



SPOKANE POLICE DEPARTMENT

FRANK G. STRAUB, JR.
CHIEF OF POLICE



We have released the portions of the record(s) which are not exempt from disclosure by RCW 42.56.210 and/or other statutes. Information redacted or withheld are exempt from public disclosure for the following reason(s):

1. If individuals file complaints with investigative or law enforcement agencies, and disclosure of the individual's name would endanger any person's life, physical safety, or property, then the person's name is confidential (RCW 42.56.240(2)).

2. The names of juvenile individuals are confidential, and may not be released to the public except by court order under provisions of RCW 13.50.050 and RCW 13.50.100 (4) (a) and (b).

3. Record includes intelligence information and its non-disclosure is essential to effective law enforcement. (RCW 42.56.240 (1)).

3a) Person's name and criminal history/warrant status , derived from a law enforcement database

3b) Vehicle license plate search results, derived from a law enforcement database

3c) Vehicle registration information, derived from a law enforcement database

3d) Tactical information

3e) Field Interview

3f) Confidential Informant

3g) Matters relating to an ongoing active criminal investigation

3h) Undercover Officer

4. Record contains personal identifying information and its non-disclosure is necessary for the protection of a person's right to privacy. (RCW 42.56.230 or RCW 42.56.240 as defined by RCW 42.56.050).

4a) Address, phone number

4b) Date of birth

4c) Social Security number

4d) Identification number, such as Driver's License, FBI, SPURS photo

4e) E-mail address

4f) Identifying relationship to protected person such as a juvenile

4g) Personnel records

5. Jail records, including booking photos, are protected under RCW 70.48.100.

6. Information is protected under the Criminal Records Privacy Act (RCW 10.97).

7. Traffic accident reports prepared by citizens are confidential and protected under RCW 46.52.080 and RCW 46.52.083.

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Spokane Police Department - Internal Affairs



SPOKANE POLICE DEPARTMENT

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8. Information associated with vehicle registrations are protected under RCW 46.12.635. The registered owner's name and address are confidential.

9. An individual's medical records are protected under RCW 70.02.005 and HIPAA (45 CFR 164.502).

10. Credit card numbers, debit card numbers, electronic check numbers, card expiration date or bank or other financial account numbers are confidential and protected under RCW 42.56.230(4).

10a) Account number

10b) Credit/debit card number

10c) Expiration date

10d) Transaction number

10e) Other

11. Autopsy and postmortem records and reports in their entirety are confidential and protected under RCW 68.50.105.

12. The Attorney-Client Privilege protects against disclosure of any confidential communications between attorney and client.

13. The names of accused officers in Internal Affairs Investigations and Inquiries are protected, if they receive findings of Exonerated, Unfounded, or Not Sustained: *Bainbridge Island Police Guild v. City of Puyallup, 172 Wash.2d 398 (2011)*

14. The identity of a person receiving mental health services, whether voluntary or involuntary, is confidential under RCW 71.05.390.

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Spokane Police Department - Internal Affairs

Use of force **IA No: F13-018** **Received: Mar 08, 2013**

Incident No: 13-74172

Type of service being performed at time of incident: Self Initiated

Reason for use-of-force: Resisting Arrest

Officer assessment of citizen condition: Unknown

Citizen was injured: Yes

Citizen was taken to hospital: Yes

Citizen was charged/arrested in relation to the incident: Yes Officer was injured: Yes

Officer was taken to hospital: No

Distance Officer was from Involved Citizen: 1 feet to 3 feet

Involved Citizen Build: Medium

Involved Citizen Height: 5'10" to 6'0"

Involved citizen:

Glen W O'Brien

Resistance(s):

Active Resistance

Injuries/conditions:

Injured During Incident

Charges against citizen in relation to the incident:

Arrest - Felony

Linked address(s):

Home Address: Transient Spokane WA

Officers involved:

SPO John J O'Brien [494/]

Officer current info:

Bureau: Operations

Unit: Uniform Operations

Assignment: Patrol

Snapshot - officer information at time of incident:

Badge/ID no: 494

Bureau: Operations

Unit: Uniform Operations

Assignment: Patrol
Not Used: Team 1 - Days - N/S
Rank/title: SPO
Age: 48 Years of employment: 16 Years with unit:
Off duty: Off duty employed:

Use(s) Of Force:

Personal Impact Tools: Effective

Sergeant Daniel J Waters [582/11791]

Officer current info:

Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol

Snapshot - officer information at time of incident:

Badge/ID no: 582
Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol
Not Used: Team 16 - Graves - N
Rank/title: Sergeant
Age: 44 Years of employment: 14 Years with unit:
Off duty: Off duty employed:

Use(s) Of Force:

Body Weight/Manual Force: Effective

Injuries/conditions:

Hand

Witnesses:

Rhett J Zorn

Linked address(s):

Home Address: [REDACTED] #4a

Summary:

On 3/8/13, Sgt. Waters contacted 2 males at the 500 block of W. 3rd Ave. He recognized one of the males as Glen W. O'Brien #4b and knew that Glen had a warrant for his arrest. Ofc. J. O'Brien arrived to assist with this contact. During the contact, Glen attempted to conceal his identity by looking down with his hoodie over his head, avoiding eye contact. Glen had something in his right hand and it appeared he was trying to conceal this item from officers. Ofc. O'Brien positioned himself behind Glen and saw that he was holding a metal tin, as well as what appeared to be a plastic baggie in his right hand. Ofc. O'Brien immediately recognized these items as being consistent with drug storage.

Ofc. O'Brien took right arm control, and Sgt. Waters took left arm control of Glen, however Glen tensed up his arms and clenched tightly onto the items in his right hand. Glen pulled is arms in close to his body, resisting officers attempts to put his hands behind his back. During this time, officers verbally advised Glen to stop resisting and to cooperate. Glen broke his right arm free

and threw the items he was holding onto the ground. Ofc. O'Brien grabbed Glen's right arm again and advised him that they would have to take him to the ground if he did not stop resisting. Glen continued to physically resist detention.

At this point, officers were struggling with a resisting suspect whom they knew had a history of fleeing police, and had been armed with a knife in the past. Ofc. O'Brien decided to use a personal impact tool to knock Glen off balance. Ofc. O'Brien attempted to strike Glen on his chest with his forearm to knock him back off balance. Due to the fact that Glen was moving around a lot, Ofc. O'Brien inadvertently struck Glen on his upper lip with his forearm. The strike did knock Glen off balance and officers were able put Glen into a prone cuffing position and take him into custody.

During the struggle, Glen sustained a bloody/swollen lip from the forearm strike, and a minor abrasion on his left cheek from the prone cuffing technique. Medics responded and tended to Glen's injuries. Glen was transported to Deaconess Medical Center for treatment to abscesses on his legs not related to the contact with officers. Sgt. Waters sustained minor cuts to his right knuckles and a bruise on his right thumb during the contact.

The items Glen discarded were recovered, and it was discovered that he was in possession of methamphetamine when contacted.

I contacted Glen O'Brien at the jail. I observed minor swelling on his upper lip and a minor abrasion on his left cheek. He did not wish to discuss the incident with me.

Recommendation:

Glen was actively resisting arrest. He has a history of fleeing police and had been armed with a knife on prior contacts. He was wearing baggy clothing that could easily have concealed a knife or other weapon. The personal impact strike was intended for Glen's chest area, but Glen's movements caused the strike to inadvertently contact his upper lip area. Ofc. O'Brien's decision to use a personal impact tool to knock Glen off balance was objectively reasonable under the circumstances. Sgt. Waters use of body weight/manual force was also objectively reasonable under the circumstances.

Found in compliance with policy per Captain Richards, 03/23/2013.

When/where:

Date/time occurred: Mar 08 2013 12:19

Incident location: 500 3rd AV W Spokane WA 99201

Home Address: Transient Spokane WA

Home Address: [REDACTED] #4a

County: Spokane County

Linked files:

[Additional \(pdf\)](#)

[Affidavit \(pdf\)](#)

[Arrest Report \(pdf\)](#)

[Photolog \(pdf\)](#)

Status/assignment information:

Status: Initial

Opened: Assigned: Due: Completed: 03/23/2013

Disposition: In Compliance w/ Policy

Unit assigned: Un-assigned
Handled at field/unit level: No
Investigator assign: Un-assigned
Supervisor assign: Un-assigned
Source of information:

Organizational component(s):

Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol
Not Used: Team 1 - Days - N/S

BlueTeam chain routings

Mar 13, 2013 12:21: Sent from Sergeant Barton J Stevens [627/11897] to Lieutenant Keith A Cummings [262/11086]

Instructions:

UOF report

Reviewed by Lieutenant Keith A Cummings [262/11086] on Mar 15, 2013 at 11:15

Decision: Approved

Reviewer comment:

Appropriate use of force

CC(s) of this routing were sent to the following:

Mar 15, 2013 11:15: Sent from Lieutenant Keith A Cummings [262/11086] to Captain David W Richards [119/10779]

Instructions:

Appropriate use of force

Reviewed by Captain David W Richards [119/10779] on Mar 23, 2013 at 15:02

Decision: Approved

Reviewer comment:

The use of force against the suspect O'Brien were within policy and appropriate. Suspect O'Brien's history was known to the officers. The impact with O'Brien's lip/chin area was inadvertent and was caused by the suspect's refusal to comply with officers lawful orders.

**Entered via BlueTeam by: Sergeant Barton J Stevens [627/11897]
on Mar 13, 2013 at 10:50**

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

| | | | | |
|--|--------------|---------------------------------------|---|-----------------------------|
| AGENCY NAME/SUBSTATION SPD | | EVIDENCE NUMBER | INCIDENT NUMBER 13-074172 | |
| REPORT PURPOSE | | | REPORTED ON DATE Fri 03/08/2013 | TIME 12:19 |
| INCIDENT CLASSIFICATION #1 DRUGS-POSSESS | | ATTEMPTED <input type="checkbox"/> | INCIDENT CLASSIFICATION #2 WARRANT ARREST | |
| INCIDENT CLASSIFICATION #3 | | ATTEMPTED <input type="checkbox"/> | INCIDENT CLASSIFICATION #4 | |
| DISPATCH TIME | ARRIVED TIME | CLEARED TIME | REPORT DATE 03/08/2013 | REPORT TIME 16:58 |
| PRIMARY CHARGE | | | | UCR/NIBRS CODE |

| VICTIM/WITNESSES/OTHERS | | | | |
|---|---|-------------------------------------|-----------------------------------|--|
| <small>V-Victim, Individual, RO-Registered Owner, RU-Runaway, S-Suspect, CV-Complainant, IN-Institutional, V-Deceased, A-Arrested Person, C-Complainant, D-Driver, G-Legal Guardian, PS-Passenger, M-Missing, MIR-Person Mentioned, O-Other, PC-Pedestrian - Cyclist, PE-Pedestrian, VB-Victim - Business, W-Witness, CON-Contact, OW-Owner of Property</small> | | | | |
| CODE W-1 | NAME: LAST, FIRST, MIDDLE Zorn, Rhett J | | | SEX M |
| | | | | RACE/ETHNICITY W-White |
| | | | | DATE OF BIRTH/AGE #4b 39 |
| HEIGHT 5'10" | WEIGHT 180 | BUILD Medium | HAIR Brown | EYES BLU - Blue |
| DESCRIPTORS | | | | |
| CONFIDENTIALITY <input type="checkbox"/> | ADDRESS: STREET, CITY STATE ZIP #4a | | | RESIDENTIAL STATUS |
| PLACE OF EMPLOYMENT/SCHOOL/ADDRESS | | | | PHONE |
| OCCUPATION | | | | |
| EMPLOYER PHONE | | | | |
| ADDITIONAL PHONES #4a | | | | |
| DRIVER'S LICENSE #4d | | <input type="checkbox"/> FAKE STATE | SOCIAL SECURITY NO. #4c | <input type="checkbox"/> FAKE OTHER ID |

| | | | | |
|---|--|-------|------|------------------------------------|
| CODE MIR-1 | NAME: LAST, FIRST, MIDDLE White, Barry Lee | | | SEX M |
| | | | | RACE/ETHNICITY W-White |
| | | | | DATE OF BIRTH/AGE #4b 47 |
| HEIGHT | WEIGHT | BUILD | HAIR | EYES |
| DESCRIPTORS | | | | |
| CONFIDENTIALITY <input type="checkbox"/> | ADDRESS: STREET, CITY STATE ZIP #4a | | | RESIDENTIAL STATUS |
| PLACE OF EMPLOYMENT/SCHOOL/ADDRESS | | | | PHONE |
| OCCUPATION | | | | |
| EMPLOYER PHONE | | | | |
| ADDITIONAL PHONES #4a | | | | |

NARRATIVE

On 3/8/2013 at about 1210 hrs, I observed a black male wearing a motorcycle helmet with a full face on a BMX style bicycle S/B on Wall from 4th. This male had three different backpacks across his back and shoulders. When this male saw my vehicle, he took a turn down a trail behind the building on the S/W corner of 3rd/Wall. I attempted to find him but could not. It appeared he may have just prowled some vehicles.

The COMPSTAT report had indicated that the area of 2/Howard has been used by people to exchange stolen property. I am familiar with the short stay traffic in the South alley of 2/Howard, behind the United Central Methodist Church at 518 W Third. I went to that area to see if perhaps this male when there.

As I turned E/B into the alley from Howard, I observed this same male riding his bike toward me W/B. The

| | | |
|--|--------------------------------------|--|
| ID NO./NAME OF REPORTING OFFICER #582 - Waters, Daniel | DISTRIBUTION | |
| APPROVAL #372 - Meidl, Tracie | DATE/TIME 03/08/2013 18:14 | |

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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| | | |
|---|---------------------------------------|-------------------------------------|
| INCIDENT CLASSIFICATION DRUGS-POSSESS | ATTEMPTED <input type="checkbox"/> | INCIDENT NUMBER 13-074172 |
|---|---------------------------------------|-------------------------------------|

male had his face shield up and I could clearly see his lips say, "oh shit." He took off S/B on Howard. When I continued down the alley I could see a male sitting behind the Church on the steps. I could see there were backpacks or bags around him. I had seen this male around downtown before.

I looked around again for the male on the bike but I was unable to locate him. He was a small in stature black male with gaps in his teeth and scraggly facial hair. He was wearing a black helmet with either a design or flames on it. He was dressed in all black.

I went back to 518 W Third to talk to the male I had seen sitting there. He was later ID'd as Rhett Zorn. I arrived back there at approx 1219 hrs. This time there was another male with Zorn. As I walked up, Zorn made eye contact and acknowledged me. The second male would not turn around. I said "hello" to them and both males looked at me.

When the one male turned around, he was wearing a baseball hat and had the hood from his sweatshirt up over his head. He was looking at the ground, avoiding eye contact. I recognized that it was Glen W O'Brien who I knew was a repeat offender and had been breaking into cars downtown. I also knew he had a warrant for his arrest.

Officer J. O'Brien arrived to assist. While I was talking to O'Brien he was still bladed away from me. I could see him move his right hand toward his right pocket which he seemed to be trying to keep hidden from me. Ofc O'Brien went around to the other side of Glen O'Brien, closer to the right hand.

Ofc O'Brien said something like "what's in your hand?" to Glen. Glen's hand looked to be moving toward his pocket and his fist was clenched. At this point, Glen had not been searched and was wearing baggie clothing. I knew he had a history of fleeing officers and has been armed with a knife in the past. I was not sure what he had in his hand. He is also over six feet tall and approx 200 lbs.

I took hold of Glen's left arm near the wrist as Ofc O'Brien took hold of the right. As soon as we took control of his arms, Glen tensed up and clenched his fist. I tried to move his left arm behind his back to handcuff him but he was fighting it. I wrestled with his arm briefly then I began to bring his arm up into a figure four technique. My thought was to break his balance to his rear and use a car parked behind us as some leverage to get him handcuffed. As I was doing this I said several times, "stop fighting."

As I did this, Glen started to move forward as Ofc O'Brien used his forearm across Glen's chest as a technique to get him to go backward. I saw Glen's body move forward at this time. I was still trying to get Glen's hand behind his back.

I saw Glen throw something out of his right hand toward a bike rack that was in front of us. At that time, I could see Ofc O'Brien start to move and Glen started to fall toward Ofc O'Brien. As this happened, I lost my balance and fell onto Glen, smashing my right hand knuckles into the ground. This caused me to lose my grip on Glen's wrist. Glen fell onto his front side.

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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| | | |
|---|---------------------------------------|-------------------------------------|
| INCIDENT CLASSIFICATION DRUGS-POSSESS | ATTEMPTED <input type="checkbox"/> | INCIDENT NUMBER 13-074172 |
|---|---------------------------------------|-------------------------------------|

I heard Ofc O'Brien say "stop fighting" and I heard Glen say, "I'm done, I'm done." At that point, he went limp and we were able to get him handcuffed.

I heard Ofc O'Brien ask Glen where he was bleeding from. I could see he had blood coming from his nose or mouth. Medics were requested to check on him. I asked Glen if he was hurt somewhere other than his mouth area. He said he has sores on his legs that have been bleeding and sores on his hands.

I checked to see where Zorn went and he just sat down on the ground when we started fighting with Glen.

I looked to see what Glen threw from his hands. I could see two small zip lock style baggies sitting on the ground near the bike rack. One had a crystal substance inside and the second looked to have more baggies inside.

I checked my hand which was bleeding from the knuckles and my right thumbnail is bruised from the impact of the ground.

Cpl Lungren responded and photographed the baggies on the ground. AMR transported Glen to the hospital to have his legs (which I could see blood through his pants) checked. It looked to me that Glen had some swelling around his upper lip and perhaps on his cheek. Both injuries are consistent with the prone cuffing technique we attempted.

I collected the baggies from the ground. As I was about to drive away, Zorn came up to me and was crying. He said I could contact him by the message board at the House of Charity if I need to talk to him. He also said thank you and asked us to clean this area up because he is tired of all the violence. I was also contacted by Barry White who works at the church. He said there is video of the area we were in. he was going to check with the pastor and let me know. I later called and left a message to see the status of the video.

I field tested the contents of one of the baggies and it tested as Meth. I placed both baggies on property as evidence.

Sgt Stevens was notified of Glen's facial injuries and those injuries were photographed by Cpl Lungren.

D. Waters #582/L285

RECEIVED
SPOKANE POLICE RECORDS

2013 MAR 8 PM 10 14

**SPOKANE POLICE DEPARTMENT
CHARGING REQUEST AND WITNESS LIST
District Court State of Washington**

DATE: 03-08-13 REPORT NUMBER: 13-74172

CHARGES REQUESTED: possession of a controlled substance (methamphetamine)

DEFENDANT: O'Brien, Glen W. #4b

STATUS: In Custody

VICTIM(S):
DATE/TIME OF CRIME: 03-08-2013 / 1219 hrs.
LOCATION OF CRIME: 525 W. 2nd Ave. (alley)
INVESTIGATOR: J. O'Brien #494
APPROVED BY: *[Signature]*

| WITNESSES | ADDRESS | PHONE # |
|----------------------|----------------|---------|
| Officer O'Brien #494 | 1100 W. Mallon | |
| Sergeant Waters #582 | 1100 W. Mallon | |

EVIDENCE CONSISTS OF: methamphetamine, photos

SUBMITTED TO PROSECUTORS OFFICE

RECEIVED BY: _____ DATE: _____ TIME: _____

**STATEMENT OF INVESTIGATING OFFICER
AFFIDAVIT OF FACTS**

STATE OF WASHINGTON
COUNTY OF SPOKANE

REPORT NUMBER: 13-74172

DEFENDANT: O'Brien, Glen W. #4b

The undersigned, a law enforcement officer, competent to testify, states as follows: That he/she believes a crime was committed by the above named defendant/defendants in the City and County of Spokane, State of Washington, because: The defendant, Glen W. O'Brien, did possess a controlled substance to wit: methamphetamine.

Sergeant Waters can testify to the following:

On 03-08-13 at about 1219 hrs, he checked out with two suspicious people in the alley behind 525 W. 2nd Ave.

He recognized one of the subjects as Glen W. O'Brien who he knew to have an outstanding Department of Corrections warrant.

He field tested a crystal substance that the defendant had discarded as positive for methamphetamine.

He placed the methamphetamine on property as evidence.

Officer O'Brien can testify to the following:

On 3-08-13 at about 1219 hrs, he assisted Sergeant Waters in the alley behind 525 W. 2nd Ave.

He saw the defendant trying to conceal a metal tin and a small plastic bag in his right hand.

He saw the defendant discard the tin and plastic baggies that had a crystal substance in it.

He arrested the defendant on his outstanding warrants and for possession of a controlled substance (methamphetamine).

He booked the defendant into jail.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (9A.72.085)

DATE: 3-8-13 PLACE: SPOKANE, WASHINGTON SIGNATURE:  # 494

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

| | | | | | |
|--|--|---|--|--|---|
| AGENCY NAME/SUBSTATION SPD | | EVIDENCE NUMBER | | INCIDENT NUMBER 13-074172 | |
| INCIDENT TYPE Arrest, Drug Involved | | INCIDENT CLASSIFICATION #1 DRUGS-POSSESS | | ATTEMPTED <input type="checkbox"/> | |
| | | INCIDENT CLASSIFICATION #2 WARRANT ARREST | | ATTEMPTED <input type="checkbox"/> | |
| | | INCIDENT CLASSIFICATION #3 | | ATTEMPTED <input type="checkbox"/> | |
| | | INCIDENT CLASSIFICATION #4 | | ATTEMPTED <input type="checkbox"/> | |
| RESPONDING TO (Officer Assault) | | | | ASSIGNMENT (Officer Assault) | |
| REPORTED ON Fri 03/08/2013 13:14 | DATE/TIME | OCURRED ON Fri 03/08/2013 12:19 | DATE/TIME | OCURRED TO Fri 03/08/2013 12:22 | DISTRICT |
| DISPATCH TIME | ARRIVED TIME | CLEARED TIME | REPORT DATE 03/08/2013 | REPORT TIME 13:14 | EST. TOTAL PROPERTY LOSS |
| PRIMARY CHARGE 69.50.4013(1) CNTL SUB(POSS-FEL) | | | | | UCR/NIBRS CODE / 35A |
| LOCATION OF INCIDENT 525 W 2nd Avenue, Spokane, WA 99201 | | | | LOCATION NAME (IF APPLICABLE) | |
| SOLVABILITY FACTORS Suspect Arrested, Useful Physical Evidence | | | | | |
| RELATED INCIDENT NUMBERS | | | | | INCIDENT XREF |
| ADDITIONAL REPORTING OFFICERS Waters | | | | | |
| VICTIM/WITNESSES/OTHERS <small>V-Victim - Individual, RO-Registered Owner, RU-Runaway, S-Suspect, CV-Complainant is Victim, IN-Institutional, V-Deceased, A-Arrested Person, C-Complainant, D-Driver, G-Legal Guardian, PS-Passenger, M-Missing, MIP-Person Mentioned, O-Other, PC-Pedestrian - Cyclist, PE-Pedestrian, VB-Victim - Business, W-Witness, CON-Contact, OW-Owner of Property</small> | | | | | |
| CODE A-1 | NAME: LAST, FIRST, MIDDLE O'Brien, Glen W | | | SEX M | RACE/ETHNICITY W-White |
| | | | | DATE OF BIRTH/AGE #4b 36 | |
| HEIGHT 6'00" | WEIGHT 165 | BUILD Light | HAIR Brown | EYES BRO - Brown | DESCRIPTORS |
| CONFIDENTIALITY <input type="checkbox"/> | ADDRESS: STREET, CITY STATE ZIP | | | RESIDENTIAL STATUS | PHONE |
| PLACE OF EMPLOYMENT/SCHOOL/ADDRESS | | | | OCCUPATION | EMPLOYER PHONE |
| ADDITIONAL ADDRESSES | | | | | ADDRESS TYPE Transient |
| CHARGE LEVEL Felony Class C | DESCRIPTION 69.50.4013(1) CNTL SUB(POSS-FEL) | | | | UCR/NCIC CODE /35A |
| WARRANT # | BAIL | TYPE OF ARREST On-View of Arrest | | | MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/> |
| CITATION # | DATE | TIME | BOOKED WHERE Spokane County Jail | | DATE 03/08/2013 |
| | | | | | TIME 12:22 |
| ARREST LOCATION 525 W 2nd Avenue, Spokane, WA 99201 | | | | STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN | CHARGES <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED |
| | | | | SUSPECT ARMED WITH | |
| JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | NAME/RELATIONSHIP OF PERSON NOTIFIED | DATE & TIME NOTIFIED | NOTIFIED BY | | DISPOSITION OF JUVENILE |
| DRIVER'S LICENSE <input type="checkbox"/> FAKE | STATE | SOCIAL SECURITY NO. #4c | <input type="checkbox"/> FAKE | OTHER ID | |
| TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES Apparent Minor Injury | | | | TYPE OF VICTIM | MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO |
| HOSPITAL TAKEN TO Deaconess | TAKEN BY Ambulance | <input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY | ATTENDING PHYSICIAN | | SUICIDE NOTE FOUND? <input type="checkbox"/> |

| | |
|---|--------------------------------------|
| ID NO./NAME OF REPORTING OFFICER #494 - O'Brien, John | DISTRIBUTION |
| APPROVAL #205 - King, Kevin | DATE/TIME 03/08/2013 21:13 |

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

| | | |
|---|---------------------------------------|-------------------------------------|
| INCIDENT CLASSIFICATION DRUGS-POSSESS | ATTEMPTED <input type="checkbox"/> | INCIDENT NUMBER 13-074172 |
| NARRATIVE | | |

On 03-08-13 at about 1219 hrs, I assisted Sergeant Waters who had checked out with two subjects in the alley behind Crosswalk at 525 W. 2nd Ave.

Sergeant Waters had seen a possible vehicle prowler on a biker earlier in the morning and SPD dispatch had earlier broadcasted a prowling call a block to the south.

I arrived on scene and saw the two males, one later identified as Glen O'Brien, standing by numerous bags and a red mountain bike. I could see O'Brien was trying to conceal his identity under his hoody while he avoided eye contact. O'Brien kept his head down.

While Sergeant Waters was talking to the other male, I could see O'Brien trying to access or conceal something with his right hand. I moved behind O'Brien and could see a small metal tin in his right hand.

I could see O'Brien had a piece of plastic in the same hand as the metal tin. Both the tin and small plastic bags are consistent with drug storage.

I took right arm control of O'Brien and he was immediately resistive.

O'Brien tensed his arms and tried to pull his right arm into his body. O'Brien clenched his right fist which concealed the items.

Sergeant Waters assisted me by taking left arm control on O'Brien.

I could feel O'Brien tensing his upper body muscles and felt him pulling his arms in close to his body which improved his core strength.

I repeatedly told O'Brien to quit resisting and to relax but O'Brien did not comply. I continued to try and place O'Brien's arm behind his back to detain him but O'Brien resisted.

As I tried to transition my grip and move his arm, O'Brien was able to pull free from my grasp. After pulling free, O'Brien immediately tossed some small plastic bindles onto the ground.

I grabbed O'Brien's arm again and told him to relax and quit resisting or we would take him to the ground.

O'Brien pulled back from me and I used the inside of my forearm in an attempt to hit his chest and push him off balance. I wanted to put him back on his heels and transition in to a level one lateral vascular neck restraint. Because O'Brien was not cooperating and or standing still, the strike did not hit him on the chest but made contact on the area of his upper lip.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION
DRUGS-POSSESS

ATTEMPTED

INCIDENT NUMBER
13-074172

The strike did knock O'Brien off balance and we were able to put O'Brien on the ground into a prone cuffing technique.

I told O'Brien he was under arrest and he had the right to an attorney.

While cuffing (dl) O'Brien and removing his backpack, I could see O'Brien had a bloody nose or a bloody lip. I requested medics to check on his condition.

I asked O'Brien what his name was but he refused to answer.

O'Brien is

The medics advised O'Brien needed to be seen at the hospital for the abscesses on his legs.

O'Brien had an abrasion on his left cheek from the prone cuffing.

While the medics were treating O'Brien, I watched to make sure the discarded bindles were not moved or taken. At least one of the bindles had a crystal substance in it.

Sergeant Waters collected the bindles to field test the substance and place them on property as evidence. See his additional report.

O'Brien was medically cleared at Deaconess hospital and I transported him to jail.

I booked O'Brien for possession of methamphetamine and on his outstanding warrants.

I notified Sergeant B. Stevens of O'Brien's injuries.

J. O'Brien #494 D280

PHOTOLOG

| | | | | | |
|---|---|---|-------------------------------------|-------------------|-------------------|
| D A T A | AGENCY NAME SFD | CROSS REFERENCE NUMBER(S) | INCIDENT NUMBER 13-074172 | | |
| | INCIDENT CLASSIFICATION PCS | LOCATION OF INCIDENT 518 W. 3RD | MONTH 03 | DAY 08 | YEAR 13 |
| | INVESTIGATOR Sgt WATERS #582 | PHOTOGRAPHED BY LUNDGREN #669 | | | |
| | NAME (LAST, FIRST, MIDDLE) O'BRIEN, GLEN, W | RACE W | SEX M | DOB #4b | |
| | | PHOTO # <u>1</u> | THROUGH # <u>24</u> | | |
| P H O T O G R A P H S | NUMBER | DESCRIPTION | | | |
| | #1 | BACK SIDE OF THE CHURCH 518 W 3RD | | | |
| | #2 | BICYCLE | | | |
| | #3+ #4 | BAGGIE BELOW THE BICYCLE | | | |
| | #5 | BICYCLE | | | |
| | #6-#10 | BAGGIE BETWEEN WALL AND BICYCLE RACK | | | |
| | #11-#13 | ALTOID'S TIN NEXT TO THE TOYOTA (WA #A1X9415) | | | |
| | #14 | REAR OF THE TOYOTA CAR | | | |
| | #15 | REAR LICENSE PLATE | | | |
| | #16 | OVERALL OF O'BRIEN | | | |
| | #17+ #18 | LEFT SIDE OF O'BRIEN'S HEAD/FACE | | | |
| | #19 | O'BRIEN'S MOUTH | | | |
| | #20+ #21 | RIGHT SIDE OF O'BRIEN'S HEAD/FACE | | | |
| | #22+ #23 | O'BRIEN'S RIGHT LEG | | | |
| | #24 | PHOTO LOG | | | |