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CITY OF KEARNEY **PRESS RELEASE** ***For Immediate Release***

Issued Date: July 29, 2024

Point of Contact: Bryan D. Waugh, Chief of Police

Case# 24004289

Assault on a Police Officer – July 25, 2024

On Thursday, July 25, 2024, two Kearney Police Officers were working an off-duty law enforcement assignment at the Buffalo County Fair in Kearney. At approximately 10:45 p.m. the Officers observed a physical fight in progress with one male subject throwing punches and another male subject bleeding from above his left eye. Kearney Police Officers along with private security officers contacted the male subject who was throwing punches and immediately detained him by placing him in handcuffs. In an effort to deescalate the situation and determine exactly what had occurred officers asked the detained male to have a seat. At this time, the male subject refused to take a seat, failed to follow officers' instructions, resist, and pull away from officers. The Officers physically placed the subject on the ground.

Once on the ground, the subject continued to resist and spit saliva in the face of one of the officers. The officer immediately reacted and held the subject down by placing a hand on his right shoulder and his other hand on the side of the subject's face preventing the subject from further spitting in the face of officers. The officer eventually placed both hands on the subject's face, turning him toward the ground to avoid additional spitting.

The subject was later identified as 19-year-old Isaac Whitface of Kearney. Whitface was placed under arrest and booked for Assault on a Police Officer with bodily fluid, 3rd Degree Assault, Resisting Arrest, Obstructing a Police Officer, and Disorderly Conduct.

As with all use of force encounters by members of the Kearney Police Department and in accordance with Kearney Police policy, this incident was accurately documented and reported by the officers involved. The officers involved are an 11-year veteran and 2 ½ year veteran. The report is routed through several layers of leadership and review starting with the immediate supervisor. Following the initial review, the report is routed to the Watch Commander, the Office of Professional Standards, the Division Commander, and the Chief of Police.

As of Friday July 26, 2024, the report for this incident had already been routed through several layers of this process. On Saturday, July 27, 2024, Kearney Police were made aware of a cell phone video circulating social media related to this case. We have observed the video and noticed it was filmed from an angle behind the involved officers. We have also observed the Body Worn Camera video from both involved KPD officers.

“Since the release of the cell phone video, there have been inaccurate and completely false comments on social media platforms related to this arrest and the lawful response to resistance

by a Kearney Police Officer. At no time was a choke hold applied, at no time was the level of force greater than needed to accomplish a lawful objective, at no time did the officer punch the subject. With an open hand, the officer directed the subjects face and mouth toward the ground to avoid and defend himself further spitting. The officers involved acted in a manner consistent with department training, policy and procedure, while deploying the minimum amount of force necessary responding to resistance and active spitting. I am thankful the officers involved and the subject were not more seriously injured and appreciate the concern from our community.

While it is our goal and hope to not use force during a lawful arrest, our officers are trained and expected to respond professionally and defend themselves and others. I appreciate the opportunity to complete a thorough internal review process which is completed for any call resulting in the delivery of force by members of the Kearney Police Department.” – Chief Bryan D. Waugh

Following the spitting, the second officer involved took over the situation and custody of the subject while the first officer cleared his face, eyes, and mouth of the saliva spit on him by the subject.

Prior to being booked no injuries were noted by officers and Whiteface reported no injuries and no medical treatment was requested related to this interaction.

Anyone with additional information about this incident may contact the Kearney Police Department Office of Professional Standards at (308) 233-5256.

Check out our web site at www.cityofkearney.org.

We are sending this News Release as a service to the news media and citizens of Kearney.