

Ombudsman Releases Findings In Investigation

FOR IMMEDIATE RELEASE
– February 2, 2000 –

Contact: Pierce Murphy
395-7859

BOISE - - Pierce Murphy, Boise's community ombudsman, has announced the completion of his investigation into allegations that a Boise police officer used unnecessary force. This stems from a complaint filed with the ombudsman alleging that a person being held in the emergency room of St. Alphonsus Regional Medical Center was struck a number of times by a Boise police officer. The incident occurred on the night of October 2, 1999, while an individual was being held in protective custody by police at the hospital.

"A thorough and complete investigation was conducted," said Pierce Murphy. "Eighteen potential witnesses were interviewed and thirty-one separate pieces of evidence were examined."

As a result of this investigation, Mr. Murphy has released his finding that the force used by the officer was unnecessary and unreasonable, given the circumstances involved.

"It is clear that the officer had the right and the duty to prevent the individual from leaving the hospital. However, striking him in the chest multiple times with a fist went beyond what was either reasonable or necessary," said Mr. Murphy. "It is also important to point out," continued Mr. Murphy, "that this does not appear to be a case of intentional brutality or maliciousness on the part of the officer."

In the course of the investigation, some additional policy violations were detected and sustained findings for these violations of police department policy on the part of the officer were issued by Mr. Murphy. These policy violations dealt with the officer's reporting of the incident, his handling of the detention of the individual involved, and the presence of a civilian ride along in areas not open for public access.

As a result of his investigation, Mr. Murphy has also made a number of policy and training suggestions to Boise's newly appointed police chief, Donald Pierce. These recommendations address use of force training, the ride along policy, the procedures for detaining those in protective custody, and the immediate response of police supervisors when serious allegations against an officer are raised.

###