



SPOKANE POLICE DEPARTMENT

FRANK STRAUB, JR.
CHIEF OF POLICE



**Internal Affairs
Exemption Log**

Number	Material Withheld	Brief Explanation of Why Material Withheld	Legal / Statutory Basis
Witness Exemptions			
#1a	Name / Identity of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1b	Date of birth of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1c	Personal home, work or cell phone number of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1d	Residential address of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1e	E-mail address of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
Juvenile Information			
#2a	Names of Juveniles who are in the Juvenile court system	Redacted to protect the personal information of a juvenile in the court system. May not be released to the public except by court order.	RCW 13.50.050 (Juvenile Courts and Juvenile Offenders) and RCW 13.50.100 (4) (a) and (b) (Keeping and Release of Records by Juvenile Justice or Care Agencies). <i>Deer v. DSHS</i> , 122 Wn.App. 84, 94 (2004)
#2b	Records relating to commission of Juvenile	Redacted to protect the personal information of a juvenile in the court	RCW 13.50.050 (Juvenile Courts and Juvenile

	offenses.	system. May not be released to the public except by court order.	Offenders) and RCW 13.50.100 (4) (a) and (b) (Keeping and Release of Records by Juvenile Justice or Care Agencies). <i>Deer v. DSHS</i> , 122 Wn.App. 84, 94 (2004)
#2c	Child Victim of Sexual Assault	This redaction protects information revealing the identity (name, address, location, or photograph) of child victims of sexual assault who are under age eighteen.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
#2d	Child victims or child witnesses	Information re a child witness / victim is protected to assure the rights under law: to not have name, address, nor photograph disclosed by any law enforcement agency w/o permission of the child or parents/guardians.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
ACCESS Database Info			
#3a	Information from WACIC/NCIC (ACCESS): <u>Criminal history information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3b	Information from WACIC/NCIC (ACCESS): <u>License Plate Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3c	Information from WACIC/NCIC (ACCESS): <u>Vehicle Registered owner information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3d	Information from WACIC/NCIC (ACCESS): <u>Wanted persons information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3e	Information from WACIC/NCIC (ACCESS): <u>Officer safety information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to

		to criminal justice agencies; audited by the FBI and the WSP.	cancellation for failure to comply with use provisions of part C.
#3f	Information from WACIC/NCIC (ACCESS): <u>Gun information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3g	Information from WACIC/NCIC (ACCESS): <u>DOL Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3h	Information from WACIC/NCIC (ACCESS): <u>Stolen Vehicle Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3i	Information from WACIC/NCIC (ACCESS): <u>Missing Persons Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3j	Information from WACIC/NCIC (ACCESS): <u>Runaways or endangered persons</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3k	WACIC/NCIC (ACCESS): <u>DOC Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
Personal Identifiers and Financial Info			
#4a	Social Security Number	This information constitutes personal identifying information unique to the holder and which, if obtained by the public could be abused or lead to identity theft.	RCW 42.56.050 (Invasion of privacy), RCW 42.56.230 (Personal information), 42.56.250(3)(8) (Employment and

			licensing), 42.56.210(1) (Certain personal and other records exempt), 42 USC § 405(c)(2)(viii)(I) (Limits on Use and Disclosure of Social Security Numbers)
#4b	Driver's License or Identocard	This information constitutes personal identifying information unique to the holder and which, if obtained by the public could be abused or lead to identity theft.	18 USC § 2721 (Prohibition On Release And Use Of Certain Personal Information From State Motor Vehicle Records); RCW 42.56.050 (Invasion of privacy), RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#4c	Credit/Debit Card Numbers	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4d	Electronic Check/Check Numbers	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4e	Card Expiration Dates	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4f	Bank Account Number	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4g	Financial Institution Account Number	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
Employees Files			
#5a	Photos of Spokane Police Department or other criminal justice employees	Photographs in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030 are protected from disclosure for their safety and privacy.	RCW 42.56.250(8) (Employment and licensing)
#5b	Birthdates of criminal justice employees	Birthdates in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030 are protected from disclosure for their safety and privacy.	RCW 42.56.250(8) (Employment and licensing)

#5c	Personal Information in employee files	Personal information in files maintained for employees, appointees, or elected officials of any public agency is protected to the extent that disclosure would violate their right to privacy.	RCW 42.56.230(3) (Personal information), RCW 42.56.250(3) (Employment and licensing)
Criminal History			
#6a	Criminal history <u>not</u> from ACCESS- Non-Conviction Data	Criminal history which has not led to a conviction or other adverse disposition is protected by state law and only released to Criminal Justice Agencies for law enforcement purposes.	RCW 10.97 (Criminal Procedure)
Officer Safety or Intelligence			
#7a	Intelligence, sensitive security, or tactical information	Record includes sensitive intelligence, security or tactical information the non-disclosure of which is essential to effective law enforcement.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7b	Undercover Officer identification	Contains information which could reveal the identity of an undercover officer, who undertakes ongoing dangerous / confidential undertakings to effect law enforcement purposes. Protected to preserve the life and personal safety of officer and family.	RCW 42.56.240(1) Specific intelligence information the nondisclosure of which is essential to effective law enforcement.
#7c	ID Records revealing covert law enforcement activity	Any record pertaining to a vehicle license plate, driver's license, or identocard revealing the identity of an individual performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigative activity.	RCW 42.56.230(7)(c) (Personal Information)
#7d	Law Enforcement Information Sheet	Contains confidential data used for law enforcement purposes. Disclosure has no legitimate value to the public and can endanger an individual's safety. Contains specific intelligence information the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7e	Confidential Informant information	Contains identifying information which could reveal the identity of a confidential informant. Considered intelligence information, used in a confidential manner for law enforcement purposes, protected to preserve the life and personal safety of the informant and family. Specific intelligence information	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims). Ashley v. Public Disclosure <i>Comm'n</i> , 16 <i>Wn.App.</i> 830, 836 (1977).

		compiled by law enforcement, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	
Photos			
#8a	Photos showing a deceased person	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8b	Photos showing highly sensitive material	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8c	Photo Montages	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
Protected by Law			
#9	Medical Records	Medical records consist of confidential and privileged information highly personal and restricted. The disclosure of medical records is regulated by state and federal law and not public information. Right to Privacy: Disclosure would be highly offensive to a reasonable person.	RCW 42.56.360 (Health care), 70.02.005 (Findings) and HIPPA (45 CFR 164.502). RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#10a	Jail records	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as this information is only available to criminal justice agencies as defined in RCW 43.43.705.	RCW 70.48.100 (Jail register)
#10b	Jail booking photos	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as this information is only available to criminal justice agencies as defined	RCW 70.48.100 (Jail register)

		in RCW 43.43.705.	
#11	Autopsies, postmortems	Reports and records of autopsies or postmortems are confidential and exempt from public disclosure, but certain officials with authority to examine and obtain copies of such reports may access.	RCW 68.50.105 (Autopsies, postmortems – Reports and records confidential)
#12	Confidential Attorney Client Communications	This redaction protects confidential communications between an attorney and his/her client.	RCW 5.60.060(2)(a) (Privileged communications) <i>Hangartner v. Seattle</i> , 151 Wn.2d 439 (2004).
#13a	<u>Name/Identity</u> of accused police officers	This redaction protects names/identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13b	<u>Date of birth</u> of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13c	<u>Personal work, home, or cell phone number</u> of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13d	<u>Residential address</u> of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13e	<u>E-mail address</u> of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#14	Information concerning Mental Health Services	This redaction contains confidential information concerning services to either voluntary or involuntary recipients of mental health services. Such information, if disclosed, would invade an individual's privacy and possibly cause unintended consequences for that individual.	RCW 71.05.390 (Confidential information and records)

Use of force IA No: F13-099 Received: Sep 15, 2013

Incident No: 13-311776

Type of service being performed at time of incident: Assist Other Agency

Reason for use-of-force: Fleeing (Felony)

Officer assessment of citizen condition: Unknown

Citizen was injured: Yes

Citizen was taken to hospital: No

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:

Involved Citizen Build: Medium

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

Involved citizen:

Jose Migael Ayala Talavera

Resistance(s):

Active Resistance

Injuries/conditions:

Injured During Incident

Charges against citizen in relation to the incident:

Arrest - Felony

Marcos Solano Farias

Resistance(s):

Active Resistance

Injuries/conditions:

Injured During Incident

Charges against citizen in relation to the incident:

Arrest - Felony

Officers involved:

SPO Craig D Hamilton [713/]

Officer current info:

Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol

Snapshot - officer information at time of incident:

Badge/ID no: 713
Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol
Not Used: K-9
Rank/title: SPO
Age: 38 Years of employment: 11 Years with unit:
Off duty: Off duty employed:

Use(s) Of Force:

K-9 Deployment: Effective

Summary:

See attached K-9 Contact Report, Incident Report, and US DOJ News Release. Location of incident was in the Rabbit Creek area of Boise County, Idaho.

In Compliance with Policy per Captain Richards, 9/25/2013

When/where:

Date/time occurred: Sep 11 2013 08:00

Linked files:

13-311776 K-9 Contact Report (Solano) (doc)
13-311776 K-9 Contact Report (Talavera) (doc)
13-311776 Incident Report (pdf)
13-311776 DOJ News Release (pdf)

Status/assignment information:

Status: Completed

Opened: Assigned: Due: Completed: 09/25/2013

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: K-9

BlueTeam chain routings

Sep 21, 2013 15:38: Sent from Sergeant Troy D Teigen [329/11275] to Lieutenant Dean E Sprague [093/10712]

Instructions:

K-9 Contact. I tried to Cc Muramatsu but the menu does not recognize her name.

Reviewed by Lieutenant Dean E Sprague [093/10712] on Sep 21, 2013 at 21:09

Decision: Approved

Reviewer comment:

This report involves two separate K9 contacts stemming from the same investigation and incident. Two suspects wanted for felonies and with access to firearms ran from a multi-agency task force attempting to arrest them for felonies. K9 Ofc. Hamilton allowed the first suspect (Solano) to run from the camp, then deployed K9 Leonidas when a second suspect (Talavera) also ran. Talavera sustained minor injuries consistent with a running takedown. K9 Ofc. Hamilton then tracked the first suspect (Solano) and K9 Leonidas was able to locate and contact him hiding in heavy underbrush, also with minor injuries. Both contacts were within case law, SPD policy and use of force guidelines, and were excellent and effective applications.

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

Sep 21, 2013 21:09: Sent from Lieutenant Dean E Sprague [093/10712] to Captain David W Richards [119/10779]

Instructions:

forward through patrol chain of command.

Reviewed by Captain David W Richards [119/10779] on Sep 25, 2013 at 13:42

Decision: Approved

Reviewer comment:

The two uses of the K9 and subsequent contacts with the two arrestees were within policy and appropriate.

Entered via BlueTeam by: Sergeant Troy D Teigen [329/11275] on Sep 20, 2013 at 15:26

Canine Contact Administrative Report

This report shall be completed whenever there is injury resulting from a Spokane Police Canine.

Use of Force Contact:	X	Training Contact:	
SPD Contact:		Other Contact:	

Crime: (Federal) Manufacturing Drugs and Unlawful Weapons	Report Number: 13-311776
Location of Incident: US National Forest in Boise County, ID	Date & Time: 09-11-13 @ about 0830 hours
Person: Jose Migaél Ayala Talavera	DOB: 02-12-94
Address: Michoacan, Mexico	Phone: N/A
Officer Involved: Hamilton 713	Canine: Leonidas
Witness: WSP Trooper Lutz	

INCIDENT DESCRIPTION:

Type of Application: Running apprehension
<p>Original Call: Ofc. Hamilton and K-9 Leonidas were working with DEA and the Washington State Patrol's Cannabis Eradication Team, which was assisting several federal and local agencies in Boise County, ID. The agencies involved were the US Drug Enforcement Administration, US Forest Service, US Department of Interior Bureau of Land Management, and the Boise County Sheriff's Department. There was a large illegal outdoor marijuana grow in the national forest. The suspect's were believed to be camping near the grow and were seen on photo and/or video armed with a SKS/AK-47 high powered rifle. It was believed there were several suspect growers.</p>
<p>Suspect Actions: Ofc. Hamilton's team located the camp site a short distance away from the grow. Ofc. Hamilton made several announcements after seeing movement inside the camp site. The suspect, Talavera, was the second suspect to take off running. Due too the high level of danger and the weaponry the suspect's possessed, Ofc. Hamilton let the first suspect go but couldn't let all of them flee into the wooded area to escape capture.</p>
<p>Est. Time & Distance of Contact (if known): Less than 20 seconds and approximately 30 yards from Ofc. Hamilton.</p>
<p>Officer Safety Concerns/ Why was Canine used: There was probable cause to arrest these suspects for the federal charges of manufacturing and cultivation of marijuana, which is a felony. There was also probable cause for federal weapon's charges, which also were related to the marijuana grow. The suspect was actively fleeing and resisting arrest by trying to escape on foot. The suspect's posed an immediate threat to the officer's on scene. They were armed with at least one high powered rifle and most likely other firearms. It was unknown what their intentions were. The suspect's most likely knew the area much better then the officer's and it was heavily wooded with lots of underbrush, which provided countless places to hide and or set up possible ambush sites. It was much safer for the suspect and the officer's for Leo to capture the suspect before he got out of sight.</p>

The Spokane Police Department assumes no liability for improper or incorrect use of materials or information contained within this report. This document and the information contained herein is strictly a tool used for internal administrative tracking purposes only.

INJURY DESCRIPTION:**Injury:**

The suspect's injuries were minor and consisted of some raking on his left shin and calf, some rakes under his left knee, and some rakes on his left bicep and tricep. These injuries were consistent with a running apprehension. The suspect denied having any other injuries.

Treated by: National Guard medics

Sgt Notified: Sgt. Teigen

Photographed by: Ofc. Hamilton

TRAINING COMMENTS:

Canine Effectiveness: The use of the canine was effective and within Spokane Police Policy.

Patrol Support: N/A

SUPERVISORY COMMENTS:**K-9 Supervisor Comments:**

Officer Hamilton was assisting DEAWSP with their Cannabis Eradication Team. Upon approach to the encampment Officer's identified themselves and made announcements in English and Spanish. The suspect (Talavera) fled from the encampment on foot. Officer Hamilton yelled a K-9 announcement and then deployed K-9 Leo to apprehend the suspect. K-9 Leo chased and apprehended Talavera by contact on his leg. Officer Hamilton released K-9 Leo as soon as it was safe to do so and back up Officers took Talavera into custody without further incident.

Signature: Sgt Teigen #329

Date: 092113

K-9 Unit Commander Comments:

Signature:

Date:

Division Commander Comments:

Signature:

Date:

Canine Contact Administrative Report

This report shall be completed whenever there is injury resulting from a Spokane Police Canine.

Use of Force Contact:	X	Training Contact:	
SPD Contact:		Other Contact:	

Crime: (Federal) Manufacturing Drugs and Unlawful Weapons	Report Number: 13-31176
Location of Incident: US National Forest in Boise County, ID	Date & Time: 09-11-13 @ about 0830 hours
Person: Marcos Solano Farias	DOB: 10-24-82
Address: Colina, Mexico	Phone: N/A
Officer Involved: Hamilton 713	Canine: Leonidas
Witness: DEA Agent Dustin Bloxham, from Boise, ID	

INCIDENT DESCRIPTION:

Type of Application: Track

Original Call:

Ofc. Hamilton and K-9 Leonidas were working with the DEA and the Washington State Patrol's Cannabis Eradication Team, which was assisting several federal and local agencies in Boise County, ID. The agencies were the US Drug Enforcement Administration, US Forest Service, US Department of Interior Bureau of Land Management, and the Boise County Sheriff's Department. There was a large illegal outdoor marijuana grow in the national forest. The suspect's were believed to be camping near the grow and were seen on photo and/or video armed with a SKS/AK-47 high powered rifle. It was believed there were several suspect growers.

Suspect Actions:

Ofc. Hamilton's team located the camp site a short distance away from the grow. Ofc. Hamilton made several announcements after seeing movement inside the camp site. The suspect, Farias, was the first suspect to take off running. Due too the high level of danger and the weaponry the suspect's possessed, Ofc. Hamilton let the suspect go and he last saw the suspect running away from the camp and down the draw. After taking two other suspects into custody and the team recovered several guns in the camp, Ofc. Hamilton tracked for the suspect (Farias) and located him hiding in the thick brush after tracking for the suspect of at least 30 minutes.

Est. Time & Distance of Contact (if known):

Less than 10 seconds and about 10' away.

Officer Safety Concerns/ Why was Canine used:

There was probable cause to arrest this suspect for the federal charges of manufacturing and cultivation of marijuana, which is a felony. There was also probable cause for federal weapon's charges, which also were related to the marijuana grow. The suspect was actively fleeing and resisting arrest by trying to escape on foot. The suspect posed an immediate threat to the officer's on scene. The suspect's were armed with at least one high powered rifle and most likely other firearms (4 guns were located in the camp). It was unknown what this suspect's intentions were. The suspect most likely knew the area much better then the officer's and it was heavily wooded with

lots of underbrush which provided countless places to hide and or set up possible ambush sites. It was much safer for the suspect and the officer's, for Leo to track for and locate the suspect. There was such a large area to search that the suspect would not have been located without the use of the canine.

INJURY DESCRIPTION:

Injury: Rakes on the left calf.

Treated by: National Guard medics

Sgt Notified: Sgt. Teigen

Photographed by: Ofc. Hamilton

TRAINING COMMENTS:

Canine Effectiveness: The use of the canine was effective and was within Spokane Police Policy.

Patrol Support: N/A

SUPERVISORY COMMENTS:

K-9 Supervisor Comments:

Officer Hamilton was assisting DEAWSP with their Cannabis Eradication Team. Upon approach to the encampment Officer's identified themselves and made announcements in English and Spanish. The suspect (Solano) fled from the encampment on foot. Officer Hamilton initially let Solano run from the area because he knew there were other suspects in the camp and that they were armed with firearms. After the other suspects were taken into custody Officer Hamilton made a K-9 announcement and then deployed K-9 Leo to track and locate Solano. K-9 Leo started at the last known location of the suspect and tracked Solano through the mountain terrain for over approximately 30 minutes before locating and apprehending him by contact on his leg as he was hiding under some brush. Officer Hamilton released K-9 Leo as soon as it was safe to do so and back up Officers took Solano into custody without further incident.

Signature: Sgt Teigen #329

Date: 092113

K-9 Unit Commander Comments:

Signature:

Date:

Division Commander Comments:

Signature:	Date:
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U.S. Department of Justice

*United States Attorney
District of Idaho*

WENDY J. OLSON, United States Attorney
RAFAEL M. GONZALEZ, JR., First Assistant United States Attorney
AARON N. LUCOFF, Criminal Chief
SYRENA C. HARGROVE, Civil Chief

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NEWS RELEASE

**FOR IMMEDIATE RELEASE
ON SEPTEMBER 19, 2013**

CONTACT: PAMELA BEARG
Public Information Officer
D. MARC HAWS
Assistant United States Attorney
(208) 334-1211

Five People Arrested; Charged with Illegal Marijuana Grow in Boise County

Law Enforcement Eradicates 5,585 Live Plants at Two Grow Sites on Public Lands

BOISE -- Juan Pablo Villasenor-Villa, 28, Marcos Solano-Farias, 30, Carlos Cerda-Carpio, 40, and Jose Misacl Ayala-Talavera, 19, all Mexican nationals, and Mariah D. Villasenor-Rodriguez, 21, of Caldwell, Idaho, were arrested last week by the Drug Enforcement Administration, Bureau of Land Management and U.S. Forest Service in connection with a large marijuana growing operation on public lands, U.S. Attorney Wendy J. Olson announced.

The complaints allege the defendants knowingly and intentionally manufactured, distributed, or possessed with intent to distribute at least 100 marijuana plants, and that three of the defendants possessed or used a firearm during or in furtherance of a drug trafficking crime. Preliminary hearings are set for 9:30 a.m. on September 27, 2013, before U.S. Magistrate Judge Candy W. Dale at the federal courthouse in Boise.

On September 11, 2013, law enforcement conducted enforcement actions on an outdoor marijuana grow located near Rabbit Creek in Boise County, Idaho. Solano-Farias, Cerda-Carpio, and Ayala-Talavera were apprehended by law enforcement at a camp located approximately 100 meters from the marijuana grow site. According to the complaints, investigators found and seized two semi-automatic handguns, an SKS or AK-47 type rifle in the sleeping area of the camp, and several hundred marijuana plants that had already been harvested from the growing operation. Investigators also located and eradicated 785 live marijuana plants. Villasenor-Villa and Villasenor-Rodriguez were arrested on September 13 in Caldwell.

During the course of the investigation of the Rabbit Creek grow, investigators learned of another grow site at Beaver Creek, also off Highway 21, where, yesterday, investigators removed over 4,800 marijuana plants from the dispersed grow site.

Olson reminded hunters and others that if they encounter signs of a marijuana grow while recreating on public lands this fall, they should leave the area immediately and report the grow to law enforcement. "Marijuana growers can be dangerous," said Olson. "Please leave investigations to properly trained law enforcement officers. Should you encounter any evidence of a marijuana grow on public lands, please contact your nearest federal, state or local law enforcement agency or call the Drug Enforcement Administration at (208) 386-2100, or the marijuana hotline at (208) 961-1111. For more information on what to do if you encounter a marijuana grow on public lands, please visit <http://fishandgame.idaho.gov/public/hunt/?getPage=276>."

If convicted, the defendants face at least five years in federal prison, a maximum fine of \$5 million, and at least four years of supervised release. Those who possessed the firearms face a consecutive five year sentence.

The case is being investigated by the Drug Enforcement Administration, Bureau of Land Management, and United States Forest Service, with assistance from the Ada County Sheriff's Office, Boise County Sheriff's Office, Boise Police Department, City County Narcotics Unit (Canyon County Sheriff's Office and Caldwell Police Department), the Idaho National Guard, Meridian Police Department, Nampa Police Department, Spokane Police Department, U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI), and Washington State Police.

A complaint is only an allegation of criminal conduct and is not evidence of guilt. A person is presumed innocent until and unless proven guilty beyond a reasonable doubt.

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