

# WEST LAFAYETTE POLICE DEPARTMENT

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November 17, 2008

TO: Area Media

FR: Chief Dombkowski

RE: Internal Investigation Findings Relating to case 2008-4622

On November 4, 2008 a formal complaint was received from a citizen concerning the conduct of two West Lafayette Police Officers that responded to a fight in progress call at the Triple X restaurant on November 2, 2008. Specifically, the citizen alleged that Officers William J. Dearing and James M. Spray cursed at him, used profane language and intimidated him as he attempted to provide a witness account of the disturbance.

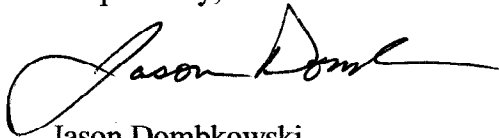
I have received a report from Lieutenant Troy Harris relating to his internal investigation of this citizen complaint. Lt. Harris conducted interviews of citizens and officers during his investigation. While there is conflicting information and differences of opinion regarding conversations, dialogue and demeanor between the complainant, other citizens and the officers on scene, there is clear evidence to support the following findings:

- Officer William Dearing acted inappropriately and unprofessionally during his encounter with a witness at the scene of the Triple X disturbance. Officer Dearing admittedly used profane language while addressing this witness during a very volatile and chaotic situation. The nature of the complainant's allegations against Officer Dearing are founded.
- Officer James Spray spoke with this same witness on scene after the witness had spoken to Officer Dearing. Officer Spray spoke with this witness at the direction of his supervisor in order to gather information from him. No evidence was found to support the complainant's claim that Officer Spray cursed at him, used profanity or misconducted himself in any way. Contrarily, information suggests that Officer Spray provided a calming presence in an attempt to deescalate the situation as directed by his supervisor. The complainant's allegations against Officer Spray are unfounded.

- At no time was there an allegation and no evidence was found to suggest that any officer of the West Lafayette Police Department used racially charged language or any racial epithet while investigating the disturbance at the Triple X restaurant.
- At no time was there an allegation of improper or excessive use of force from any subject involved in the disturbance or by any subject detained by police for further investigation. No evidence was found to suggest that any officer of the West Lafayette Police Department used improper or excessive force and no arrests were made during the investigation of the disturbance at the Triple X restaurant.
- No subjects involved in the disturbance at the Triple X restaurant filed a complaint alleging inappropriate conduct or bias on behalf of any officer of the West Lafayette Police Department.

As a result of these findings Officer William Dearing will be disciplined for violations of Department Policy and Merit Commission Rules and Regulations relating to courtesy, demeanor and conduct unbecoming an officer. Officer Dearing is to be suspended for two (2) days (10 hour work days). Officer Dearing may request that the Merit Commission review this summary discipline.

Respectfully,

A handwritten signature in black ink, appearing to read "Jason Dombkowski". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail.

Jason Dombkowski  
Chief of Police