



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	<u>Name / Identity</u> 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	<u>Date of birth</u> 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	<u>Personal home, work or cell phone number</u> 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	<u>Residential address</u> 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	<u>E-mail address</u> 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, 122 Wn.App. 84, 94 (2004)</i>
#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: F13-103 Received: Sep 25, 2013

Incident No: 13-323581

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

Reason for use-of-force: Resisting Arrest

Officer assessment of citizen condition: Alcohol and unknown drugs

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: Small

Involved Citizen Height: 6'1" to 6'3"

Involved citizen:

Corey S Hall

Resistance(s):

Assaultive

Injuries/conditions:

Photos Taken

Charges against citizen in relation to the incident:

Arrest - Misdemeanor

Linked address(s):

Home Address: 1918 Mission AV E Spokane WA 99203

Officers involved:

SPO Kyle D Heuett [681/]

Officer current info:

Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol

Snapshot - officer information at time of incident:

Badge/ID no: 681
Bureau: Operations
Unit: Uniform Operations

Assignment: Patrol
Not Used: Team 7 - Swing - S
Rank/title: SPO
Age: 35 Years of employment: 12 Years with unit:
Off duty: Off duty employed:

Use(s) Of Force:

Body Weight/Manual Force: Effective

Body Weight/Manual Force: Effective

SPO James P Stewart [701/]

Officer current info:

Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol

Snapshot - officer information at time of incident:

Badge/ID no: 701
Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol
Not Used: Team 6 - Swing - N
Rank/title: SPO
Age: 40 Years of employment: 12 Years with unit:
Off duty: Off duty employed:

Use(s) Of Force:

Body Weight/Manual Force: Effective

Witnesses:

Joshua G Dixon

Linked phone(s):
Home Phone: (509) 981-4154

Summary:

On 09-23-19 at approximately 1904 hours Ofc. Heuett and Ofc. Stewart were dispatched to a domestic violence protection order violation call at 1918 E. Mission in Spokane, WA. Dispatch advised the complainant identified the suspect as Corey Hall and stated Hall is known to carry knives, brass knuckles, and other weapons. The complainant went on to say that Hall may be high on pills and may have a domestic violence related warrant from the previous night. Dispatch confirmed that Hall was refusing to leave the location and dispatch confirmed there is a valid protection order in place that protects the complainant from Hall. The order forbids Hall from being within 2 city blocks of the complainant.

While enroute to the call Ofc. Heuett viewed a prior booking photo of Hall on his computer. Ofc. Heuett also recalled a prior contact with Hall where he arrested him for felony harassment (threats to kill D.V.) and another felony charge of 2nd degree assault. (by strangulation) Ofc. Heuett was aware of several D.V. order violation calls with Hall, burglaries where Hall was listed as the suspect, and prior contacts with him where he was confrontational with police / refused to comply with commands. Ofc. Heuett noted that the residence was listed as an officer safety location due to prior calls at the house and a recent officer involved shooting at the location.

Ofc. Heuett checked his computer and confirmed that most of the other units in the city were busy but he believed from previous contacts that Hall could be an immediate threat to the complainant, others at the location, and officers responding to the scene.

Ofc. Heuett arrived in the area and immediately observed Hall next door to the listed location at Hai's market. (Mission / Napa) Ofc. Heuett was in a police uniform and in a fully marked patrol car. Hall looked at Ofc. Heuett, turned, and walked quickly around the corner.

Ofc. Heuett located Hall when he rounded the corner and placed his car between himself and Hall. Ofc. Heuett used his car as a barrier while he contacted him. Ofc. Heuett noticed that Hall's hands were shaking and both hands were closed in fists. The suspect also took a few steps back and bladed his feet in a fighting stance. Ofc. Heuett tried to deescalate the situation by the use of his car as a barrier. In addition he told the suspect he was under arrest for the order violation and to get down on the ground several times. Ofc. Heuett also told him not to resist. The suspect cursed at him with slurred speech, refused to follow commands, and had what appeared to be heavy objects in his front pants pockets. Ofc. Heuett was concerned these objects could be weapons. The suspect continued to look around and it appeared as though he was going to fight or run.

Ofc. Heuett closed space to take control of the suspect while reminding him again that he was under arrest and not to resist. The suspect raised his arms with closed fists in a fighting stance. Ofc. Heuett tried to take left arm control and the suspect immediately pulled his hands away towards his waistband where suspects often keep weapons. Ofc. Heuett attempted to use a neck restraint to control the suspect and guide the suspect to the ground. However, Hall pulled away and Ofc. Heuett lost control of the neck restraint as they moved to the ground. Ofc. Heuett attempted to maintain control of the suspects upper body by placing his knee on Hall's upper back between his neck and shoulders. Ofc. Heuett gained wrist lock control of the suspects left wrist and continued to tell him to stop resisting. The suspect continued to struggle to get away and appeared as though he was going to hit Ofc. Heuett with his closed right fist at one point. Fearing he was going to be hit, Ofc. Heuett tried to pin the suspects right arm to the ground while he bent several of the suspects fingers on his left hand towards the back of his hand in an attempt to gain compliance and maintain control. Ofc. Heuett was concerned enough for his safety that he requested emergency assistance on his radio. #7a

Ofc. Stewart arrived and the suspect continued to struggle. Together they were eventually able to pull both of his hands behind his back and handcuff him in the prone handcuffing position. Hall continued to resist during the pat search process and it should be noted that a large knife was found in Hall's right front pants pocket. Hall was charged with violating a protection order and resisting arrest.

Hall had a minor scrape under his chin and red marks on both cheeks from the struggle on the concrete sidewalk. These injuries were photographed by Cpl. Dahl and Hall claimed he did not have any other injuries from the altercation.

I responded to jail and observed the listed minor injuries to Hall's face. The injuries appeared consistent with the altercation that was described. Hall was cooperative for a short time at jail and admitted to drinking alcohol tonight. His eyes were red and glossy. He appeared to be intoxicated and/or under the influence of a controlled substance. Within a short period of time Hall's behavior changed again. He began resisting the jail deputies by pulling away and kicking his feet. He flunked booking and it took approximately 4 to 5 deputies to control him so he could be moved to a jail cell. Hall appeared to resist the deputies the entire way.

Once he was in the cell, I tried to speak to him about his interaction with the city officers. He refused to speak to me.

I read Cpl. Dahl's report on the incident. He contacted a reported witness at the scene, Joshua G. Dixon. Dixon appeared to be recording the incident on his camera. Dixon claimed to be upset that Ofc. Heuett did not advise the suspect why he was being arrested. Dixon admitted that the suspect was not following the officer's commands but thought the force used was excessive. Dixon was unable or unwilling to show Cpl. Dahl the video. He said he would be willing to send the video to our department. He was not willing to provide his address for contact.

Based on the information I received and the totality of the circumstances, the actions of the officers involved were reasonable. They are also within department policy.

Sgt. K Keller

In Compliance with Policy per Captain Richards, 9/30/2013

When/where:

Date/time occurred: Sep 23 2013 19:04

Incident location: N/A Mission / Napa Spokane WA 99202

Home Address: 1918 Mission AV E Spokane WA 99203

County: Spokane County

Linked files:

Reports and CAD associated with this call (pdf)

Status/assignment information:

Status: Completed

Opened: Assigned: Due: Completed: 09/30/2013

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 7 - Swing - S

BlueTeam chain routings

Sep 27, 2013 00:04: Sent from Sergeant Kevin P Keller [636/11917] to Lieutenant Eric S Olsen [255/11040]

Instructions:

For review.

Reviewed by Lieutenant Eric S Olsen [255/11040] on Sep 27, 2013 at 20:14

Decision: Approved

Reviewer comment:

Ofc. Heuett initiated the contact with Hall by telling him he was under arrest and giving Hall clear directions - which Hall did not comply with. Ofc. Heuett did an excellent job of attempting to communicate with, direct and de-escalate Hall. Hall, however, resisted the entire process through jail booking, and at one point had attempted to strike Ofc. Heuett with a closed fist.

Ofc. Heuett's take down and control techniques were extremely reasonable and within Departmental Policy.

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

Sep 27, 2013 20:14: 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 Sep 30, 2013 at 17:52

Decision: Approved

Reviewer comment:

Officer Heuett had independent knowledge reference the suspect's past violent criminal behavior. The suspect was in obvious violation of the order restricting him from the address. While officers are cautioned to not attempt to take a violent offender into custody alone, it was clear that the suspect was attempting to get away from Officer Heuett and there would be a concern that if the suspect was allowed to escape, he could pose an imminent threat not only to the victim inside the residence but also the public in general. Additionally, it was Officer Heuett's observations that the suspect was under the influence of alcohol or other mind altering substances. Additionally, the suspect's body language which included his bladed stance and that fact that he was making fists with his hands also confirmed the suspect's violent state of mind.

Officer Heuett used officer safety tactics and attempted to talk to the suspect by giving him clear commands and advising him that he was under arrest and what he was under arrest for. The suspect immediately resisted Officer Heuett's attempts to take him into custody and struggled against his efforts. The suspect pulled away from Officer Heuett and pulled his arms into his body and waist band. Officer Heuett attempted to take him to the ground using a rear neck restraint but the suspect continued to struggle but he was able to take the suspect to the ground and into a prone cuffing position. Officer Heuett reported that the suspect made a fist with his right hand and felt that he was going to be assaulted. He stated that the suspect kept trying to get up and roll over and Officer Heuett was concerned that he would lose control of him. Officer Heuett was able maintain control of the suspect until his back up was able to arrive on scene. According to Officer Heuett's report, he continued to try and talk and de-escalate the suspect but was not successful. Officers arrived on scene and he was handcuffed. Officer Heuett was very fatigued by the time back up arrived.

The suspect had a scrape on his chin and red marks on both cheeks which are consistent with struggling against officer Heuett in a prone cuffing position. The suspect became very violent once at jail and

refused to talk to Sgt. Keller who was investigating this use of force.

Officer Heuett's decision to engage the suspect was appropriate considering the circumstances and his knowledge of the suspect. Additionally, his use of force was reasonable considering the circumstances and the suspect's violent criminal past and was within policy.

**Entered via BlueTeam by: Sergeant Kevin P Keller [636/11917] on
Sep 25, 2013 at 23:06**

Incident History for: #SP130323581

Entered 09/23/13 19:04:06 BY 91102 911195
 Dispatched 09/23/13 19:10:27 BY PCC03 1144
 Enroute 09/23/13 19:10:27
 Onscene 09/23/13 19:16:20
 Closed 09/23/13 20:25:25

Initial Type: DV Final Type: DVOPV (DV-PROTECTION ORDER VIOLATION)
 Initial Priority: 2 Final Priority: 2
 Disposition: 1E Source: A Primary Unit: C264
 Police BLK: SPC5GP
 Group: P5 Beat: Map Page: 32
 Loc: 1918 E MISSION AV ,SPK btwn N MAGNOLIA ST & N NAPA ST <1400> (V)
 Name: #1a E081653 Addr: SAME Phone: #1c

/190406 (911195) ENTRY MALE REFUSING TO LEAVE. COMPS FRIEND, WHO IS A LSO AT LOC, IS SUSPS MOM. NO ASLT TONIGHT, UNK WEAPONS (KNOWN TO CARRY KNIVES AND BRASS KNUCKLES AND OTHER WEAPONS).
 /190438 SUPP TXT: SUSP: HALL, COREY S 010794
 /190502 SUPP TXT: COREY: W/M, 600/160, WEARING: UNK CLOTHING. SEEMED TO ARRIVE ON FOOT.
 /190509 SUPP TXT: COREY POSSIBLY HIGH ON PILLS.
 /190530 (1144) HOLD
 /190541 (911195) SUPP TXT: COREY'S MOM/COMPS FRIEND: COTTRELL, TERRE SA UMI 072565
 /190605 CHANGE NAM: MALE --> #1a
 /190650 SUPP TXT: COREY POSSIBLY HAS A WARRNT FOR DV LAST WEEK. ###
 /190744 (1144) MISC #7a
 /190905 CHANGE TYP: DV --> DVOPV
 RSP: PP --> PPP
 PRI: 2 --> 2
 /191010 (911209) SUPP TXT: #1a ON CB. COREY NO IFO HAI'S MARKET . WEARING: BLK BASEBALL CAP, BLK/WHI JACKET, DARK PANTS, WHI SHOES, BACK PACK ###
 /191027 (1144) DISPER C264 #681 HEUETT, KYLE
 /191027 ASSTER D287 #701 STEWART, JAMES
 /191303 MISC ,OCA #12-720701, EMAILED TO OFFICERS
 /191457 MISC #7a
 /191620 ONSCENE C264 [HAIS]
 /191643 MISC C264 ,HES OUT FRONT, RUNNING NB ON NAPA
 /191652 ASSTER P309 [HAIS]
 /191713 (1015) *ASSTER D384 #766 DAHLE, ZACHARY
 [HAIS]
 #1015 KIRBY, AARON
 /191715 (1144) MISC C264 ,STEP IT UP
 /191738 (1022) *ASSTER C368 [HAIS]
 #1022 FAIRBANKS, LANCE
 /191826 (1144) ONSCENE D287
 /191837 (730) *ASSTER C356 [HAIS]
 #730 HANEY, SCOTT
 /191906 (1154) *ASSTER D389 [HAIS]
 #1154 YRIGOLLEN, KYLE
 #1010 WILLARD, JACOB
 /191914 (730) *CLEAR C356

/191915	(1144)	MISC	C264	, SLOW IT DOWN, IN CUSTODY
/191927	(766)	*ONSCNE	P309	
/191942	(1144)	NEWLOC	C264	[MISSION/NAPA]
				, C4
/191948		NEWLOC	D287	[MISSION/NAPA]
/191948		NEWLOC	P309	[MISSION/NAPA]
/191952	(1022)	*PREMPT	C368	
/192004	(1154)	*PREMPT	D389	
/192019	(1144)	NEWLOC	D384	[1918 E MISSION AV ,SPK]
/192035		MISC	D287	, UNRESTRICT
/192041		\$PREMPT	D384	
/192041		\$ASSTER	C356	#730 HANEY, SCOTT
/192041		PREDSP	D384	C356
/192330	(730)	*REMINQ	C356	#3b
/192338		*REMINQ	C356	#3g
/192434	(1144)	MISC	D287	#3b
/192458	(730)	*REMINQ	C356	
/192734		*ONSCNE	C356	
/193205		*MISC	C356	, PSTAT/ASST
/193300	(1144)	CALLBK	P309	T/PCC02
				#3a
/193436	(730)	*CLEAR	C356	
/193544	(681)	*TRANS	C264	[JAIL] M/O
				, MALE
/193642	(636)	*ASSTER	L224	[JAIL]
				#636 KELLER, KEVIN
/193730	(1179)	REMINQ	P309	
/193811		REMINQ	P309	#3a
/193845	(766)	*REMINQ	P309	
/194358	(636)	*ONSCNE	L224	
/194458	(766)	*CHGLOC	P309	[PAPER]
/194505	(681)	*TRANSC	C264	M/2.9
/194548	(766)	*REMINQ	P309	#3b
/194704		*ONSCNE	P309	
/195053	(701)	*MISC	D287	, PSTAT/ASST PSTAT/RPT
/195100		*NEWLOC	D287	[PAPER]
/195114	(1144)	OK	C264	
/195114		OK	D287	
/195114		OK	L224	
/195114		OK	P309	
/200023		\$PREMPT	P309	
/200713	(681)	*REMINQ	C264	#3a
/201834	(1123)	\$PREMPT	L224	
/202355	(701)	*CLEAR	D287	, 1B
/202438	(636)	*ASSTER	L224	[JAIL]
				#636 KELLER, KEVIN
/202502		*CLEAR	L224	, PSTAT/ASST UOF REPORT WILL BE COMPLETED.
/202525	(681)	*CLEAR	C264	DSP: 1E
				, PSTAT/CFS PSTAT/MISD PSTAT/MISD PSTAT/RPT
/202525		CLOSE	C264	

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 13-323581	
REPORT PURPOSE			REPORTED ON DATE Mon 09/23/2013	TIME 19:04	INCIDENT XREF
INCIDENT CLASSIFICATION #1 COURT ORDER VIOLATION		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 RESISTING ARREST		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 09/23/2013	REPORT TIME 22:12	
PRIMARY CHARGE					UCR/NIBRS CODE
VICTIM/WITNESSES/OTHERS					
CODE W-1	NAME: LAST, FIRST, MIDDLE Dixon, Joshua Graham			SEX M	RACE/ETHNICITY W-White
HEIGHT 6'00"	WEIGHT 180	BUILD Medium	HAIR Brown	EYES BRO - Brown	DATE OF BIRTH/AGE 11/20/1982 30
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 3005 W Francis, Spokane, WA			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL ADDRESSES 37618 N Chapman, Elk, WA 99009					ADDRESS TYPE Parent or Guardians
ADDITIONAL PHONES (Cell) (509) 981-4154					
DRIVER'S LICENSE #4a	<input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. #4a	<input type="checkbox"/> FAKE	OTHER ID

NARRATIVE

On 09-23-13 at approximately 1916 hours, I responded to assist Officer Heuett #681. Officer Heuett had arrived on scene at the report of a DVOPV incident. I heard Officer Heuett advise that the suspect (Hall, Corey S W/M 01-07-1994) was out front. Officer Heuett then advised that Hall was running.

I began to increase my response speed to the incident. Officer Heuett then stated, "Step it up." This indicated that he was requesting a #7a response. I took this to mean that Officer Heuett was actively in a struggle with the suspect. I ran lights and siren at this time.

I arrived on scene at the corner of Napa/Mission. I observed that the suspect was handcuffed, and being held on the ground by Officer Heuett and Officer Stewart. I could see that Hall had a minor abrasion to his chin. Hall declined medical attention.

I then observed that a citizen was recording the incident with a cell phone camera. We were on the S/W corner of the intersection, and the male was on the N/W corner across the street. I contacted the male at this time, and he was identified as Dixon, Joshua G.

I asked Dixon if he had recorded the entire incident. Dixon stated that he had started recording, "right after the cop slammed that guy on the ground." I asked Dixon if I could see the video, and he wanted to why. I explained that we were investigating this incident, and the video may be relevant.

ID NO./NAME OF REPORTING OFFICER #766 - Dahle, Zachary	DISTRIBUTION	
APPROVAL #643 - Meyer, Anthony	DATE/TIME 09/24/2013 06:07	

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION COURT ORDER VIOLATION	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 13-323581
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Dixon was upset that Officer Heuett had not advised Hall of what he was being arrested for. I asked Dixon if Hall was following the Officer's commands, and he stated, "No." Dixon then stated that he thought the force used was excessive.

Dixon attempted to pull up the video so I could view it, but was unable to retrieve the footage. Dixon stated that he would be able to email the video to our department, but at a later time. Dixon refused to give his address, but did state that he lived "off of Freya."

I then took photos of the injury to Hall's chin. I have no further information to report.

Z.DAHLE #766 P309

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 13-323581	
REPORT PURPOSE			REPORTED ON DATE Mon 09/23/2013	TIME 19:16	INCIDENT XREF
INCIDENT CLASSIFICATION #1 COURT ORDER VIOLATION		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 09/23/2013	REPORT TIME 19:51	
PRIMARY CHARGE					UCR/NIBRS CODE
<small>OW-Citizen of Property, O-Citizen, COX-Combat, V-Disabled, W-Child, R-Business, V-Victim, M-Human, S-Suspect, RU-Runaway, RC-Redeemed, C-Minor, PC-Passenger, PE-Pedestrian, A-Arrested Person, G-Legal Guardian, C-Complainant, CV-Complainant's Victim, D-Driver, PG-Pedestrian, Cyclist, IM-Instigational, M-Miscellaneous, MIR-Parade/Memorials, W-Witness</small>					
CODE W-1	NAME: LAST, FIRST, MIDDLE Cottrell, Teresa L			SEX F	RACE/ETHNICITY W-White
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE 07/25/1965 48
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1918 E Mission Avenue, Spokane, WA 99202			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) (509) 263-2475					
NARRATIVE					

On 09-23-13 at approximately 1916 hours I responded with Ofc. Heuett to 1918 E. Mission in reference to an order violation.

It was reported that Corey Hall was at the location attempting to get inside. Radio advised there is a valid and served order that prohibits Hall from having any contact with a [REDACTED] #1a who was inside the Mission address.

While I was enroute, Ofc. Heuett advised radio that he was attempting to contact Hall at Mission and Napa. He then advised that Hall was attempting to run and then a few moments later, Ofc. Heuett advised to have Police units "step it up", which I took as he was fighting with Hall.

When I arrived, I observed Hall was on his stomach on the ground and Ofc. Heuett was attempting to control him with his body weight. Ofc. Heuett continually told Hall he was under arrest for order violation and to stop resisting.

As I ran up to Ofc. Heuett, I observed Hall kicking his legs around. To prevent injury to himself or other Officer's, I placed my knees on top of his legs to control them.

I then attempted to gain control of Hall's right arm, which he hand under his body and would not remove, even after numerous requests to do so. I finally pulled out his arm and placed handcuffs on him (DL). Hall made the unsolicited statement that he was "just there to get his socks". He was then placed into the back seat of Ofc. Heuett's patrol vehicle.

ID NO./NAME OF REPORTING OFFICER #701 - Stewart, James		DISTRIBUTION	
APPROVAL #443 - Kakuda, Blaine	DATE/TIME 09/23/2013 20:50		

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION COURT ORDER VIOLATION	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 13-323581
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I went to 1918 E. Mission and contacted Nolte. He told me the following: He was at the location to visit his friend Teresa Cottrell, who is Hall's mother. He said Hall is an ex friend, who he use to work with.

He first heard Hall on the west side of the house banging around. Hall then came to the front door and was banging on it wanting to come inside. He told him to leave several times because Hall cannot be around him. He then called 911.

I then contacted Cottrell. She did tell me that Hall is her son and he has been out of control and suspected he has been doing drugs. She knew about the order with #1a. She also saw Hall on her front porch and would not let him inside.

I gave #1a a crime victim card with the noted case number. See Ofc. Heuett's report for more information.

Spo. J. Stewart #701 D287.

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 13-323581	
INCIDENT TYPE Arrest		INCIDENT CLASSIFICATION #1 COURT ORDER VIOLATION		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #2 RESISTING ARREST		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>	
RESPONDING TO (Officer Assault)			ASSIGNMENT (Officer Assault)		
REPORTED ON Mon 09/23/2013	DATE/TIME 19:04	OCCURRED ON Mon 09/23/2013	DATE/TIME 19:04	OCCURRED TO Mon 09/23/2013	DATE/TIME 19:04
DISPATCH TIME		ARRIVED TIME	CLEARED TIME	REPORT DATE 09/23/2013	REPORT TIME 20:34
PRIMARY CHARGE M-10.09.040(A)DV VIOL OF ORDER-DV					UCR/NIBRS CODE /90Z
ADDITIONAL CHARGES M-10.07.034 RESISTING ARREST					
LOCATION OF INCIDENT 1918 E Mission Av, Spokane, WA 99207				LOCATION NAME (IF APPLICABLE)	
ENTRY POINT	METHOD	WEAPON/TOOL/FORCE USED	SECURITY	EVIDENCE Photographs	
TYPE OF PREMISE (FOR VEHICLES STATE WHERE PARKED) Residence/Home					
SOLVABILITY FACTORS Suspect Arrested					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS Officer Stewart/ Corporal Dahle					
<small> OW=Owner of Property, O=Other, COB=Contractor, V=Victim, BV=Business Victim, I=Individual, S=Stranger, RU=Railway, RO=Registered Owner, IR= Investigator, PE=Pedestrian, A=Arrested Person, G=Legal Guardian, C=Complainant, CV=Complainant's Victim, D=Driver, P=Pedestrian, C=Clerk, W=Witness, M= Missing, MR=Married, M=Married, W=Witness </small>					
CODE CV-1	NAME: LAST, FIRST, MIDDLE #1b			SEX RACE/ETHNICITY	DATE OF BIRTH/AGE #1d
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP #1d			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL ADDRESSES #1d					ADDRESS TYPE
ADDITIONAL PHONES #1c					
REALTIONSHIP TO SUSPECT		VICTIM OF Ofns. # M-10.09.040(A)DV VIOL OF ORDER-DV		OFNDR. # A-1	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES None				TYPE OF VICTIM Individual	
MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO					
HOSPITAL TAKEN TO	TAKEN BY	<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN	SUICIDE NOTE FOUND? <input type="checkbox"/>	HOLD PLACED BY

ID NO./NAME OF REPORTING OFFICER #681 - Heuett, Kyle	DISTRIBUTION
APPROVAL #206 - Gilmore, Chet	DATE/TIME 09/24/2013 02:32

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION COURT ORDER VIOLATION				ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 13-323581
CODE A-1	NAME: LAST, FIRST, MIDDLE Hall, Corey S			SEX M	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE 01/07/1994 19					
HEIGHT 6'02"	WEIGHT 160	BUILD Light	HAIR Blonde or	EYES BLU - Blue	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1918 E Mission Avenue, Spokane, WA 99203			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) (509) 218-7660					
CHARGE LEVEL Misdemeanor		DESCRIPTION M-10.09.040(A)DV VIOL OF ORDER-DV			UCR/NCIC CODE /90Z
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest		MULTIPLE ARRESTEE SEGMENT'S INDICATOR <input type="checkbox"/>	
CHARGE LEVEL Gross Misdemeanor		DESCRIPTION M-10.07.034 RESISTING ARREST			UCR/NCIC CODE
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CITATION # 3z0779997	DATE 09/23/2013	TIME 19:04	BOOKED WHERE Spokane County Jail		DATE 09/23/2013
			TIME 19:04		
ARREST LOCATION Mission & Napa, Spokane, WA 99207				STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input checked="" type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED
SUSPECT ARMED WITH					
JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED	DATE & TIME NOTIFIED	NOTIFIED BY		DISPOSITION OF JUVENILE
DRIVER'S LICENSE #4b	<input type="checkbox"/> FAKE STATE	SOCIAL SECURITY NO.	<input type="checkbox"/> FAKE	OTHER ID	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES Apparent Minor Injury			TYPE OF VICTIM		MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO
HOSPITAL TAKEN TO	TAKEN BY	<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN		SUICIDE NOTE FOUND? <input type="checkbox"/>
HOLD PLACED BY					

NARRATIVE

On 092313, Officer Stewart and I responded to 1918 E. Mission, reference a Dv Protection Order Violation. Dispatch advised that a male was refusing to leave and that **#1a** was the complainant. He identified that male as Corey S. Hall 010794 and advised that he is known to carry knives and brass knuckles and other weapons. He seemed to arrive on foot, was possibly high on pills, and possibly had a warrant for a Dv last night.

Dis path advised that Corey S. Hall has a served and valid protection order that protects **#1a** from him. **#3k** I checked my mobile SPRS computer system enroute to the call, to verify a picture of Hall. It showed a booking photograph of him from 071613.

While enroute to the call, dispatch advised that Hall was now in front of Hai's Market, wearing a black baseball cap, black and white jacket, dark pants, white shoes and a backpack.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION COURT ORDER VIOLATION	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 13-323581
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It should be noted that I have had prior contacts with Hall at 1918 E. Mission. One of the incidents that I investigated on 022012 (12-51589), resulted in Hall being arrested for Felony Harassment Dv (Threats to Kill) and 2nd degree Assault (Strangulation). I was also aware of several Dv and Dv Order Violation calls from this residence and he has been a suspect in several burglaries. He does not comply with the Police and has been very confrontational when taken into custody. The residence has also been connected with an Officer Involved Shooting in the past and #7a #7a location on all calls for service.

While enroute to the call, I checked my computer and observed that mostly all the units were not available on the south side of town and currently taking calls for service. I also knew that Hall was not allowed to be within two city blocks of any known location of #1a and that he was committing a no contact order violation by being at the residence. From past contacts with him and history on the above location, I believed that hall poses an immediate threat to #1a and others at the location and to responding Officers coming on scene.

When I arrived into the area from the south on Napa, I immediately went west in the south alley behind 1918 E. Mission. I used the south side of Hai's Market as cover as I checked around the corner to see if I could locate Hall on the front porch or on the northwest corner of Hai's Market. I immediately recognized Hall as he was standing next to the northwest corner of Hai's Market. He was wearing the exact clothing as presenting in the call earlier, and turned his entire body and looked directly me. It should be noted that I was in vehicle #391 which is a fully marked Police car with lights and siren and was in full Police uniform.

Hall immediately made a quick turned to the north and walked around the building and out of sight to the east. As I pulled around the northwest corner of the business, Hall was walking at a fast pace east on the sidewalk and was now at the northeast corner of the building and looking back and forth very quickly from north to south, checking for an escape route and checking for my position.

I turned east onto Mission and Hall was again out of sight as he went south on Napa on the sidewalk. I put out that he was running from me, south on Napa. I turned south onto Napa and Hall was just to the south on the sidewalk and looking again from side to side very quickly for an escape route. His hands were shaking and me was making both hands into fists as I exited my patrol vehicle. He started to back up and took a bladed fighting stance. I kept my patrol vehicle in between us and advised him to get on the ground and that he was under arrest for an order violation. He started saying, "For what, what the fuck man." I again told him several times to get on the ground and that he was under arrest and to not resist. He refused to follow my commands and continued to look for an escape route.

As I came around the corner of the of my patrol vehicle, I noticed that Hall was trying to remove his backpack that was strapped onto his back, with both straps around his arms and chest. He also had what appeared to be heavy objects in both front pants pocket and he was slurring his speech. His

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION COURT ORDER VIOLATION	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 13-323581
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eyes were bloodshot and watery and he had trouble focusing on my commands. His body continued to be tense and he had his hands in fists as he brought them up to his upper body area.

I again advised him that he was under arrest and told him to get on the ground and to not resist arrest. As I got closer to Hall he spun around to face me with both hands making fists and he was in a fighting stance. I took left arm control and he immediately pulled his arm away from me and into the waistband of his body. In my experience and training, suspects carry several weapons on the front of their waistband and fronts pockets to allow them quick access in an altercation.

I was able to slide behind Hall and attempt a rear neck restraint take down. As I began guiding Hall to the ground into a prone cuffing position, he pulled his body away from me, which made space between us and I began to fall back and loose control of him. It should be noted that the incident occurred on the sidewalk where it begins to dip down allowing wheelchairs to cross the street.

I was able to place Hall onto the ground into a prone cuffing position and immediately maintained control of his upper body, by placing my knee between his neck and shoulder blades. I got a wrist lock control of Hall's left wrist and continued to tell him to stop resisting and to calm down. Hall was trying to place his feet and knees under his body to roll away from me and placed his right hand under his body towards his right front pants pocket several times. I told him several times to remove his right hand and to place it behind his back. It should be noted that a large knife was located on Hall in his right front pants pocket.

Hall continued to tense his body and move his feet and knees in a circling position away from me while on the ground. He then placed his right hand onto the ground to his side and began pushing himself up, trying to get away. I continued to hold a left wrist lock on Hall to maintain control and was able to get to my radio to have of units "step it up."

As I maintained left wrist lock control of Hall, I observed his right hand make a fist. He began to lift his right wrist off the ground and I immediately recognized that he was going to hit me. I pinned his right hand against the ground and took finger lock control and wrist lock control, by bending his fingers back towards the back of his hand. I continued to talk to Hall in attempt to calm him down.

As I was maintaining wrist lock control on both, Hall was attempting to roll me off of him to the right side of his body. He was using the slant of the sidewalk to his benefit in trying to roll me off of him got me off balance several times. I was able to use left wrist lock control as a pain compliance, not allowing him to roll me over into an advantage position for him. I had to maintain control of Hall for several minutes, and wait for other units to come on scene for my safety and his. He continued to tense his body the entire time and was trying to spit into my face.

It should be noted that when Officer Stewart arrived on scene, I was out of breath from the incident and losing my wrist lock control on both hands. I continued to talk to Hall in attempt to calm him

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION COURT ORDER VIOLATION	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 13-323581
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down.

When Officer Stewart arrived on scene, I let go of his right wrist and took primary on his left arm control. Hall continued to fight and tense up his arm, not allowing me to put it behind his back. I was eventually able to get his left arm behind his back as Officer Stewart attempted to get his right arm behind his back. I removed my cuffs from my holder and Hall lifted his upper body off the ground, pushing me off balance and I dropped them onto his upper back. I was eventually able to get a cuff on his left wrist and Officer Stewart handcuffed his right wrist.

Once we had Hall in handcuffs, I immediately asked him if he was injured from the incident. He stated, "No." He had a small cut under his chin, that Corporal Dahle took photographs of. I searched Hall while still on the ground in a prone cuffing position. When I rolled Hall onto his right side, he continued to tense his body and attempted to roll completely onto his back and began raising his feet. I immediately thought that Hall was going to try and kick Officer Stewart or me, so I rolled him back over onto his stomach and maintained control of his upper body by placing my knee just below his neck.

I placed Hall into the back seat of my patrol car and again asked him if he was injured during the incident. He stated, "No."

I transported Hall to Spokane County Jail to be booked for no contact order violation and resisting arrest. I advised Sgt. Keller of the incident.

See Officer Stewart and Corporal Dahle's additional reports.

I checked with local businesses in the area for video and none were located.

I had dispatch do a III and it showed that Hall has one prior conviction for no contact order violation.

K. Heuett #681
SPO C264