

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, 42.56.250 or RCW 42.56.240 as defined by RCW 42.56.050).
- 4a) Personal phone number, address
- 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, including personal electronic mail addresses of employees or volunteers of a public agency
- 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).



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



Use of force IA No: F13-058 Received: Jul 01, 2013

Incident No: 13-215931

Type of service being performed at time of incident: Call For Service

Reason for use-of-force: Resisting Arrest

Officer assessment of citizen condition: Alchohol

Citizen was injured: Yes

Citizen was taken to hospital: Yes

Citizen was charged/arrested in relation to the incident: Yes Officer was injured: No

Officer was taken to hospital: No

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

Involved Citizen Build: Large

Involved Citizen Height: 5'7" to 5'9"

Involved citizen:

Miles Standing Rock

Resistance(s):

Active Resistance

Injuries/conditions:

Transport to Hospital

Linked address(s):

Home Address:

#4a

Officers involved:

Officer Jay E Kernkamp [862/]

Officer current info:

Bureau: Operations Unit: Uniform Operations Assignment: Patrol

Snapshot - officer information at time of incident:

Badge/ID no: 862 Bureau: Operations Unit: Uniform Operations Assignment: Patrol Not Used: Team 8 - PACT

Rank/title: Officer

Age: 34 Years of employment: 6 Years with unit:

Off duty: Off duty employed:

Use(s) Of Force:

Arrest Tactics: Effective

Officer Adam N Valdez [882/]

Officer current info:

Bureau: Operations Unit: Uniform Operations Assignment: Patrol

Snapshot - officer information at time of incident:

Badge/ID no: 882 Bureau: Operations Unit: Uniform Operations Assignment: Patrol

Not Used: Team 10 - Power - N

Rank/title: Officer

Age: 35 Years of employment: 6 Years with unit:

Off duty: Off duty employed:

Use(s) Of Force:

Arrest Tactics: Effective

Summary:

On 07-01-13 Ofc. Kernkamp and Ofc. Valdez responded to a domestic violence call in the 1200 block of N. Lincoln. A third party complainant reported a female, later identified as #1 was hit in the head by a male that was with her. The male suspect, later identified as Miles Standing Rock, was located inside their apartment at 1217 N. Lincoln #6 when police arrived. Based on the information obtained at the scene, both officers developed probable cause to arrest the suspect for city assault D.V.

The suspect refused multiple commands to exit his apartment and was observed leaning out his apartment window. At the same time, the intoxicated victim was trying to re-enter the apartment through the front door. Given the violent nature of domestic violence calls, the concern for the victim, and the totality of the circumstances, both officers grabbed the suspect by his arms as his arms were extended outside the window. The suspect resisted and tried to pull himself back into his apartment. When the officers tried to pull the suspect back towards them, the suspect hit his nose on the the wood frame window that was slid up into the open position. The impact caused a minor laceration on the suspects nose.

I contacted the suspect at Deaconess hospital where he was being treated for the injury to his nose prior to being booked into jail. I advised the suspect I would like to talk to him about the incident that occurred today. The suspect immediately told me that he was beaten by the police on a prior arrest and he did not want to talk to me. It should be noted that the suspect's speech was slurred and his eyes were red and watery. The suspect appeared intoxicated and I did not try to speak to him any further about the incident. Cpl. N. Lundgren photographed the injury to the suspect's nose.

Ofc. Valdez and Ofc. Kernkamp did not believe the victim witnessed the struggle between themselves and the suspect. They also did not believe there were any other witnesses to the incident.

I responded to the victim's apartment in an attempt to contact her. There was no answer at the door to her apartment.

I reviewed both officers reports. I found the injury to the suspect's nose to be consistent with the altercation that was reported. The injury was unintentional and occurred when the suspect resisted being taken into custody. The amount of force used in this incident appeared to be within policy and reasonable under the circumstances.

Approved per Captain Richards, 7/25/2013.

When/where:

Date/time occurred: Jul 01 2013 17:09

Incident location: 1217 Lincoln ST N 6 Spokane WA 99205

Home Address:

#4a

County: Spokane County

Linked files:

Use of force on DV (pdf)

Status/assignment information:

Status: Completed

Opened: Assigned:

Due: 07/01/2013

Completed: 07/25/2013

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 8 - PACT

BlueTeam chain routings

Jul 03, 2013 01:33: Sent from Sergeant Kevin P Keller [636/11917] to Lieutenant Eric S Olsen [255/11040]

Instructions:

Use of force report for review.

Reviewed by Lieutenant Eric S Olsen [255/11040] on Jul 11, 2013 at 21:43

Decision: Approved

Reviewer comment:

The officers feared that #1 would re-enter her residence and place herself in a hazardous situation with Standingrock - who had already assaulted her. The officers had PC to arrest Standingrock for City Assault DV. The officers did not unlawfully enter Standingrock's residence but took control of the parts of Standingrock that he willingly and voluntarily stuck outside his apartment window - as they took control of his arms and brought him outside. Standingrock stuck his nose as he resisted the officers' efforts to accomplish this.

The amount of force used to bring Standingrock into custody was reasonable.

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

Jul 11, 2013 21:43: Sent from Lieutenant Eric S Olsen [255/11040] to Captain David W Richards [119/10779]

Instructions:

For your review.

Reviewed by Captain David W Richards [119/10779] on Jul 19, 2013 at 12:34

Decision: Approved

Reviewer comment:

The officers had genuine and legitimate concern for the victim of the DV assault. The victim was attempting to regain entry into the residence where the suspect was still located which put her in additional danger. Officers had an obligation to protect the victim and take the suspect into custody. When the opportunity presented itself where they could safely and appropriately take the suspect into custody and stop any further contact with the victim, they reacted to control the scene. Officers advised the suspect that he was under arrest and he resisted. During his resistence, he struck his nose on the window frame. Had he not resisted the officers lawful arrest, the injury would not have occurred. The injury was caused by his actions and was not caused by any type of force that the officers used on the suspect. Officers actions were appropriate and justified.

Jul 19, 2013 13:35: Sent from Sergeant David W Singley [480/11607] to Captain David W Richards [119/10779]

Instructions:

Sent back for your review at your request.

Reviewed by Captain David W Richards [119/10779] on Jul 25, 2013 at 14:31

Decision: Approved

Reviewer comment:

Please see my comments

Entered via BlueTeam by: Sergeant Kevin P Keller [636/11917] on Jul 01, 2013 at 18:53

REPORT

		re/Spok	kane	Cour	nty Sher	iff									Page 1
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INCIDENT REPORT CONTINUED

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hitting a female. The male was described as a white male, 30's, 5'5", 150-160 lbs, blond hair. He was wearing a gray tank top and shorts. The male was later identified as Miles Standingrock. The														
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F	s we	arrived on	scene I co	uld see	e th	nat #1	was	s sitt	ina	on the	front poi	rch	of 1217 N	
Monroe. She was very intoxicated and had trouble telling me what had happened #1 said that														

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION

ASSAULT-SIMPLE

INCIDENT NUMBER

13-215931

someone hit her. When I asked #1 who had hit her, she pointed up, indicating an apartment.

#1 stated the male who assaulted her was in apartment #4a I could see the name on apartment #4a mail box was Miles Standingrock. #1 said that she and Standingrock have been living in apartment #4a for the past two months. Neighbors confirmed this and said this is an on going issue with the two of them fighting all of the time. It should also be noted that #1 right cheek underneath her eye was swollen and raised. The raised area was turning purple. Due to her injuries I had developed probable cause to arrest Standingrock for City Assault-DV.

I went up to apartment #4a and knocked on the door. The male inside, Standingrock told me to "fuck off". I announced myself as a Spokane Police Officer. He said to "fuck off" and get a warrant. I told him that I need to speak to him. He came to a window that faced the east and lifted it up. Standingrock knelt down and said that he did not want to speak to me. I continued to ask him about what had happened between him and #1

During this time Ofc Kernkamp came upstairs. While I was talking to Standingrock, he had knelt in front of the window with his forearms hanging on the outer part of the window. He was waiving his arms around outside the apartment window. Ofc Kernkamp was able to grab Standingrock's right arm and I grabbed his left forearm. See Ofc Kernkamp's report for additional information. Standingrock tried to pull back into the apartment. Fearing he was attempting to get away and try to access a weapon I pulled Standingrock toward the window. His face hit the inside of the window.

Ofc Kernkamp and I were able to pull him down below the window and out of the house. I could see that his nose was bleeding as I handcuffed (D/L F/S). During this time #1 came upstairs and tried to move toward Ofc Kernkamp and I as we placed Standingrock under arrest. I pushed her away and told her to not come near us. She obeyed my commands. Medics were called to the scene to look at Standingrock's nose.

I went over to 1216 N Monroe and contacted the original complainant/witness Alexandra Honican. She stated the following. She was at the front desk when #1 came into the business. #1 appeared to be trying to hide from someone. Honican asked her if she was okay. #1 left the business and walked over to the parking lot to the south of 1217 N Monroe. She followed #1 outside and watched from across the street. She observed the male, Standingrock come outside. At first it looked like he was trying to help #1 Standingrock then struck #1 in the face one with his right hand.

Honican went outside and positive identified Standingrock as the male who struck #1 in the face. Based upon her statement and #1 statement I had developed probable cause to arrest Standingrock for city assault-DV. He was taken to get medical treatment for a on his nose and released. After being medically cleared he was transported to the Spokane County Jail and booked for City Assault-DV. #1 was give crime victim card with the incident number at the scene.

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION	ATTEMPTED	INCIDENT NUMBER
ASSAULT-SIMPLE		13-215931

Valdez #882

AGENCY NAME/SUBSTA	TION	EV	IDENCE NUMBE	R	INCIDENT NUMBE				
SPD					13-21593				
REPORT PURPOSE				Mon REPORTE	07/01/2013	TIME 17:17	INCIDENT XREF		
INCIDENT CLASSIFICATION #1 DOMESTIC DSPT-FMLY				ENT CLASSIFIC SAULT-SIN			-	ATTEMPTE	
NCIDENT CLASSIFICAT	10N #3	TTA	EMPTED INCID	ENT CLASSIFIC	CATION #4			ATTEMPTE	
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and her eyes was identified When Ofc V lead yes and lessaulted. S	aldez and I contacted I pointed up to an apar he pointed to her right	#1 we tment wind cheek. I d	asked h dow abo	er if she ve her. I it was s	vn due to h had been a l asked her lightly irrita	er level assaulte where ted and	of intoxicated. She sho she had be I had red m	ion. Sh ok her en arks on	
	her husband had hit h and was unable or unw				her informa	ition. S	she struggle	d to tell	
	had gone upstairs in a ox as Miles Standingroo								

Ofc. Valdez and I determined based on the comments in the call that the witness had observed and statement that PC existed for City Assault DV.

Miles continued to swear at Ofc. Valdez saying "Fuck You I am not coming out." "Get a warrant". The entire time yelling through his front door.

Ofc. Valdez then made contact with him on the side balcony through an open window. Miles was still yelling at him, not cooperating and refusing to let Officers inside to talk to him. His speech was slurred and I could smell the odors of intoxication coming from him as well.

Miles at first was leaning over the outside of the window talking. Then he started yelling again and

ID NOJNAME OF REPORTING OFFICER	DISTRIBUTION		
#862 - Kernkamp, Jay	NRO		
APPROVAL	DATE/TIME		
#592 - Staben, David	07/02/2013	00:40	

Supplemental Report #1

07/02/2013 16:39:50.366

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION	ATTEMPTED	INCIDENT NUMBER
DOMESTIC DSPT-FMLY		13-215931

waiving his arms outside the window. This was a small balcony and there was no room to be physically confrontational with anyone in fear that one or both may place themselves in danger of going over the short railing.

As we were speaking with Miles, #1 had stumbled back up the stairs and was walking inside the apartment. She refused to listen to my orders for her to stop as I did not want her to get assaulted any more. As she was at the door, and Miles was waiving his arms around outside the window I took left arm control and started guiding Miles out of the window. Ofc. Valdez assisted. I told Miles he was under arrest and to stop resisting. He immediately started to pull back into the apartment trying to pull Officers in by bracing himself up against the wall.

I feared that if Miles was not arrested tonight he would continued to fight and assault tonight and I did not want her to get hurt any further than she have already been.

To ensure I maintained control, I pulled slightly harder to counteract Miles efforts. As he was coming out the window he pulled back and arched his head back, pulling against us. Due to his resistive behavior and lack cooperation he skinned his nose on the double hung wood frame windows, creating an alvusion on his nose which started to bleed.

Miles was guided out of the window onto ground and handcuffed (DL). As I was escorting him down the stairs he tried pushing back on me and telling me to push him down the stairs so he could sue me. Miles was safely guided down the stairs where AMR advised he needed to transported to Deaconess.

At Deaconess ER staff determined his nose had scraped some skin off, however there were no broken bones or permanent injuries. He was cleared for jail booking.

Miles was transported to SCJ and booked for City Assault DV. Cpl. Lundgren photographed his injuries.

AMR staff advised that yesterday #1 was in their office hiding from Miles, saying his was being drunk and mean.

Neighbors in the complex informed me that the two were always fighting and arguing and they were tired of the way Miles treats #1

Initially Miles was extremely confrontational and demanded to speak to his attorney he sat in the ER. He later started to sober up and told me as we walked out of the ER, "I guess I need to start treating her better." This statement was made completely voluntarily and unsolicited.

See Ofc. Valdez's report.

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION DOMESTIC DSPT-FMLY

ATTEMPTED INCIDENT NUMBER 13-215931

Sgt. Keller was advised of the call.

J. Kernkamp #862 B335

Incident History for: #SP130215931

Received	07/01/13	17:05:32	BY	91103	911195
Entered	07/01/13	17:07:34	BY	91103	911195
Dispatched	07/01/13	17:09:33	BY	PCC01	455
Enroute	07/01/13	17:09:33			
Onscene	07/01/13	17:17:27			
Closed	07/01/13	19-32-45			

Initial Type: ASLT Final Type: ASLT (ASSAULT)
Initial Priority: 2 Final Priority: 2
Disposition: 1E Source: 9 Primary Unit: L224
Police BLK: SPA2EG

Group: P2 Beat: Map Page: 32
Loc: 1217 N LINCOLN ST ,SPK -- WESTWOOD APTS btwn W BOONE AV & W SHARP AV (V)
Loc Info: #UNK

	o: #UNE ONICAN,		EXANDRA Y	Ac	ddr: #4a Phone: #4a
/170734	(91119	95)	ENTRY		INTOX OR HIGH FEMALE CAME INTO BUSINESS 3 AGO. LOOKED LIKE SHE WAS TRYING TO GET AWAY FROM S OMEONE. SHE SAID SHE DIDNT WANT HELP. WHEN FEM ALE WENT OUTS IDE SHE WAS WITH A MALE. MALE HI T FEMALE IN THE HEAD. UNK MEDICS, NO WEAPONS
/170738 /170807			SUPP SUPP		TXT: SEEN. FIRE NOT ADV. TXT: FEMALE SAID SHE WAS IN AN UPPER FLOOR APA RTMENT, COMP NOTICED MALE COME O UT OF THE LEF T ENTRANCE.
/170819 /170901	(455 (91119)	HOLD SUPP		TXT: FEMALE CURRENTLY IN THE PLOT OF APARTMENT COMPLEX: I/F, 35-40YO, 504/140, DARK BRO HAIR, WEARING: BLU FLORAL TANK TOP, DENIM SKIRT, TENNIS SHOES
/170933	(455)	DISPER	B335	#862 KERNKAMP, JAY #882 VALDEZ, ADAM
/170941	(91119	5)	SUPP		TXT: MALE MAY BE INSIDE NOW: W/M, 30S, 505/150 -160, BLN HAIR, WEARING: GRY TANK TOP, SHORTS
/171024			CHANGE		NAM: FEMALE> HONICAN, ALEXANDRA Y, TXT: COMPS DOB: 052990. ###
/171149 /171211	(862)	*REMINQ	B335 B335	#3b
/171727 /172100	(802)	*ONSCNE REMINQ	B335 B335	
· Security that the section is the	(802)			#3a
/172100	(802)	REMINQ	B335	#3a
/172100	(802)	REMINQ REMINQ	B335 B335	T/PCC02
/172100 /172111 /172302			REMINQ REMINQ REMINQ	B335 B335 B335	T/PCCO2 ,MALE BLEEDING FROM NOSE, HIGHLY INTOX T/PCCO2
/172100 /172111 /172302 /172438			REMINQ REMINQ REMINQ EMSREQ CALLBK	B335 B335 B335 B335	T/PCCO2 ,MALE BLEEDING FROM NOSE, HIGHLY INTOX
/172100 /172111 /172302 /172438 /172605	(455)	REMINQ REMINQ REMINQ EMSREQ CALLBK CALLBK	B335 B335 B335 B335 B335 B335	T/PCCO2 ,MALE BLEEDING FROM NOSE, HIGHLY INTOX T/PCCO2 ,CALL COMP , WHERE IS SHE FOR CONTACT T/PCCO1 ,COMP IS AT WORK 1206 N LINC "MILESTONE", IS A T FRONT DESK IF OFFICERS NEED TO CONTACT HER (SHE CAN'T LEAVE) ,FIRE CANCELLED, AMR IS HERE
/172100 /172111 /172302 /172438 /172605 /172707	(455)	REMINQ REMINQ REMINQ EMSREQ CALLBK CALLBK	B335 B335 B335 B335 B335 B335	T/PCCO2 ,MALE BLEEDING FROM NOSE, HIGHLY INTOX T/PCCO2 ,CALL COMP , WHERE IS SHE FOR CONTACT T/PCCO1 ,COMP IS AT WORK 1206 N LINC "MILESTONE", IS A T FRONT DESK IF OFFICERS NEED TO CONTACT HER (SHE CAN'T LEAVE)

	2.5				#636 KELLER, KEVIN
	/174317		*MISC	L224	, BY PHONE
	/174649	(862) *TRANSC	B335	M/1.3
	/175702	(636) *CHGLOC	L224	[DEAC]
	/175743	(669) *ASSTOS	P319	[DMC]
					#669 LUNDGREN, NICHOLAS J
	/175847	(636) *ONSCNE	L224	
	/180425	(1069) OK	B335	
	/180425		OK	L224	
*	/180425		OK	P319	
	/180718	(862) *REMINQ	B335	
					#3a
	/180743		*REMINQ	B335	# 5a
	/181701	(669) *CLEAR	P319	, PSTAT/ASST PICTURES
	/183434	(636) *CHGLOC	L224	[1217 N LINCOLN #6]
	/183945		*ONSCNE	L224	
	/185211		*CHGLOC	L224	[ARENA/PAPER]
	/185213		*ONSCNE	L224	
	/191626	(591193) REMINQ	B335	#3a
					n Sa
	/192531	(862) *MISC	B335	, PSTAT/CFS PSTAT/RPT PSTAT/MISD
	/192800		*CLEAR	B335	DSP: 1E
					, PSTAT/CFS PSTAT/MISD
	/193245	(636) *CLEAR	L224	, PSTAT/ASST UOF COMPLETED, NOBODY AROUND ON LI
					NCOLN
	/193245		CLOSE	L224	