness who later testified for Robideaux, "I saw Jim just as he

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\* Robideaux is the brother of John Robideaux, advertising director of SPOKANE MAGAZINE. The magazine had already begun collecting information for this story when the incident involving Robideaux occurred.

was getting up off the bedroom floor. He got up and started heading for the door [back door of the house] and somebody said, 'Where do you think you're going?' and the next thing, the cop had him around the neck."

When Robideaux struggled, the officer reported, "I caused him to pass out." When Jim Robideaux regained consciousness the second time he was picked up off the floor and taken to jail. Robideaux was accused of obstructing an officer by interfering with the arrest being made in the hallway. The officer he allegedly interfered with, however, was not even called to the stand to testify, an omission in the prosecution's case cited by Judge John Madden when he found Robideaux not guilty.

Chuck Spring's mistake the night of August 10, 1979 was forgetting a paper sack. Spring, vice president of Spokane's Empire Collection Co., had accompanied several co-workers to the Mainsail Restaurant on N. Washington St. that night. After he'd finished dinner, Spring walked to the restaurant's bar and, in doing so, forgot to take with him a sack he'd placed under his table earlier. The sack contained cash and checks made out to the collection company and when the next party to sit at the table discovered the sack, at least one person removed the cash and took it to the front desk at the Spokane Police Department. Two officers were dispatched to the Mainsail to investigate.

When the officers arrived shortly after

midnight, they took a waitress aside and asked her to check the table Spring had been at earlier and bring them the sack. The waitress, Joyce Sheldon, says she told Officer G. M. Goodwin that she had already found the sack and returned it to Spring and that "there was no problem." The officers then asked her to bring Spring, with his sack, to them in the doorway. When Ms. Sheldon told Spring the police were interested in his sack, Spring, who admits being "slightly intoxicated" at the time, says he reached down and accidentally picked up the sack by its bottom, spilling its contents on the rug. Ms. Sheldon also uses the word "spill." The officers, after having arrested Spring for disorderly conduct, described it differently.

"Spring was arrested after he had made threats of having a gun in the Mainsail Restaurant. These statements were made after I saw him throw the contents of a paper sack on the floor near the service bar."

Spring denies saying anything about a gun, and there was none. Still, as a former military police officer, he says he understands why the officers wanted him out of the lounge quickly if they, for whatever reason, feared there was a gun in the sack.

Ms. Sheldon says she started to reach down and help Spring pick up what had spilled but Spring grabbed her by the wrist and told her to "leave it." Then, she says, the two officers stepped up and "half pushed, half dragged" Spring out of the lounge. Moments later, Ms. Sheldon says, she stepped into the doorway to the lounge and

"could see Mr. Spring stretched up over a vending machine in the lobby. His arm was turned up behind his back and his left toe was all that was touching the ground. He was asking the officer to please let him down."

In the officers' arrest report there is mere mention of physical force: "Spring was using loud, profane language and had to be forcefully removed from the restaurant because he refused to leave."

If he was loud and profane, Spring says, it was only after he'd had an armlock applied to him "too strenuously." Once he'd been removed to the door of the lounge, Spring says, he told officers he would go peacefully and the armlock was released. Spring says he then turned with his arms outstretched, palms up, and was asking for an explanation when officer Goodwin twisted his right arm behind his back again, lifted him up by the hair and the armlock and threw him head first into the wall above the vending machine. Then, Spring says, he tried to turn his head to look at the officers and immediately had his face slammed into the top of the machine.

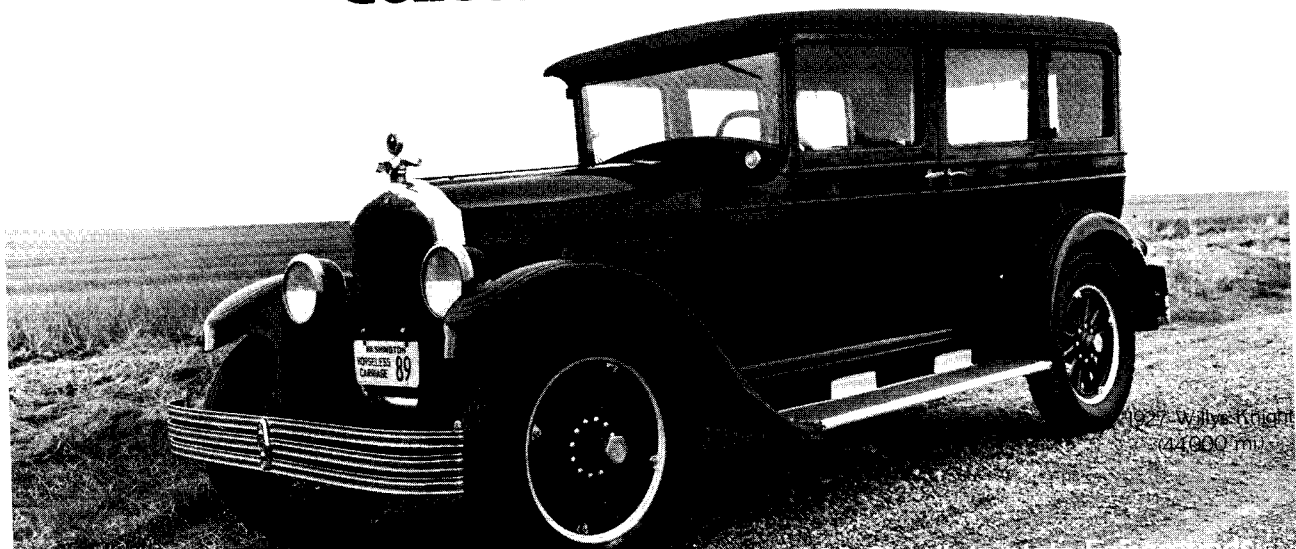
"There had been no statement," Spring says, "that 'you are under arrest.' I was never told why. When I was put in the back of the patrol car they said I was being arrested for disorderly conduct. I hadn't been disorderly. For them to take me in, book me, the whole thing, when they knew I hadn't done anything wrong, that's what got to me."

After Spring had been taken out of the

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restaurant. Ms. Sheldon says, Officer Goodwin returned and told her he was going to hold Spring for assault and disorderly conduct:

"I asked why and he (Goodwin) stated that Spring had assaulted me and dumped the sack on the floor. I told him that Mr. Spring had not assaulted me, that he had done nothing to me and except for the fact that he had emptied the sack, had done nothing throughout the entire evening to warrant the treatment he was receiving."

Spring says he was never read his rights nor given a chance to call his lawyer. After he'd been taken to the police station, the police apparently realized the property in the sack did, in fact, belong to Spring's company. Spring says Officer Goodwin became "quite upset" saying "You goddamned businessmen, you goddamned businessmen." Spring was held at the jail for more than a half hour before a friend posted his bond. He was tried on the disorderly conduct charge and found not guilty. Last August, a year after his arrest, the City of Spokane gave Spring \$1,000 in exchange for his promise not to sue over the incident.

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**O**n the face of it, the Spokane Police Department has an open door policy regarding complaints against its police officers. That policy, stated several times by department authorities to SPOKANE MAGAZINE, is that anybody, at any time, can come to the front desk at the Spokane Police Department and file a complaint against an officer. The citizen will be given a complaint form to fill out, so the policy goes, that is then passed along to the officer's shift commander to be investigated. No complaint alleging excessive force on the part of an officer, Dep. Chief White said, should be turned away.

To test that policy, SPOKANE MAGAZINE followed Mike Crawford as he tried to file a complaint against an officer. Both Crawford and his wife, who witnessed his arrest near their home last February, claim that Crawford was knocked to the ground and placed in a neck hold—a "control technique" according to the arresting officers' report—while he was obeying an order from the officer's partner to get in the back seat of a patrol car. Crawford had been stopped on suspicion of negligent driving and had just finished performing a series of sobriety tests when the incident occurred.

This reporter accompanied Crawford to the front desk at the Spokane Police Department three times: each time Crawford was told he would have to come back at a later time to make his complaint. On March 6th at 11 a.m. Crawford, in a very matter-of-fact tone, told the desk officer he wanted to file a complaint against an officer. The desk officer asked Crawford for the name of the officer. When Crawford told him the name, the desk officer said Crawford would have to return at 3 p.m. Crawford returned at 3 p.m. the same day and, to a different desk

officer, repeated his request to file a complaint. The desk officer replied that Crawford's complaint would have to be made to the officer's shift commander at 11 o'clock that night.

Crawford did not return that night, but tried again the morning of March 10th. In the same even tone he had used on the two previous occasions, Crawford told yet another desk officer he had a complaint to file against an officer. Again, in the presence of this reporter, he was told to come back that afternoon to see the officer's shift commander. In three trips to the Spokane Police Department, Mike Crawford did not ever see a complaint form.

When he did finally find the night shift commander, Lt. Roscoe Walker, on a fourth visit the night of March 12th, Crawford says his complaint ended in an argument in which Walker told him his complaint was unjustified and would not be recorded. Again, Crawford says, he did not see a complaint form.

After several tries, SPOKANE MAGAZINE was able to contact Lt. Walker by phone. Walker was asked to comment on Crawford's claim that Walker told him his complaint was unjustified. Walker said he didn't recall Crawford's name and then demanded to know, "What is your interest?"

Upon being told that our interest was in verifying Crawford's claim that he'd been to see Walker at the police desk, Walker replied, "That's none of your business," and hung up the phone.

When he was told that SPOKANE MAGAZINE had witnessed three unsuccessful attempts to file complaints at the front desk, Dep. Chief White replied that there had been a meeting recently to insure the department's complaint process was working; what happened to Mike Crawford at the SPD front desk should not have happened, White added. Yet, as of last month, there was no record of Mike Crawford ever having been to the department to file a complaint.

White, however, did assure SPOKANE MAGAZINE that SPD did take complaints against officers. Although he cited confidentiality in not allowing us to examine written complaints on file, he did display one complaint form (he said it had been filed 14 days previous to the date of the interview and was the most recent SPD had received from a person of legal age) and read portions of it.

If any complaint against an officer has substance, White said, it will most often result in corrective action by the department ranging from suspension to retraining. Yet very few, according to White, have substance.

"You're handing me a list of ten," White said. "Ten people whose complaints date back two years. We booked 6,000 people last year, physically put them into jail, and how many of them have a complaint? A handful of them, and the handful that are complaining are the ones that are resisting arrest, that start the fight with an officer."

There have been no Spokane police officers disciplined for using excessive force with-

in the past year. There have been no officers disciplined by the department in connection with any incident mentioned in this report.

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If anybody should have had their complaint investigated by the Spokane Police Department, Angelo Kiourkas thinks it should have been his. Before he paid \$500 in attorney's fees to fight the charge brought against him, before he paid more than \$200 in medical expenses (not including the more than \$1,000 it cost for surgery to repair the broken bones in his face that was paid for by insurance), Angelo Kiourkas took his complaint to the Spokane Police Department. And that fact comes as news to the Spokane Police Department.

Four people: Kiourkas, Allen, Kiourkas' mother Shirley, and Mary Ann Tripp, all say they met with Spokane Police Chief Robert Panther on Monday June 2, 1980, the same day Kiourkas and Allen were arraigned in court. Both Kiourkas and Allen insist that at the June 2nd meeting, or shortly afterward, they handed over written statements of their complaint to Panther (who was asst. police chief at the time) in Panther's office.

Panther says he doesn't recall the meeting, that while Kiourkas' name is "vaguely familiar" he doesn't recall ever meeting Kiourkas.

"If the meeting took place and the statement was turned over and has since been misplaced," Panther said apologetically, "then it would be unfortunate if he [Kiourkas] has to go through it [the complaint process] a second time." Panther, on May 1st, said Kiourkas would be contacted by the department and offered another opportunity to make his complaint and that the complaint would be investigated if Kiourkas wants the matter pursued. Kiourkas says he does.

Yet, the fact remains that for 11 months following the incident on Monroe Street, there was no record of Kiourkas' complaint and there had been no in-house investigation of the complaint.

The incident is at least slated to be looked at by the Spokane County Prosecutor's office. Kiourkas' case, says deputy prosecutor Paul Smith, is one of about 20 cases he has been asked by Prosecutor Brockett to investigate for signs of police brutality. Smith explained Kiourkas' name was on a list Mrs. Tripp turned over to Brockett last year and said he has been contacting people whose names are on the list and inviting them to tell their stories. The investigation, he said, is being done in time left over from Smith's regular caseload. He says he will report his findings to Brockett sometime this summer, perhaps later this month. He says he hasn't been in touch with Angelo Kiourkas yet.

In the meantime, Angelo Kiourkas, David Tripp, Larry Marchioro, Mike Crawford, and a lot of other people say they're losing respect for the Spokane police force. And that should bother some people, especially a lot of good cops whose names we never hear about. #