



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) Other

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



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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.

Use of force **IA No: F13-065** **Received: Aug 02, 2013**

Incident No: 13-255974

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

Reason for use-of-force: Threat to harm others

Officer assessment of citizen condition: Mentally unstable

Citizen was injured: No

Citizen was taken to hospital: No

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

Officer was taken to hospital: No

Distance Officer was from Involved Citizen: 4 feet to 6 feet

Involved Citizen Build: Small

Involved Citizen Height: 5'4" to 5'6"

Involved citizen:

Tiffany R Swofford

Resistance(s):

Active Resistance

Linked address(s):

Home Address: [REDACTED] #4a

Linked phone(s):

cell phone: [REDACTED] #4a

Darek L Swofford

Resistance(s):

Active Resistance

Linked address(s):

Home Address: [REDACTED] #4a

Linked phone(s):

Cell Phone: [REDACTED] #4a

Officers involved:

PFC Ronald G Tilley [369/]

Officer current info:

Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol

Snapshot - officer information at time of incident:

Badge/ID no: 369
Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol
Not Used: Team 5 - Swing - S
Rank/title: PFC
Age: 52 Years of employment: 19 Years with unit:
Off duty: Off duty employed:

Use(s) Of Force:

Verbal/Other: Effective

Officer witnesses:

Sergeant Anthony G Giannetto [013/10572]

Officer current info:

Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol

SPO Michael J Russo [781/]

Officer current info:

Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol

SPO Daniel Strassenberg [667/]

Officer current info:

Bureau: Operations
Unit: Uniform Operations
Assignment: NRO

Mr Robert D Chiappe [495/]

Officer current info:

Bureau: Operations Support
Unit: Administrative Services
Assignment: Abandoned Auto

Summary:

Officer Tilley responded to a domestic violence call where a male was seen pulling a female back into the residence. Tow 10 Robert Chiappe was the complainant. Chiappe was at the residence to mark an abandoned vehicle. A citizen contacted him and told Chiappe that a male had pulled a female back into the residence. Chiappe could hear a female and a male yelling from inside the residence.

Officer Tilley knocked several times on the door and announced we were the police. There was no response. Officer Strassenberg, Officer Russo, and Sgt. Giannetto arrived as back up. I observed on the windows of the residence was a Glock G4 poster. Above the front door was a

security camera. On a window on the east side of the residence was a picture of a Pit Bull. I could hear what sounded like a larger dog barking when we knocked on the door.

We continued knocking on the door announcing we were the police and to come to the door. There was only the sound of the dog barking from the inside of the residence. Based on the witness statement of seeing the female pulled back into the residence by a male, yelling and screaming could be heard from the inside prior to the police arriving on scene, a Glock poster on the window, pictures of a pit bull on a window, and the people inside the residence being unresponsive to our attempts to contact them exigent circumstances existed to check on the welfare of the parties inside the residence.

The door opens to the outside and we observed the dead bolt was not thrown. When units were in position, Sgt. Giannetto opened the door outwards towards him. Officer Tilley drew his weapon and held it at the low ready position. As the door opened Officer Tilley could see a woman crouching down holding the two dogs. One of the dogs was a pit bull mix. Officer Tilley pointed his weapon towards the female. Officer Tilley's trigger finger was indexed along the side of the weapon. He ordered the female several times to show her hands while announcing we were the police. The female, Tiffany Swofford, continued to yell at use. Officer Tilley also was able to see a male subject walking towards the door from a back room. Officer Tilley was able to determine the female hands were clear. Officer Tilley then pointed his gun down towards the feet of the male subject, Darek Swofford. Once Officer Tilley saw the male hands were cleared Officer Tilley lowered his weapon.

Both the male and female were removed from the residence. The residence was checked and no one else was in the residence.

Officer Tilley was justified in drawing his weapon and pointing it towards Darek Swofford and Tiffany Swofford until he determined their hands were clear of any weapon. Exigent circumstances existed to make entry. It was unknown who was in the residence and we had the possible victim of a domestic violence. There was a poster on the window of a Glock G4 indicating a high likely probability persons inside the residence were armed or had access to weapons.

Approved per Captain Richards, 8/2/2013.

When/where:

Date/time occurred: Aug 01 2013 11:19

Incident location: 1729 Sprague AV E B Spokane WA 99202

Home Address:

Home Address: [REDACTED] #4a

County: Spokane County

Linked files:

CAD and Reports on incident (tif)

Status/assignment information:

Status: Completed

Opened: Assigned: Due: 08/02/2013 Completed: 08/02/2013

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 5 - Swing - S

BlueTeam chain routings

Aug 02, 2013 10:38: Sent from Sergeant Anthony G Giannetto [013/10572] to Lieutenant Rex J Olson [1096/10400]

Instructions:

Use of force for chain of command review.

Reviewed by Lieutenant Rex J Olson [1096/10400] on Aug 02, 2013 at 13:12

Decision: Approved

Reviewer comment:

Officer Tilley's use of his firearm in this situation was proper based on the information he had. As noted by Sgt. Giannetto in regards to this reported and witnessed DV, the individuals were not cooperating by answering the door. There were signs in the windows indicating possible weapons and pitbulls inside, and officers heard dogs barking inside when they were knocking on the door. Officer Tilley pointed his firearm with his finger indexed when first observing the female crouched down holding the dogs. When he was able to determine she was not armed, he then pointed his firearm towards the feet of a male who walked into the room. The male was walking toward the open door. Once he determined the male was not armed he lowered his firearm. Officer Tilley's use of his firearm was proper for officer safety and within policy.

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

Aug 02, 2013 13:12: Sent from Lieutenant Rex J Olson [1096/10400] to Captain David W Richards [119/10779]

Instructions:

The use of force by Officer Tilley in this DV was within policy and demonstrated good officer safety. There was a potential for weapons to be inside the residence with non cooperating individuals. Dogs could also be heard inside the residence. Due to the exigency created by the non cooperating individuals, the officers had to resort to more extreme tactics to resolve this situation.

Reviewed by Captain David W Richards [119/10779] on Aug 02, 2013 at 14:37

Decision: Approved

Reviewer comment:

Officer Tilley's decision to draw his firearm and his subsequent actions were appropriate and prudent considering the totality of the circumstances and the information that the officers on scene had available to them at that time. His actions were within policy.

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

**Entered via BlueTeam by: Sergeant Anthony G Giannetto
[013/10572] on Aug 02, 2013 at 09:22**

08/02/13 09:24:33 PRINT REQUESTED BY TERMINAL PPTN01
Incident History for: #SP130255974

Entered 08/01/13 11:17:29 BY PCC03 159
Dispatched 08/01/13 11:17:47 BY PCC03 159
Enroute 08/01/13 11:17:51
Onscene 08/01/13 11:19:53
Closed 08/01/13 13:48:33

Initial Type: DV Final Type: ARGUE (ARGUMENT)
Initial Priority: 2 Final Priority: 2
Disposition: 1A Source: V Primary Unit: E176
Police BLK: SPC5EC
Group: P5 Beat: Map Page: 33
Loc: 1729 E SPRAGUE AV ,SPK btwn N MADELIA ST & N PITTSBURG ST <000> (V)
Name: T10 Addr: Phone:

/111729 (159) ENTRY DV OCCURRING
/111747 DISP E176 #369 TILLEY, RONALD G
/111751 (369) *ENROUT E176
/111810 (159) ASST L223 #013 GIANNETTO, ANTHONY
/111819 (013) *ENROUT L223
/111829 (159) ASST D281 #781 RUSSO, MICHAEL
/111831 (781) *ENROUT D281
/111900 (159) MISC ,MALE DRUG A FEMALE BACK INTO THE PLACE, HEARI
NG YELLING

/111953 ONSCNE E176
/112334 ONSCNE L223
/112518 ASSTER C258 [N PITTSBURG ST/E SPRAGUE AV ,SPK]
#667 STRASSENBERG, DANIEL

/112608 ONSCNE D281
/112721 CHANGE LOC: N PITTSBURG ST/E SPRAGUE AV ,SPK --> 1729
E SPRAGUE
/112725 CHANGE LOC: 1729 E SPRAGUE --> 1729 E SPRAGUE AV ,SP
K

/113311 ONSCNE C258
/113748 REMINQ C258

/113811 (218) REMINQ L223 #3a

/115104 (667) *REMINQ C258
/115119 *REMINQ C258
/115130 *REMINQ C258 #3b
/115140 (013) *CLEAR L223 ,PSTAT/ASST PSTAT/RPT
/115143 (781) *CHGLOC D281 [EC]
/115146 *ONSCNE D281
/115150 (369) *CHGLOC E176 [LOGAN, PAPER]
/115155 (667) *REMINQ C258 #3b
/115303 (159) OK D281
/115727 (369) *ONSCNE E176
/115737 (159) OK E176
/120838 (667) *MISC C258 ,SWOFFORD VERY AGITATED. SCREAMING ON INITIAL
CONTACT.

/120842 *MISC C258 ,PSTAT/ASST PSTAT/CC
/120844 *CLEAR C258
/121202 (781) *CHGLOC D281 [PAPER CAR]
/123005 (369) *REMINQ E176 #3a

/125133 (781) *MISC D281 ,PSTAT/ASST PSTAT/RPT
/125138 *CLEAR D281

/134833 (369) *CLEAR E176 TYP: DV --> ARGUE
RSP: PP --> PP
DSP: 1A
,PSTAT/CFS PSTAT/RPT
/134833 CLOSE E176

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 13-255974	
INCIDENT TYPE Information		INCIDENT CLASSIFICATION #1 ARGUMENT		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #2 DOMESTIC DSPT-FMLY		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>	
RESPONDING TO (Officer Assault)				ASSIGNMENT (Officer Assault)	
REPORTED ON Thu 08/01/2013 11:17	DATE/TIME	OCURRED ON Thu 08/01/2013 11:17	DATE/TIME	OCURRED TO Thu 08/01/2013 11:19	DISTRICT
DISPATCH TIME 11:17	ARRIVED TIME 11:19	CLEARED TIME	REPORT DATE 08/01/2013	REPORT TIME 12:22	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE					UCR/NIBRS CODE
LOCATION OF INCIDENT 1729 E Sprague #B, Spokane, WA 99202				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS None					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS Ofc Russo					
SUSPECTS					
CODE S-1	NAME: LAST, FIRST, MIDDLE SWOFFORD, Darek L			SEX M	RACE/ETHNICITY W-White
HEIGHT 5'06"	WEIGHT 132	BUILD Light	HAIR Brown	EYES Hazel	DATE OF BIRTH/AGE #4b 23
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY, STATE ZIP #4a			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES #4a					
DRIVER'S LICENSE <input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE	OTHER ID #4d		
VICTIM/WITNESSES/OTHERS					
CODE C-1	NAME: LAST, FIRST, MIDDLE Robert Chiappe, D			SEX M	RACE/ETHNICITY W-White
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE #4b 48
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1100 W Mallon, Spokane, WA 99260			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Work) 625-4122					

ID NO./NAME OF REPORTING OFFICER #369 - Tilley, Ronald	DISTRIBUTION
APPROVAL #309 - Hartman, Jason	DATE/TIME 08/01/2013 18:25

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 13-255974	
REPORT PURPOSE			REPORTED ON DATE Thu 08/01/2013	TIME 11:17	INCIDENT XREF
INCIDENT CLASSIFICATION #1 ARGUMENT		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME		REPORT DATE 08/01/2013	REPORT TIME 12:25
PRIMARY CHARGE					UCR/NIBRS CODE
<small>V-Victim - Individual; RU-Runaway; S-Suspect; RO-Registered Owner; VA-Victim - Business; OW-Owner of Property; D-Driver; G-Legal Guardian; PC-Police Officer; CY-Civil; PS-Passenger; PE-Pedestrian; O-Other; C-Complainant; MR-Person Mentioned; M-Misc; I-Institutional; CV-Companion or Victim; CDN-Contact; W-Witness</small>					
CODE CON-1	NAME: LAST, FIRST, MIDDLE SWOFFORD, TIFFANY R			SEX F	RACE/ETHNICITY W-White
				DATE OF BIRTH/AGE #4b 24	
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP #4a			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES #4a					

NARRATIVE

On 080113 at approx 1119 hours I responded to 1729 E Sprague apt B reference a report of a domestic violence incident. While en-route T10 (Chiappe,Robert) from traffic enforcement was in the area. He advised he could hear a domestic violence incident going on at the location. A citizen had advised that a male had just dragged a female into the location. Chiappe advised he could still hear yelling.

When I arrived on-scene Ofc Tilley advised he attempted contact but nobody answered the door. Ofc Tilley continued to knock with no success. I could hear several large dogs barking inside the location. On a side window I observed a poster of a Glock gen-4 style firearm. Based on Chiappe's observation/information and a citizen account of a male grabbing a female by the throat at the location, there was an exigent circumstance to enter the location and check on the welfare.

The front door was unlocked. Ofc Tilley opened the front door. When the door came open there was a very animated and agitated female standing right in the door way. The female was yelling and screaming. It appeared the female had been crying. Several dogs were barking continuously. We had to direct the female out of the residence several times before she exited. There was a male standing inside the living room. The male exited with out incident. When the male and female were secured Ofc Tilley and I entered the residence. We cleared the residence, we did not locate any other person at the location.

I exited the residence and contacted the female. The female (Swofford, Tiffany) was still very agitated and continued to yell. At one point she was yelling at a neighbors window about how she

ID NO./NAME OF REPORTING OFFICER #781 - Russo, Michael	DISTRIBUTION	
APPROVAL #309 - Hartman, Jason	DATE/TIME 08/01/2013 18:24	

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION ARGUMENT	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 13-255974
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does not call the police when they argue. She said she does not like police, does not deal with police and does not call police. She figured if she did not answer the door for the police they would just leave. I explained to Tiffany the facts and circumstances of the incident as we knew it and how we were unable to walk away from this particular situation. She advised she argued with her husband (Darek) because another male that she does not care for was at the location earlier. She said she did throw some of her belongings around. Tiffany denied any sort of physical altercation at the location. She explained she is bi-polar and suffers from PTSD. She has a tendency to get a little out of control when she gets angry. Darek was only trying to calm her down. It should be noted I did not observe any injury on Tiffany.

See Ofc Tilley's report for more information.

Ofc M Russo #781

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ARGUMENT		ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 13-255974	
CODE W-1	NAME: LAST, FIRST, MIDDLE Tolliver, Michael B		SEX	RACE/ETHNICITY
HEIGHT	WEIGHT	BUILD	HAIR	EYES
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP #4a		RESIDENTIAL STATUS	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE
NARRATIVE				

On 08-01-13 at 1117 hours, I went to 1729 E Sprague on the report of a D/V. Chiappe, (comp), is one of SPD Impound Officers. He had pulled up on Pittsburg just North of Sprague. He could hear a Male and Female yelling. It was coming from #B. He was then contacted by Tolliver, (wit), who told him that he had seen a Female come out the door of #B. Then a Male grabbed her and pulled her back into the apartment.

When I arrived, I briefly spoke to Tolliver. He stated he saw a Male pull a Female back into #B by the neck. Then he heard yelling and screaming coming from inside. Chiappe then told me when he pulled up, he heard a Male and Female yelling. It was coming from inside #B. He had remained out in front of the apartment. He had not seen anyone come out.

As I approached the apartment, I could see a Glock G4 poster in the window facing South. There was a security camera mounted just above the Door. There was a printed picture of a Pit Bull in the window on the East side. There was only one door into the building. It is a small cottage. There were three steps leading up to the door. There is a Chain link fence that surround these cottages. The fence is only a few feet away from the steps. The door opens out.

I listened just outside the cottage. I could not hear anyone inside. I knocked and a dog started barking right at the door. No one answered. I knocked several more times and announced Police several times. No one answered.

Sgt Giannetto arrived. I advised him of the information I had been given. I told him I wanted to make entry if no one would answer to check the welfare of the female. We waited for two more Officers to arrive. While waiting, I continued to knock and announce. No response. I could hear a women's voice a couple of times but it was quiet. When Ofc's Russo and Strassenberg arrived, I knocked and announced one more time. We then made a plan, Sgt Giannetto was to pull open the door towards him. Then I was to go in with Ofc Russo right behind me.

Prior to Sgt Giannetto opening the door, I drew my weapon and held it at a low ready position. Because I was unsure if the dog was going to come out or what we would encounter. When Sgt Giannetto opened the door there was a female crouched just inside the door holding two dogs. I pointed my weapon at her my trigger finger was indexed along the side of the weapon, announced Police, show me your hands. She was screaming at us. Then from a dark back room a Male started coming towards the door. I saw that the females hands were clear, I pointed my flashlight at the male and my gun at his feet. Once I saw that his hands were clear, I lowered my weapon and directed both of them out of the house. The female continued to scream at us. Ofc Russo and I went into the house to ensure there was no one else in the house. No one found.

Sgt Giannetto initially spoke to the male who identified himself as: Swofford. I then spoke to

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ARGUMENT	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 13-255974
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him and told him of the witness statement. Swofford stated the following: He and Tiffany have been married for four years. They have one child in common who was not there. They were arguing but there was nothing physical. He did not pull her back into the apartment. She had tried to keep him from leaving.

Ofc Russo spoke to Tiffany. She denied being assaulted. She stated they had been arguing and she was breaking her own things inside the apartment. See his additional.

I did not see any injuries on Tiffany's neck. Both parties stated no assault had occurred. Both stated they were going to stay at the apartment after we left.

R. Tilley #369