

## **Narratives of Use of Force Incidents Involving Black/African-American Subjects 2016**

### **How did the incidents begin? Did officers initiate contact?**

There were a total of 19 use of force incidents involving Black/African-American subjects in 2016. Most of the time, officers did not initiate contact with subjects, but were summoned to deal with a situation because of a 911 call. 14 (74%) incidents resulted from officers being dispatched to 911 calls. Two incidents were court-ordered contact. In three incidents, contact was initiated by an officer; two were traffic stops where the subjects ran, and one involved an officer seeing a man exhibiting dangerous behavior during Downtown bar patrol.

### **What was the severity of the crime or need for community caretaking in each situation?**

The majority of the incidents (11) of the incidents ended with felony arrests. 5 incidents involved misdemeanors such as Malicious Mischief-DV, Weapon Discharge, and Resisting Arrest. However, in 4 of the 5 misdemeanor arrests, there were reports of violence or threats of violence. In two incidents, subjects were taken to the hospital for involuntary mental health holds because of being a danger to themselves and others. In one incident, no crime had occurred; the subject had a realistic-looking replica of a semi-automatic pistol, but it was returned to him and he was free to leave once it was determined to be a replica.

### **How many incidents would have occurred if SPD was operating under the previous Use of Force Policy?**

SPD's revised Use of Force policies, in place January 1, 2016, added new categories of force that were not tracked previously. Four of the incidents involved a Level I Neck Restraint, a control technique that involves an officer placing pressure on the sides of the subject's neck, impacting the circulatory system while leaving the airway unobstructed and protected. The Level I LNR involves lighter pressure as the officer does not intend to render the subject unconscious. In all four incidents, the subject was not injured by officers. Had SPD been operating under the previous policy, the incidents involving Black subjects would total 15.

It is also worth noting that five incidents involved the intentional pointing of a firearm but no other physical force used against the subject. Spokane Police Department categorizes this show of force as a Use of Force incident, but the majority of the departments across the country do not. Categorizing this technique raises the total incidents, but has been helpful for SPD to track the utilization of this technique and informs firearms training.

### **Are the same officers repeatedly using force on Black/African-American subjects and are their contacts officer-initiated?**

Most officers were involved in one use of force incident with a Black subject. Two officers were involved in two incidents. Officer Lyons was involved in two incidents, both control techniques that did not injure the subject and would not have been categorized as a Use of Force under previous policy. Officer Bryer was also involved in two calls, a Person with a Weapon and a Domestic Violence with a Weapon call. Officer Conrath was involved in three incidents but in all three cases, he was one of several officers who were dispatched to high-stress calls involving

reported violence. In one incident, he was especially summoned because he is trained to deploy less-lethal blunt impact munitions. In the other two cases, he applied control techniques that did not injure the subject and would not have been categorized as a Use of Force under previous policy. In one of the above-mentioned cases, he was involved in clearing the subject from charges that were alleged by complainants but were determined not to be true. We found no pattern of officers escalating situations to use force.

## **Calls for Service:**

### **F16-002 / 16-685**

Officer Lyons and Strassenberg (both White) responded to a Disorderly Person call. The caller said the subject (Black) was refusing to leave their house and making threats of physical harm to the residents. When contacted by officers, the subject stated he would not leave and officers would have to arrest him. He lied to Lyons when asked for his name during the trespass investigation. Lyons arrested the man for providing false statements. During the arrest, the subject became resistive, pulling away and tensing up his arms when officers tried to gain arm control. Lyons performed a foot sweep to take him to the ground. Lyons applied a Level I Lateral Neck Restraint to gain compliance, and advised the subject he would be rendered unconscious if he did not stop resisting. The man then complied and was handcuffed by Strassenberg. Force was used because of the subject's resistance to arrest: an officer may use force which reasonably appears necessary to effect an arrest if, after notice of the intention to arrest the person, the subject either flees or forcibly resists (RCW 10.31.050). The complainants advised they just wanted the man to leave rather than be charged. The subject said he was being arrested for being black in Spokane, but Lyons explained he was being arrested because he lied about his name. He was booked into jail for false or misleading statements and resisting arrest. A corporal responded and took photographs of the lack of injury.

### **F16-013 / 16-21373**

Officer Bryer (White) was dispatched to a Person with a Weapon call. Several callers reported that a male was carrying an axe and hitting cars with the axe. Callers were concerned that the subject might assault someone with the axe. Bryer contacted the subject (Black) and gave verbal commands to stop and drop the axe but the male ignored him and continued to walk away. Officers Heuett and M. Stewart (both White) arrived on the scene and also gave commands which were ignored. The subject raised the axe and motioned it towards officers, then turned to run. At this point, officers were concerned with the threat to the public as well as to officers, because the male could try to escape inside a business or assault a citizen. Stewart and Heuett pointed their firearms directly at the subject and Bryer deployed his TASER in probe mode. The first deployment was not effective as the subject continued to run. The second deployment was effective and the male fell to the ground. Officers quickly moved in and secured the axe and took the subject into custody. The male sustained a laceration above his eyebrow as he fell on the sidewalk. The male's laceration was treated at the hospital and was charged with Robbery, Weapon (Intimidate With), Obstruction, and Malicious Mischief as officers found that he had stolen the axe from the work crew, threatened people with the axe, and had damaged property.

**F16-031 / 16-113219**

Officers Yinger and Ames (both white) responded to a Domestic Violence call where a mother was in fear of her adult son, who was throwing rocks. Dispatch advised that other callers reported arguing and hearing shots fired from the vicinity. As they approached the house, officers observed a male (Black) walk out the door with a shiny object in his hand. Ames saw that it was a handgun. He pointed his firearm at the subject and alerted Yinger to the gun. Yinger also drew his weapon and pointed in on the subject, and gave verbal commands to drop the gun. The subject dropped the gun but still did not follow verbal commands to get on the ground. After several commands, he dropped to the ground and was taken into custody without further incident. No injuries were sustained. Upon further investigation, police determined the gun was a loaded revolver and the man had fired a round in the air. The subject was transported to jail and booked for Weapon Discharge, Malicious Mischief- Domestic Violence, and another weapons charge.

**F16-042 / 16-156399**

Officers responded to a Suspicious Circumstances call. The caller had reported a man at a store parking lot wearing all-black clothing, a ski mask, and screaming at someone in a vehicle. The circumstances were suspicious as the May weather did not necessitate the wearing of a ski mask and it was 2:30 AM. Officers Potter and J.C. Anderson (both White) contacted a subject (Black) standing by the open passenger door of the described vehicle. Potter asked the subject to show his hands, but the male would not comply, standing in a bladed stance with his hands at his belt line. Anderson could see the grip of a handgun sticking up out of the top of his beltline, with his hands inches away from the grip. Anderson drew his gun and pointed it directly at the male, ordering him to put his hands on top of the car. The subject complied. Force (intentional pointing of a firearm) was used because of the subject's potential threat to harm others; no injuries were sustained. The weapon was a replica of semi-automatic pistol, and was returned to the male. No crime was determined to have occurred and the male was allowed to leave.

**F16-044 / 16-134672**

Officer Coleman (White) responded to a Vehicle Theft call. A caller had reported a male drinking beer while driving; SPD Radio ran the vehicle's license plate and discovered the car was stolen. Coleman observed the vehicle and erratic driving (e.g., not stopping for a red light, straddling lanes, not signaling). The driver stopped in a store parking lot. Coleman also stopped and exited her vehicle, with her emergency lights flashing. The driver had just exited his car. He began walking towards Coleman with an angry expression that alarmed Coleman. A felony arrest was imminent and she did not have any backup. He was of a large build, much larger than her, and would not follow her commands to stop and get on the ground. Coleman felt he posed a danger to her and possibly the customers coming in and out of the store as he was not following her directions and was advancing toward her. Coleman pointed her gun directly at the subject and ordered him to the ground. He immediately complied, and Coleman waited for backup officers (Captain Hendren and Officer D. Storch, both White) to assist in handcuffing. No injuries were sustained. Because of smelling alcohol on the man's breath, Coleman transported the subject to test him for DUI. The subject was booked into jail for Possession of a Stolen Motor Vehicle, Driving with a Suspended License, and DUI.

**F16-047 / 16-172191**

Officers Brooks (Black), Spolski (White), and J. Arredondo (Hispanic) responded to a Person with a Weapon call. It was reported that a male (Black) was standing in the roadway and waving a knife in the air. When officers arrived, a citizen directed officers to a nearby residence and said the male with the knife was at that location. A male matching the description exited the residence in an animated state, not making sense. When asked how he was doing, he spoke about knowing the officers' relatives and the building being occupied by the FBI and CIA. Another male came out to help with the situation and told officers that the subject had taken unknown pills just prior to police arrival. He was high, used meth, and suffered from mental health issues. He had been admitted to the hospital a few days prior because he had tried to kill himself, and he needed to go to the hospital again today. Officers requested an ambulance to the scene. Officers talked to the subject about going to the hospital but the man said he wanted to die and told officers to shoot him. The subject picked up a hoe next to the porch; Arredondo drew his weapon from the holster and yelled for the subject to put the hoe down. The subject complied but then went inside the house. The situation was now more dangerous as the man's friend told officers that his young children were inside the house. Officers Zimmerman and Golladay (both White) arrived as well and all officers entered the apartment. The subject ran into the kitchen and armed himself with several knives. Officers ordered him to drop the knives but the subject refused commands to drop the knives, yelling at officers to kill him. Golladay deployed his TASER at the man's abdomen. The subject immediately dropped the knives and fell to the floor where he was handcuffed. The TASER probes were removed by medics and the subject was escorted to the ambulance. While in the ambulance, the man told medics he had recently taken heroin and methamphetamine. The subject was taken to the hospital for an involuntary mental health hold.

**F16-073 / 16-309402**

Officers Clark and Laiva (both White) were flagged over by a citizen about a Suspicious Person with erratic behavior who seemed to be having a mental health crisis. Officers approached the subject (Black) and could see that he had an intravenous PICC line in his arm and hospital bracelet. He was pacing, sweating profusely, and seemed to be hallucinating. The subject was unable to make any sense when officers asked him questions, and he made many references to meeting an FBI agent. He then made quick aggressive movements toward Clark that looked like he might assault him, saying he would "punch him in the ass" and calling him "motherfucker." Laiva contacted Frontier Behavioral Health to see if a mental health professional could meet them at the location to contact the man but they did not have staff available right then. Laiva agreed to contact them again after transporting the male. Laiva and Clark had decided that because the subject had left the hospital without completing treatment (PICC line in his arm), his delusions about meeting with the FBI, his inability to articulate where he lived and how he would get home, and his aggressive behavior, he posed a safety concern for the public and for himself. Laiva explained to the man that he would be detained to speak with a mental health professional. The male said, "You ready for this, Auntie?" and turned towards Clark in a fighting stance, making small jumps as he approached him. Clark deployed his TASER in probe mode, and the subject fell to the ground. He was handcuffed without incident. The subject's injuries consisted of small marks from the TASER probes. Medics removed the probes and the subject was transported to the hospital for an involuntary mental health hold.

**F16-078 / 16-347059**

Officer Lyons (White) responded to a Suspicious Person call. The anonymous caller reported the location of a subject with warrants. Warrants included a felony DOC escape warrant and two warrants out of Pierce County for Possession of Controlled Substance and Driving with a Suspended License. SPD Radio gave a description of the subject and confirmed the warrants. They also noted that on prior contacts, the male had been armed with a gun. Lyons arrived at the location and saw a male (Black) matching the wanted subject's description, confirming a notable tattoo on his neck. Lyons asked the male for his name and the subject gave a false name. As Lyons was checking the name, Sergeant Cordis (White) arrived and confirmed the man's identity. Lyons and Cordis moved in to take control of the man's arms for handcuffing, but the male balled up his fist, tensed his arm, and tried to pull it towards his midsection, where weapons are often kept. The subject was also wanted for several confirmed felony warrants. Officers were also concerned that he had not been searched, and he had been reported to be armed in previous contacts. Lyons placed the subject in a Level I Neck Restraint and advised him that he would render him unconscious if he did not comply. The male immediately complied and was placed into handcuffs. No injuries were sustained. Force was used because the subject resisted arrest. While the subject was searched, he began to yell and kick but officers successfully used de-escalation techniques. Officers found multiple identification cards, credit cards belonging to other people, pawn slips, and meth and cocaine. He was booked into jail for Possession of a Controlled Substance, Making False Statement, and Obstructing.

**F16-084 / 16-20006561**

Officers Heuett (White) responded to a Disorderly Person call where several callers had reported that the subject (Black) had threatened to kill staff members at the House of Charity. When Heuett first arrived, he saw the subject inches away from a staff member, screaming at him and pushing his chest up against him. Heuett believed that the man posed an immediate threat to the staff and patrons of House of Charity. He had made threats to harm people and had not been searched for weapons. Heuett advised the man he was under arrest and began to take arm control. The male resisted by balling his hand into a fist and pulling it toward his chest. Heuett asked for a nearby security guard to help him take an arm. Donaldson (White) arrived to help with detaining the subject and tried to take an arm for handcuffing. The male continued to struggle and turned quickly toward Donaldson with his arm free. Heuett was concerned that the subject would punch Donaldson. Heuett applied a Level II Neck Restraint but was unsuccessful in rendering him unconscious. Donaldson then deployed two TASER applications which resulted in the officers being able to handcuff the subject. Officers called for medical attention as he was breathing heavily, slurring his speech, and seemed to be under the influence of narcotics. Medics removed the probes. The subject did not complain of any injuries but had minor injuries from the TASER probes. He was arrested for Harassment-Threats to Kill, Disorderly Conduct, and Obstructing.

**F15-090 / 16-201620017976**

Officer Vaughn (White) responded to a Suspicious Circumstances call. The caller reported he saw five individuals all wearing masks by the Cannabis & Glass store, attempting to smash the business's doors and windows to break in, using bats and crowbars, and then fled in a vehicle. Sergeant Dahle (Native) had attempted to stop the described vehicle but the five subjects had fled the scene. Vaughn took a perimeter position to catch the fleeing suspects and saw a subject (Black) running and then hiding in the bushes. The male was a suspect in the burglary, and although a

juvenile (age 15), he was over six feet tall and large in stature. Vaughn approached the male and ordered him to stop but the male tried to run. At this point, force was used because the subject was fleeing from felony arrest. Vaughn grabbed the individual and took him to the ground and handcuffed him. The subject was arrested for Attempted Burglary and Criminal Conspiracy and booked into Juvenile Court.

**F16-091 / 2016-20007375**

Officers Bryer and Flynn and Lieutenant Anderson (all White) responded to a Domestic Violence with a Weapon call where the caller reported that the roommate was intoxicated, had torn up the house, had a knife and had threatened to stab him. The roommate's girlfriend was in the house. Officers spoke with the victim outside and then approached the house. The suspect (Black) walked out of the house with a large K-Bar knife in his hand. Bryer pointed his firearm directly at the subject and yelled, "Drop the knife!" The subject dropped the knife and went on his stomach. Bryer lowered his firearm and eventually holstered it. The subject was advised that he was detained and was handcuffed. He did not sustain any injuries. He was booked for Malicious Mischief DV as he had not assaulted anyone but had destroyed his roommate's property.

**F16-103 / 16-20038216**

Officers Brannon and Thompson (both White) responded to a DV-Assault call, where a neighbor had called to report a male and female fighting and there is a history of DV encounters between the two individuals. Officer Thompson arrived at the location's glass front door and identified the male (Black), who appeared to be in a verbal argument with someone. He called to the male, "Spokane Police—come to the door and talk to me." The male did not comply. Due to it being a possible domestic dispute, both officers entered the house and attempted to continue talking to the male. They could see the male go closer to the bedroom where the female was. Officers also verbalized with the female and asked her to come to the door, but she stayed inside. She finally poked her head outside the door but the male stood in front of the door, blocking her entry. She stepped out at one point but he pushed her back inside the room. Officers asked Radio for a third unit due to the uncertainty of the situation. The male subject then barricaded himself in the bedroom with the female which led officers to believe that it was a potential hostage situation. Upon forcing entry into the room by kicking it open, Brannon intentionally pointed his firearm at the subject and Thompson deployed his TASER in probe mode. The male immediately fell to the ground. While he was in the prone position, Brannon handcuffed him. Medics removed the TASER probes. The subject was interviewed by a supervisor. When asked about the officers' conduct, he responded, "They were fine." The victim told officers there was a protection order between herself and the subject, and said the male had hoped to force a deadly confrontation with officers as a means of suicide. He was booked into jail for several felonies: Violation of a Domestic Violence Protection Order, Burglary, and Unlawful Imprisonment.

**F16-105 / 16-201620048439**

Officer Lynch (White) responded to a call of possible Domestic Violence. An anonymous caller reported that a male and female were arguing and it was possibly physical. Lynch approached a female in the street. The female was the female in the call, and she notified officers of a no-contact order between her and the male (Black). She gave a description of the male's clothing, and said the male had just run down the street before police arrived. Lynch confirmed the order with SPD Radio. The female stated that nothing physical had occurred but he had damaged their property.

Lynch developed probable cause to arrest the subject for Residential Burglary-DV and violation of a Domestic Violence Protection Order. Officers Conrath, Howard, and Yrigollen (all White) searched for the subject and found a male who matched the clothing description. The male gave a false name but a bystander confirmed the male's identity. Officers advised the male he was under arrest and began taking arm control for handcuffing. The male tensed and pulled away, twisting and kicking while shouting, "I should fuck you cops in the ass, bitch!" and other threats of sodomy toward officers. Conrath performed a takedown technique to bring the subject to the ground for better control, and then applied a Level I Lateral Neck Restraint to control the subject while the two other officers applied handcuffs. The threat factors were the subject's large and muscular build, his verbal demeanor stating that he would not cooperate, and he was wearing baggy clothing that could conceal a weapon and he had not been searched. After he was handcuffed, he was placed in the back of a patrol car. Officers removed him from the vehicle after he stated he had a firearm on his person, but no weapon was found and the subject said he was joking. When interviewed by a supervisor, the subject admitted he banged his head on the shield in the police car on the way to jail, and stated he had no injuries other than to his self-inflicted injury to his forehead. He was booked into jail for felony Residential Burglary-DV, Violation of a Domestic Violence Protection Order, Malicious Mischief-DV, and Resisting Arrest.

#### **F16-107 / 16-201620053708**

Officers responded to a Trouble Unknown call. Multiple callers reported a large fight at the location with people screaming, a male kicking in a door, a male appearing to hit a female with a large object, and a male out on the balcony screaming with the female inside. SPD Radio looked up the male subject (Black) and found the subject was listed in the system as a "violent offender." Officer Conrath (White) arrived and saw the subject on the balcony yelling at people inside. The window on the front of the apartment was shattered. Conrath addressed the male by name and gave him clear instructions to come down the stair and talk. The male agreed to talk to him and said he would not run away, but then climbed over the railing and disappeared from view. Conrath followed him in that direction; a neighbor indicated the subject went inside the apartment through the sliding glass door. Conrath could hear a female screaming inside. He entered the apartment where several occupants were pleading for help. He was directed to the bathroom area where several people were struggling, trying to pull the male subject away from the female. Conrath told the subject he was under arrest but he would not let go of the female. At that point, Conrath applied a Level I Lateral Neck Restraint to control him, applying mild pressure but not rendering him unconscious, so he could pull him away from the female and onto the ground. Conrath gave several reminders that he was under arrest and should stop fighting. He was detained without further incident and other officers (Donaldson and Lynch, both White) came onto the scene to handcuff him. Officers continued the investigation and determined the subject was not trying to commit a crime inside the apartment but to retrieve his girlfriend, whose family did not want her to leave with him after their argument. He would be charged with Malicious Mischief for breaking the window, but there would be no DV charges as there was no DV relationship between the homeowner and the subject, and the subject had not assaulted his girlfriend or any of the individuals on-site. The subject was uninjured by the encounter with police, but he had a finger with infected stitches from a recent surgery, so Conrath transported him to the hospital and then cited and released him at the hospital, warning him not to return. Soon after, the subject contacted residents of the apartment, threatening to return and cause issues for them. Conrath went back to the location and saw the subject there so Conrath booked him into jail.

## **Court-Ordered Contacts:**

### **F16-004 / 16-10383**

Officers McMurtrey, Wilkinson, Spolski, and Sergeant Bartlett (all White) responded to a Domestic Violence Call that later became a Warrant call. The 911 caller reported that his roommate had struck him with an axe handle and then left the location, headed to a nearby gas station. Officers were looking for the suspect, described as a tall black male wearing dark clothing. McMurtrey was approached by a citizen that advised a black male was running from him. McMurtrey then observed the male near the location where the DV reportedly occurred. When the male saw McMurtrey, he began to run. McMurtrey chased the subject and gave directives to stop but the subject did not comply and continued running down an alley and then hopped the fence of a nearby residence. At this point, the man was a suspect of Assault with a Deadly Weapon so McMurtrey continued after him. McMurtrey used a takedown technique to stop the subject. Wilkinson and J. Howe (White) arrived to help McMurtrey handcuff the subject. A struggle ensued during and after cuffing when the subject actively resisted arrest by pulling away from officers and grabbing J. Howe's leg. After the male was cuffed by McMurtrey and J. Howe, officers tried to search him but he continued reaching towards his front. Bishop (White) arrived as back up and saw officers struggling with the subject and the subject reaching near his waistband. Thinking he was trying to access a weapon, Howe used a hammer strike (palm strike) to the side of the subject's face, and Bishop deployed her TASER in probe mode but the probes didn't make contact with the male's skin due to his heavy clothing. She then used the device in drive stun mode to his leg for two seconds and it allowed the officers to gain control of the subject. No weapons were found but the subject said he thought he had drugs in his pocket. They established his identity and he told them he had run because he knew he had a felony DOC escape warrant. The male sustained minor injuries from the encounter.

### **F16-092 / 201620007375**

Officer Buchmann (White) and his K9 partner Talon were assisting the SPD SWAT team with locating and apprehending a wanted attempted murder suspect (Black), who was hiding in a residence. He was involved in two separate shootings and was believed to be armed. Additional threat factors included that he was a confirmed gang member and had a violent history of felony assaults. Buchmann went to the rear of the location. Officers were making announcements on the PA system for the subject to come out of the house with his hands up. Radio advised that there was a search warrant for the residence as well as arrest warrant. Officers gave K9 announcements over the PA as well. Officers attempted negotiations for nearly five hours but the subject made no attempt to communicate. The bomb squad robot and K9 searched the garage but did not find him. The robot also made entry into the main residence but no one was seen on the cameras. After another loud K9 announcement at the door, Buchmann deployed Talon to search the residence for the subject. Talon found the male hiding in a closet in the basement and made contact. Buchmann released Talon and officers came in to handcuff the subject. They confirmed he was the wanted suspect. Officers transported him to the hospital for treatment for the K9 contact. Injuries consisted of puncture marks and scrapes on his legs. Once cleared for jail by medical staff, he was then booked for his warrants.



## **Self-Initiated Incidents:**

### **F16-014 / 16-39278**

Officer Lynch (White) observed a car in front of him without license plate lights (RCW 46.16A.200). He ran the vehicle registration which showed that the registered owner's license was suspended. Lynch activated his emergency lights to initiate a traffic stop. The vehicle pulled into an apartment complex parking lot. Upon stopping, the subject (Black) exited the vehicle. Lynch shouted, "Police—get back in your car!" but the subject ignored Lynch's command to return to the vehicle and tried to flee into a nearby apartment, not the residence listed on his registration. Lynch and Co-op Wilke, a volunteer, pursued the subject on foot and reached the apartment door just as the subject entered the apartment. The subject attempted to shut the door but Lynch pushed it open, which pushed the subject backward and he fell to the floor. Lynch entered the apartment and put the subject in a prone handcuffing position, and took him into custody as the male complied. The subject had a small vertical cut and welt above his left eyebrow. Lynch was unsure how the subject sustained the injury but the injury's shape and location was consistent with the edge of the door hitting him. Lynch advised the only force he used was body weight to push the door open and if the door hit the suspect it was inadvertent and unintentional. A corporal came to the scene for photographs of the injury. The subject told the corporal that he wasn't hit by the door and that he got the injury on the ground by his car. This statement was disproved by body camera video. The subject was interviewed by a supervisor, and confirmed that the officer did not use any strikes or techniques directly on him, and he did not make any claim of any inappropriate action. The subject later said he ran because he had warrants and didn't want to go to jail. The male's cut was treated at the hospital. He was charged with Operating a Vehicle with License Suspended, Operating a Vehicle without Ignition Interlock, and Obstruction. Ignition Interlock is required as a condition of release after a DUI and it is a device installed in vehicles that will prevent the vehicle from starting if the device detects any alcohol on the breath of the driver.

### **F16-028 / 16-118616**

Officer S. Lesser (White) initiated a Traffic Stop, based on seeing a vehicle roll through a stop sign and proceed through several unmarked intersections without slowing or yielding as required. Lesser activated his lights and the vehicle pulled over. The driver was cooperative and admitted he should not be driving the car and had a warrant for his arrest. Another passenger advised of warrants, so Lesser requested another car for backup. Lesser determined that the rear passenger (Black) had a felony DOC warrant for Theft. He was also an associate of the Gang Pay Back Crips and showed a history of robbery, assault, burglary and fighting. Lesser requested a third unit and the subject fled from the car on foot. Lesser gave chase, yelling commands at the subject to stop as he was under arrest. Lesser eventually caught the subject in a back yard. The subject refused to comply and grabbed at Lesser's arms and legs, scratching Lesser in the process, and grabbing near his holster. During the scuffle, Lesser lost his magazine and both sets of handcuffs; the subject also bit Lesser. Lesser attempted to apply a Level II Neck Restraint to control the subject until backup officers arrived but lost his hold and was unable to render him unconscious. He used his body weight to hold the subject until Fairbanks (White) arrived and helped take him into custody. Lesser's application of force did not gain compliance, but did control the subject's movements enough to avoid escape and prevent greater injury to Lesser. The subject was uninjured during the encounter. During the supervisor's interview with the subject, he said he was not injured and did

not make any claims of inappropriate actions by Lesser. The subject was booked into jail for Assault on Law Enforcement and his warrant.

**F15-094 / 16-201620026589**

Officer J. Arredondo (Hispanic) was on patrol Downtown when three pedestrians Jaywalked in front of his car. One subject (Black) was carrying a bat. When he reached the middle of the patrol car, he faced the officer and began to swing the bat in a circle, preparing to swing. The subject beckoned the officer to come forward. Arredondo believed the male might run up to the door and hit him with the bat, so he backed up to create space and asked Radio for additional units. He recognized the subject, and knew he suffered from mental health issues and used drugs. There were a lot of pedestrians in the immediate area of Sprague and Washington. While Arredondo waited for backup, the male pulled two screwdrivers out of his pocket. Arredondo activated his emergency lights and gave directives over the PA system, identifying himself as an officer and telling the male to drop his weapons. The subject dropped the screwdrivers but not the bat. More officers arrived and Sergeant Reese (White) was setting up a contact team. Officer Valencia (Hispanic) had his TASER ready and Officer Conrath (White) had blunt impact munitions ready if necessary. The male made statements such as "I'm going to hurt somebody tonight" and "The baseball bat is for collateral damage." Despite being told to stay back, the male was closing the distance between himself and the officers and was swinging the bat around. At that point, Reese ordered Conrath to deploy less than lethal blunt impact munitions, which hit the subject in the leg. The male immediately dropped the bat and fell to the ground. Officers moved in and took him into custody without further incident. The subject told officers he was schizophrenic but had not been taking his medication; he had been using drugs. He said his intent was to hurt someone as there were people chasing him. Medics treated the subject for minor injuries from the blunt munitions' impact and he was booked into jail for Assault.