



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)

F13-100

Use of force **IA No: F13-100** **Received: Sep 20, 2013**

Incident No: 13-317857

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

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

Officer assessment of citizen condition: None detected

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: 1 feet to 3 feet

Involved Citizen Build: Medium

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

OUT OF
COMPLIANCE
WITH POLICY

Involved citizen:

Kevin Phillip Curtis

Resistance(s):

Active Resistance

Linked address(s):

Home Address: transient transient WA

Officers involved:

Officer Christopher S Conrath [1106/]

Officer current info:

Bureau: Operations

Unit: Uniform Operations

Assignment: Patrol

Snapshot - officer information at time of incident:

Badge/ID no: 1106

Bureau: Operations

Unit: Uniform Operations

Assignment: Patrol

Not Used: Team 9 - Power - S

Rank/title: Officer

Age: 35 Years of employment: 3 Years with unit:

Off duty: Off duty employed:

Summary:

This incident began when a bicyclist failed to stop for a lawful order issued by Ofc. Bode. Bode saw the suspect riding a bicycle without wearing a helmet, a violation of SMC 10.17.030.

Ofc. Conrath responded to assist as the bicyclist fled into the area SW of 3rd and Maple. The suspect refused to stop in spite of two patrol cars being behind him at different times with lights and siren activated. In addition Ofc. Conrath yelled to the suspect thru his open car window that he was under arrest and ordered him to stop.

The suspect first passed Conrath on 5th between Ash and Oak as he rode in the opposite direction. Conrath made a u-turn and pursued the suspect into a private parking lot on the east side of Ash between 4th & 5th. The suspect quickly rode in two large counter-clockwise circles through the lot, back out onto Ash, and back into the lot again. Upon entering the parking lot a third time he was ahead of - and on the right side of - Conrath's car. Suddenly and without warning, the suspect turned sharply left in front of Conrath's car. He cleared the front bumper and was attempting to turn left again and proceed in the opposite direction of the patrol car... along its driver's side.

At this time the suspect had now been fleeing from police for appx. two-minutes. Additional police vehicles were approaching the area with sirens activated. The suspect was aggressively trying to evade capture and the situation was rapidly evolving. The suspect was peddaling hard in his attempt to get away.

Conrath told me he felt allowing the suspect to come up on his drivers side was unsafe because he did not know the suspect or his intentions at this point.

Conrath told me he was driving very slowly so elected to nudge the suspect's rear tire with the corner of his patrol car bumper. This caused the bike to tip over and the suspect to step off the bike. The suspect stumbled as he stepped off the bike, however he did not fall down, merely regained his footing and stood up as the bike fell over.

Conrath took the suspect to the ground with an arm bar technique and then turned him over to Ofc. Bode who'd just arrived. Bode handcuffed the suspect and had him stand up.

I arrived about one minute later and found Bode searching the suspect with help from Conrath and Ofc. Gobble. Bode and Gobble said they were not close enough to see the contact between the car and bicycle. Bode said Conrath had the suspect detained on the ground when he arrived. Gobble said Bode & Conrath had the suspect in custody when he arrived.

No other officers were on scene and there are no other known witnesses to this incident.

I spoke to suspect Kevin Curtis. He said he was trying to get away because he has warrants. He made no complaint on his own. When asked what happened, he said he was hit by the police car.

Curtis told me his right elbow hurt. He was handcuffed so I could not pull up his sleeve to examine the elbow. I summoned medics. The crew from Fire Engine 4 arrived and contacted Curtis who told them in my presence that he had not been drinking or taking illegal drugs. He told the firefighters he was not hurt and refused to let them examine him.

I followed Ofc. Bode on the transport to jail. Due to his D-O-C status, Curtis was strip searched by jail officers. I examined his upper body once his shirt had been removed. He had slight redness to his right elbow but no broken skin. He had a red abrasion on his right side just above the waist. It was about the size of a nickel. I photographed both. There were no other visible injuries and Curtis denied having other injuries.

Conrath said the suspect did not hit the ground after the collision - simply stumbled. Therefore I believe the injury occurred when the suspect was taken to the ground for handcuffing. The take down consisted of the previously mentioned arm bar, an approved technique.

Before leaving the scene at the parking lot, I examined the bicycle and saw no damage. I examined the patrol car and found a small mark on the left corner of the front bumper which I photographed.

I discussed with Conrath that the use of his patrol car to stop the bicycle is an exceptional technique that can lead to serious injury to a suspect. I reminded him that this can never be considered a routine way to stop a fleeing bicyclist. Conrath understood and agreed with me.

Sgt. T. Lee

1/10/2014

I have reviewed this case and found the UOF (intentional bumping of a bicycle with a police vehicle) to be outside of policy. The sanction will be handled through the IA process.

Captain Rick Dobrow #403

When/where:

Date/time occurred: Sep 19 2013 00:01

Incident location: N/A 3rd Ave & Maple St
Home Address: transient transient WA

Linked files:

3 ofc rpts, PTCR, photo log (pdf)

Status/assignment information:

Status: Completed

Opened: Assigned: Due: 09/20/2013 Completed: 01/09/2014

Disposition: Not Compliant 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 9 - Power - S

BlueTeam chain routings

Sep 20, 2013 18:04: Sent from Sergeant Thomas J Lee [244/11012] to Lieutenant Eric S Olsen [255/11040]

Instructions:

Please review this use of force.

Reviewed by Lieutenant Eric S Olsen [255/11040] on Sep 27, 2013 at 18:55

Decision: Not approved
Insufficient information

Reviewer comment:

As we discussed.

Sep 27, 2013 18:55: Sent from Lieutenant Eric S Olsen [255/11040] to Sergeant Thomas J Lee [244/11012]

Instructions:

Per our discussion.

Reviewed by Sergeant Thomas J Lee [244/11012] on Sep 27, 2013 at 23:19

Decision: Approved

Reviewer comment:

Lt. Olsen:

I have made the changes/additions we discussed. Please review. Let me know if there's anything else I can do to help move this forward. Also... I reviewed the PDF attachment. It contains reports from three officers, the collision rpt and photo log. Hope it goes thru to you this time.

Sep 27, 2013 23:19: Sent from Sergeant Thomas J Lee [244/11012] to Lieutenant Eric S Olsen [255/11040]

Instructions:

I have made the changes we discussed. I also reviewed the PDF attachment. It contains reports from three officers, the collision report and photo log. Hope it all goes thru to you this time. Please let me know if I can do anything else to help move this forward. Also doing separate collision review. TL

Reviewed by Lieutenant Eric S Olsen [255/11040] on Sep 29, 2013 at 22:19

Decision: Approved

Reviewer comment:

Sgt. Lee completed this Use of Force report due to the slight redness on Mr. Curtis's right elbow and the nickel sized abrasion on his right side just above his waist. These injuries must have occurred when Ofc. Conrath took Mr. Curtis to the ground using an arm bar technique. Ofc. Conrath was justified in taking Mr. Curtis to the ground because he had just been fleeing from multiple uniformed officers in marked cars (after a lawful order to stop and that he was under arrest), could have been armed (Ofc. Conrath had no way to know), and he appeared to be closing distance with Ofc. Conrath for an unknown reason in this tense and rapidly evolving situation.

This use of force is reasonable and within Departmental Policy.

Sep 29, 2013 22:19: 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 Oct 02, 2013 at 14:15

Decision: Not approved
Needs further investigation

Reviewer comment:

This is being forwarded back to IA to be administratively suspended/held at this time. An IA complaint was initiated on several officers on this incident.

Oct 02, 2013 14:15: Sent from Captain David W Richards [119/10779] to Lieutenant David W Singley [480/11607]

Instructions:

Please see my comments.

Reviewed by Lieutenant David W Singley [480/11607] on Oct 08, 2013 at 15:31

Decision: Approved

Reviewer comment:

Forwarding to IAPRO to admin suspend until the IA is completed.

Entered via BlueTeam by: Sergeant Thomas J Lee [244/11012] on Sep 20, 2013 at 16:38

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 13-317857	
REPORT PURPOSE			REPORTED ON DATE Thu 09/19/2013	TIME 00:01	INCIDENT XREF
INCIDENT CLASSIFICATION #1 OBSTRUCT OFFICER		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 RESISTING ARREST		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3 WPN-UNLAW POSS		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 09/19/2013	REPORT TIME 00:31	
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On the listed date and time, I responded to the area near 3rd/Maple where Ofc Bode had initiated a traffic stop on a male riding a bicycle. Prior to my arrival, Ofc bode advised that the male was refusing to stop, and had fled in a westbound direction.

Moments later, I spotted the male, later identified as Kevin Curtis riding eastbound on 5th Avenue toward Ash. He was riding a BMX style bicycle in a manner that appeared to be as fast as he could peddle. My emergency lights were on, and I also activated my siren intermittently as I passed him going the opposite direction. He failed to yield. I turned my car around and pursued him into a parking lot just east of Ash, at 5th Avenue. He rode just feet in front of my patrol car. My window was rolled down, and I yelled to him repeatedly to "Stop!" and that he was "Under Arrest!"

Curtis rode in a large counter-clockwise circle through the lot and back to the street two times. During the second lap, he cut through a grassy area in the middle. All the while, I was yelling to him that he was under arrest. He never made any effort to stop. Finally, Curtis entered the parking lot again and swung out wide before turning hard to the left in front of my car. He had cleared the front bumper of my car, but was turning sharply in an apparent effort to ride up alongside my driver-side door. Given that the speed of my car was extremely slow at that time, and that I didn't want the suspect with unknown intentions directly beside my car, I made the decision to nudge his rear tire with the left front portion of my bumper. This caused Curtis' bike to tip over with him still on it. He didn't appear to fall to the ground. It seemed as though he simply stepped off of the bicycle and stumbled slightly. He immediately stood up as his bike laid on the ground. I rapidly exited my patrol car, and took Curtis to the ground using an arm bar. As I was about to apply handcuffs, I noticed that I had left my car in gear, and it was slowly rolling away from me. At the same moment, Ofc Bode arrived. I waited for him to gain control of Curtis before I ran to my car and stopped it safely.

I went back to assist Ofc Bode in applying handcuffs. As we did this, we observed an unfolded butterfly knife that was laying in the ground underneath Curtis when we rolled him onto his side. The knife is considered to be a Dangerous Weapon, and was collected and placed on property as evidence.

Sgt Lee was called to the scene due to the use of force that was applied in order to detain Curtis. There were no visible injuries on his person, though he complained of minor pain to his right elbow.

ID NO./NAME OF REPORTING OFFICER #1106 - Conrath, Chris		DISTRIBUTION	
APPROVAL #208 - Huddle, Kevin	DATE/TIME 09/19/2013 18:52		

Supplemental Report #1

09/19/2013 18:58:40 090

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION OBSTRUCT OFFICER	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 13-317857
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Medics arrived and briefly examined him. At that time, Curtis stated that he had no injuries.

There was a visible mark on the bumper of my patrol car where it had rubbed against the rear tire of Curtis' bike. Sgt Lee took photos of the marks. In addition, the bike, which was undamaged was placed on property as evidence as well.

After consulting with Ofc Bode and Sgt Lee, it was determined that there was PC to charge Curtis with Obstructing, Resisting Arrest, and also with Possession of a Dangerous Weapon. Ofc Bode transported him to County Jail where he was booked on several outstanding warrants, and possibly cited for the above charges. See Ofc Bode's report for additional information.

C. Conrath 1106

Supplemental Report #1

END OF ADDITIONAL REPORT

00/19/2013 18:58:40.137

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 13-317857	
INCIDENT TYPE Arrest		INCIDENT CLASSIFICATION #1 TRAFFIC-INFRACTION		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #2 OBSTRUCT OFFICER		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3 RESISTING ARREST		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #4 WARRANT ARREST		ATTEMPTED <input type="checkbox"/>	
RESPONDING TO (Officer Assault)				ASSIGNMENT (Officer Assault)	
REPORTED ON	DATE/TIME	OCCURRED ON	DATE/TIME	OCCURRED TO	DATE/TIME
Thu	09/19/2013 00:01	Thu	09/19/2013 00:01	Thu	09/19/2013 00:04
DISTRICT					
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE	REPORT TIME	EST. TOTAL PROPERTY LOSS
			09/19/2013	18:57	
PRIMARY CHARGE					UCR/NIBRS CODE
LOCATION OF INCIDENT W 3rd Avenue & S Maple Street , Spokane, WA 99201				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS Suspect Arrested, Useful Physical Evidence					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS Ofc Bode, Ofc Conrath					
NARRATIVE					

On 09/19/13 at approximately 0003 hrs, I responded to the area of 3rd Ave/Maple St to assist Officer Bode with a traffic stop on a bicyclist. Officer Bode had advised the male on the bike was attempting to elude him on the bike.

When I arrived on scene, Officer Bode and Officer Conrath had the male in custody behind the Chevron/McDonalds at the location. The male was already in handcuffs and I collected the male's property in a bag as he was searched incident to arrest. Officer Bode found an illegal butterfly knife that belonged to the male and I collected it as evidence.

At the request of Officer Bode, I transported and booked the knife and the bicycle onto police property as evidence. See his incident report and Officer Conrath's additional report for additional information.

N. Gobble #1147
Team 9 C350
091913

ID NO./NAME OF REPORTING OFFICER #1147 - Gobble, Nathanael		DISTRIBUTION	
APPROVAL #093 - Sprague, Dean	DATE/TIME 09/19/2013 20:32		

Incident Report #1

09/19/2013 20:38:27.695

CRIMINAL **TRAFFIC** **NON-TRAFFIC** **N 040211**

IN THE DISTRICT MUNICIPAL COURT OF SPOKANE, COUNTY OF SPOKANE, *WA032051J STATE OF WASHINGTON
 STATE OF WASHINGTON, PLAINTIFF VS. NAMED DEFENDANT
 COUNTY OF SPOKANE
 CITY/TOWN OF **SPOKANE**

L.E.A. ORI #: _____ COURT ORI #: **13-317857**

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON

#4b

EXPIRES **08/10/12** PHOTO I.D. MATCHED YES NO **SPKS**

NAME: LAST **CURTIS** FIRST **KEVIN** MIDDLE **PHILLIP** CDL YES NO

ADDRESS **TRANSIENT** IF NEW ADDRESS

CITY **SPOKANE** STATE **WA** ZIP CODE **99260** EMPLOYER _____ LOCATION _____

DATE OF BIRTH **08/10/74** RACE **W** SEX **M** HEIGHT **510** WEIGHT **185** EYES **BLU** HAIR **BRN**

RESIDENTIAL PHONE NO. _____ CELL/PAGER NO. _____ WORK PHONE NO. _____

VIOLATION DATE MONTH **09** DAY **19** YEAR **13** TIME **0001** INTERPRETER NEEDED
 ON OR ABOUT _____ 24 HOUR _____ LANG: _____

AT LOCATION **3RD + MAPLE** M.P. _____ CITY/COUNTY OF **SPOKANE**

DID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE ON A PUBLIC HIGHWAY AND

VEHICLE LICENSE NO.	STATE	EXPIRES	VEH. YR	MAKE	MODEL	STYLE	COLOR
TRAILER #1 LICENSE NO.	STATE	EXPIRES	TR. YR	TRAILER #2 LICENSE NO.	STATE	EXPIRES	TR. YR.

OWNER/COMPANY IF OTHER THAN DRIVER _____

ADDRESS _____ CITY _____ STATE _____ ZIP CODE _____

ACCIDENT BAC CMV YES NO **16+** YES NO **HAZMAT** YES NO **EXEMPT** YES NO **FARM** YES NO **FIRE** YES NO **VEHICLE** YES NO **R.V.** YES NO **OTHER** YES NO

DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES

#1 VIOLATION/STATUTE CODE **10.07.032** DV
OBSTRUCT LE OFFICER

#2 VIOLATION/STATUTE CODE **10.07.034** DV
RESIST ARREST

MANDATORY COURT APPEARANCE

APPEARANCE DATE **WITMON 02 DAYS** TIME **1:30 P.M.** RELATED # _____ DATE ISSUED **09/19/13**

Served on Violator
 Sent to Court for Mailing
 Referred to Prosecutor
 Booked

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE ISSUED THIS ON THE DATE AND AT THE LOCATION ABOVE, THAT I HAVE PROBABLE CAUSE TO BELIEVE THE ABOVE NAMED PERSON COMMITTED THE ABOVE OFFENSE(S).

OFFICER **G. BOODE 994**

COMPLAINT / CITATION

ABSTRACT OF JUDGMENT	CRG	PLEA	CNG	FINDINGS	FINE	SUSPENDED	SUB-TOTAL	FIND/JUDG DATE
								RECOMMENDED NONEXTENSION OF SUSPENSION <input type="checkbox"/>
1	G	NG		G NG D	\$	\$	\$	ABS. MLD TO OLY
2	G	NG		G NG D	\$	\$	\$	TO SERVE
OTHER COSTS \$								WITH _____ DAYS SUP.

N 040211

OFFICER REPORT

REFERENCE EXPEDITED FOR
NARRATIVE

TRAFFIC <input checked="" type="checkbox"/> LT <input type="checkbox"/> MED <input type="checkbox"/> HV	WEATHER <input type="checkbox"/> CL <input type="checkbox"/> RN <input type="checkbox"/> FG <input type="checkbox"/> SN	STREET <input checked="" type="checkbox"/> D <input type="checkbox"/> W <input type="checkbox"/> I <input type="checkbox"/> S	LIGHT <input type="checkbox"/> DWN <input type="checkbox"/> DSK <input type="checkbox"/> DR
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Officer's Report for Citation # N040211
 The information contained on this citation is incorporated by reference into this report.
 I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT
 ALL STATEMENTS MADE HEREIN ARE TRUE AND ACCURATE

Signature [Signature] 994
 Date and Place 09/19/13 SPokane

WITNESS NAME (LAST, FIRST, M.I.) _____ PHONE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

WITNESS NAME (LAST, FIRST, M.I.) _____ PHONE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

INCIDENT NUMBER C. BOE #994 RELATED CITATION/INFRACTION NUMBERS _____ APPROVING OFFICER/NO. C. BOE #994

13-317857

CRIMINAL **TRAFFIC** **NON-TRAFFIC** **N 040213**

IN THE DISTRICT MUNICIPAL COURT OF SPOKANE, COUNTY OF SPOKANE, *WA032051J STATE OF WASHINGTON
 STATE OF WASHINGTON, PLAINTIFF VS. NAMED DEFENDANT
 COUNTY OF SPOKANE
 CITY/TOWN OF

L.E.A. ORI #: COURT ORI #: **13-317857**

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON

#4b EXPIRES **08/10/12** PHOTO I.D. MATCHED YES NO **SPRS**

NAME: LAST **QUETS** FIRST **KEVIN** MIDDLE **PHILLIP** CDL YES NO

ADDRESS **TRANSIENT** IF NEW ADDRESS

CITY **SPOKANE** STATE **WA** ZIP CODE **99260** EMPLOYER LOCATION

DATE OF BIRTH **08/10/74** RACE **W** SEX **M** HEIGHT **510** WEIGHT **185** EYES **BLU** HAIR **BRN**

RESIDENTIAL PHONE NO. CELL/PAGER NO. WORK PHONE NO.

VIOLATION DATE MONTH **09** DAY **19** YEAR **13** TIME **0001** INTERPRETER NEEDED
 ON OR ABOUT 24 HOUR LANG:

AT LOCATION **3RD + MARIE** M.P. COUNTY OF **SPOKANE**

DID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE ON A PUBLIC HIGHWAY AND

VEHICLE LICENSE NO.	STATE	EXPIRES	VEH. YR.	MAKE	MODEL	STYLE	COLOR
TRAILER #1 LICENSE NO.	STATE	EXPIRES	TR. YR.	TRAILER #2 LICENSE NO.	STATE	EXPIRES	TR. YR.

OWNER/COMPANY IF OTHER THAN DRIVER

ADDRESS CITY STATE ZIP CODE

ACCIDENT BAC CMV YES NO 16+ YES NO HAZMAT YES NO EXEMPT FARM R.V. OTHER

DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES

#1 VIOLATION/STATUTE CODE **09.41.250** DV
POSSESSION OF DANGEROUS WEAPONS

#2 VIOLATION/STATUTE CODE DV

MANDATORY COURT APPEARANCE

APPEARANCE DATE **WED 10/02/13** TIME **1:30 PM** RELATED # DATE ISSUED **09/19/13**

Served on Violator
 Sent to Court for Mailing
 Referred to Prosecutor
 Booked

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE ISSUED THIS ON THE DATE AND AT THE LOCATION ABOVE, THAT I HAVE PROBABLE CAUSE TO BELIEVE THE ABOVE NAMED PERSON COMMITTED THE ABOVE OFFENSE(S).

OFFICER **C. BODE 994**

COMPLAINT / CITATION

CRG	PLEA	CNG	FINDINGS	FINE	SUSPENDED	SUB-TOTAL	FIND/JUDG DATE
1	G	NG	G NG D	\$	\$	\$	ABS. MLD TO OLY
2	G	NG	G NG D	\$	\$	\$	TO SERVE
OTHER COSTS \$							WITH DAYS SUP.
RECOMMENDED NONEXTENSION OF SUSPENSION <input type="checkbox"/>				LICENSE SUR-RENDER DATE	TOTAL COSTS \$	CREDIT / TIME SVD	

N 040213

OFFICER REPORT

REFERENCE EXPOSURE
FOR NARRATIVE

TRAFFIC <input checked="" type="checkbox"/> LT <input type="checkbox"/> MED <input type="checkbox"/> HV	WEATHER <input checked="" type="checkbox"/> CL <input type="checkbox"/> RN <input type="checkbox"/> FG <input type="checkbox"/> SN	STREET <input checked="" type="checkbox"/> D <input type="checkbox"/> W <input type="checkbox"/> I <input type="checkbox"/> S	LIGHT <input checked="" type="checkbox"/> D <input type="checkbox"/> DWN <input type="checkbox"/> DSK <input type="checkbox"/> DK
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NO40213

Officer's Report for Citation #
The information contained on this citation is incorporated by reference into this report.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT ALL STATEMENTS MADE HEREIN ARE TRUE AND ACCURATE

Signature *[Signature]* # 994

Date and Place 07/19/13 SPOKANE

WITNESS NAME (LAST, FIRST, M.I.) PHONE

ADDRESS CITY STATE ZIP

WITNESS NAME (LAST, FIRST, M.I.) PHONE

ADDRESS CITY STATE ZIP

INCIDENT NUMBER
13-317857

RELATED CITATION/INFRACTION NUMBERS

APPROVING OFFICER/NO.
C. Code *[Signature]* #994