



## 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   |
|-----------------------------|---|--|---|
| <b>Witness Exemptions</b>   |   |  |   |
| #1a                         | <b><u>Name / Identity</u></b> 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                         | <b><u>Date of birth</u></b> 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                         | <b><u>Personal home, work or cell phone number</u></b> 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                         | <b><u>Residential address</u></b> 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                         | <b><u>E-mail address</u></b> 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)  |
| <b>Juvenile Information</b> |   |  |   |
| #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   |

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|                             | 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)  |
| <b>ACCESS Database Info</b> |   |  |   |
| #3a                         | Information from WACIC/NCIC (ACCESS):<br><b><u>Criminal history information</u></b>         | 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.<br>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):<br><b><u>License Plate Information</u></b>            | 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.<br>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):<br><b><u>Vehicle Registered owner information</u></b> | 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.<br>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):<br><b><u>Wanted persons information</u></b>           | 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.<br>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):<br><b><u>Officer safety information</u></b>           | 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.<br>28 CFR 20.38 Access to FBI systems subject to   |

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|  |   | 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):<br><b><u>Gun information</u></b>                | 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.<br>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):<br><b><u>DOL Information</u></b>                | 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.<br>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):<br><b><u>Stolen Vehicle Information</u></b>     | 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.<br>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):<br><b><u>Missing Persons Information</u></b>    | 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.<br>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):<br><b><u>Runaways or endangered persons</u></b> | 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.<br>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):<br><b><u>DOC Information</u></b>                                 | 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.<br>28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C. |
| <b>Personal Identifiers and Financial Info</b> |   |  |   |
| #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),<br>RCW 42.56.230 (Personal information),<br>42.56.250(3)(8)<br>(Employment and   |

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|                        |  |  | 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)   |
| <b>Employees Files</b> |  |  |  |
| #5a                    | <b>Photos</b> 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                    | <b>Birthdates</b> 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)  |



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| #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)  |
| <b>Criminal History</b>               |  |   |   |
| #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)  |
| <b>Officer Safety or Intelligence</b> |  |   |   |
| #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 identicard 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 Comm'n, 16 Wn.App. 830, 836 (1977). |

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|                         |  | 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.   |  |
| <b>Photos</b>           |  |   |  |
| #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)<br>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)<br>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)<br>RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)  |
| <b>Protected by Law</b> |  |   |  |
| #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).<br>RCW 42.56.050 (Invasion of privacy)<br>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)  |

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|      |   | 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<br>(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)<br>(Privileged communications)<br><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<br>(Confidential information and records)   |

**Use of force**      **IA No: F13-117**      **Received: Oct 14, 2013**

Incident No: 13-347764

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

Reason for use-of-force: Assaulting Officer

Officer assessment of citizen condition: Alcohol

Citizen was injured: No

Citizen was taken to hospital: Yes

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

Officer was taken to hospital: No

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

Involved Citizen Build: Medium

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

**Involved citizen:**

**Lance C Anderson**

Resistance(s):

Assaultive

Linked address(s):

Home Address: Transient      Transient WA

**Officers involved:**

**Officer Nathan E Donaldson [973/]**

**Officer current info:**

Bureau: Operations

Unit: Uniform Operations

Assignment: Patrol

**Snapshot - officer information at time of incident:**

Badge/ID no: 973

Bureau: Operations

Unit: Uniform Operations

Assignment: Patrol

Not Used: Team 9 - Power - S

Rank/title: Officer

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

Off duty:      Off duty employed:

Use(s) Of Force:

OC/Chemical Application: Effective

**Officer witnesses:**

**Officer Ronald E VanTassel [844/]**

**Officer current info:**

Bureau: Operations  
Unit: Uniform Operations  
Assignment: Patrol

**Officer Benjamin C Brown-Bieber [1176/]**

**Officer current info:**

Bureau:  
Unit:  
Assignment:

**Summary:**

Ofc. O'Connell found Lance Anderson passed out on a sidewalk at 2nd & State. Anderson appeared intoxicated but couldn't be aroused. SFD Paramedics responded and were able to awaken Anderson. Once his vital signs were checked he was arrested for his DOC warrant and transported to jail. Ofcs. Donaldson and Brown-Bieber transported as O'Connell was at the end of his shift.

The jail nurse asked that Anderson be taken to a hospital due to his level of intoxication. This prompted Anderson to begin acting out. He yelled at everyone and refused to walk back to the police car. He kicked at Ofc. Donaldson when the officer bent down to pick up a key that had fallen to the floor. Donaldson was struck on the foot but not injured.

Anderson was taken to Deaconess where he had to be put in a wheelchair to get him inside. He was yelling and thrashing about. He was very volatile and the officers were concerned for their safety as well as the safety of hospital staff. Anderson was handcuffed to a gurney and asked to calm down and cooperate.

He responded by spitting at the officers. He was warned to stop several times. Anderson then yelled at Donaldson, "You're gonna listen to me bitch!" He then cocked his head as if to head butt Donaldson and puckered his lips in preparation to spit again. Donaldson then administered one short burst of pepper spray. It hit Anderson in the face and stopped the assault. Donaldson, Brown-Bieber and Anderson were the only ones present during this incident.

I responded to the E.R. and contacted the officers as well as Ofc. VanTassel who'd arrived to back them. VanTassel said he didn't observe the activity at jail or what had occurred in the E.R.

I found Anderson with both wrists handcuffed to the gurney. He was still being combative... flailing about as much as possible, thrashing his head and shoulders from side to side and kicking his feet in all directions. Officers had to hold him down so a nurse could safely check his vital signs and draw lab samples.

Anderson resumed spitting, once spitting directly at Ofc. VanTassel who was barely able to duck out of the way. A spit hood was placed over Anderson's head; it contained the rest of his spitting. I witnessed this incident and the placement of the spit hood.

A lab report indicated Anderson's blood alcohol level at .31. Upon release by a doctor, Anderson became fairly compliant and was taken to jail and booked without further incident.

In Compliance with Policy per Captain Richards, 10/31/2013.

**When/where:**

Date/time occurred: Oct 14 2013 20:30

Incident location: 800 5th AV W Spokane  
Home Address: Transient Transient WA  
County: Spokane County

**Linked files:**

CAD, reports (pdf)

**Status/assignment information:**

Status: Completed

Opened: Assigned: Due: Completed: 10/31/2013

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 9 - Power - S

**BlueTeam chain routings**

**Oct 15, 2013 17:33: Sent from Sergeant Thomas J Lee [244/11012] to Lieutenant Eric S Olsen [255/11040]**

Instructions:

Please review this UOF.

Reviewed by Lieutenant Eric S Olsen [255/11040] on Oct 17, 2013 at 15:43

Decision: Not approved  
Insufficient information

Reviewer comment:

For Lt. Lundgren.

**Oct 17, 2013 15:43: Sent from Lieutenant Eric S Olsen [255/11040] to Lieutenant Justin C Lundgren [532/11713]**

Instructions:

For your review.

Reviewed by Lieutenant Justin C Lundgren [532/11713] on Oct 28, 2013 at 00:05

Decision: Approved

Reviewer comment:

The use of force in this incident was objectively reasonable and within policy.

**Oct 28, 2013 00:05: Sent from Lieutenant Justin C Lundgren [532/11713] to Captain David W Richards [119/10779]**

Instructions:

For your review.

Reviewed by Captain David W Richards [119/10779] on Oct 31, 2013 at 14:37

Decision: Approved

Reviewer comment:

The suspect had assaulted Officer Donaldson before being transported to the hospital. The suspect's demeanor was volatile, he was assaultive and refusing to cooperate with the officers' directives. Once at the hospital, his demeanor did not improve and began spitting at officers who had taken him into the treatment room. The suspect was handcuffed when he was spitting and lunging toward them. Even though his movements were restricted to the degree that the handcuffs controlled him, he was still behaving in an assaultive manner. He was still capable of causing damage and injury even while handcuffed. His body was not completely restricted (i.e. he was not strapped down to the bed). Because of the suspect's actions and his escalation in assaultive behavior, officers had to take immediate action in order to keep his behavior in check. Officer Donaldson's short burst of OC-10 was an attempt to keep his actions under control. This did not have the desired affect on the suspect, so they did not administer any other OC-10 applications. Instead, when possible, a spit mask was placed on him. Officer Donaldson's short OC-10 burst was within policy and was reasonable considering the circumstances in his attempt to keep the suspect from continuing to be assaultive.

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

**Entered via BlueTeam by: Sergeant Thomas J Lee [244/11012] on Oct 14, 2013 at 23:33**

## Incident History for: #SP130347764

Entered 10/14/13 19:39:59 BY PCC03 1123  
 Dispatched 10/14/13 19:39:59 BY PCC03 1123  
 Enroute 10/14/13 19:39:59  
 Onscene 10/14/13 19:39:59

Initial Type: SUSPER Final Type: SUSPER (SUSPICIOUS PERSON)

Initial Priority: 2 Final Priority: 2

Disposition: Source: R Primary Unit: D388

Police BLK: SPD8RS

Group: P8 (P6 ) Beat: Map Page: 33

Loc: W 2ND AV/S BROWNE ST ,SPK &lt;000,100&gt; (V)

Name: Addr: Phone:

/193959 (1123 ) \$OUTSRV ,NO MORE INFORMATION  
 /193959 DISPOS C265 #386 O'CONNELL, BARRY  
 ,NO MORE INFORMATION  
 /194001 CHANGE LOC: 2ND/BROWNE --> W 2ND AV/S BROWNE ST ,SPK  
 ,  
 DGP: P6 --> P8,  
 BLK: --> SPD8RS  
 /194005 ASSTER C50 [W 2ND AV/S BROWNE ST ,SPK]  
 #C50 DETOX VAN  
 /194020 ASSTER C257 [W 2ND AV/S BROWNE ST ,SPK]  
 #311 MALINAK, SHERRI  
 /194030 \$PREMPT C257  
 /194030 \$ASSTER D388 #1176 BROWN-BEIBER, BENJAMIN  
 #973 DONALDSON, NATHAN  
 /194030 PREDSP C257 D388  
 /194051 NEWLOC C265 [IFO PUBLIC MARKET]  
 /194202 PREMPT D388  
 /194231 CALLBK C265 T/PCC03  
 ,FIRE ENROUTE TO CHECK OUT THIS MALE WHO IS BR  
 EATHING, BUT NON-RESPONSIVE. MOST LIKELY INTOX  
 RELATED  
 /194301 (1176 ) \*ASSTOS D388 [IFO PUBLIC MARKET]  
 #1176 BROWN-BEIBER, BENJAMIN  
 #973 DONALDSON, NATHAN  
 /195139 \*REMINQ D388  
 /195239 (1123 ) REMINQ D388 #3b  
 /195401 MISC D388 ,ONE IN CUSTODY  
 /195411 CALLBK D388 T/PCC05  
 ,PLEASE CONF ON DOC WARRANT. HIT TO FOLLOW  
 /195522 (552 ) CALLBK D388 T/PCC03  
 ,CONFIRMED DOC ON ANDERSON  
 /195937 (1176 ) \*TRANS D388 [JAIL] M/0.0  
 ,ADULT MALE  
 /200002 (386 ) \*MISC C265 ,CALL TAKEN BY 388  
 /200039 \*CLEAR C265 ,PSTAT/ASST  
 /200203 (1123 ) CLEAR C50  
 /202746 (1176 ) \*TRANS D388 [DEACONESS] M/1.7  
 /202840 \*REMINQ D388 #3b  
 /203229 \*TRANSC D388 M/2.9  
 /203911 (1123 ) OK D388  
 /205504 ASSTER D480 [DEACONESS]  
 #844 VANTASSEL, RONALD  
 /205907 (844 ) \*ONSCNE D480



|         |        |           |      |  |
|---------|--------|-----------|------|--|
| /205920 | (244)  | ) *ASSTER | L244 | [DEACONESS]  |
|         |        |           |      | #244 LEE, TOM  |
| /210215 |        | *ONSCNE   | L244 |  |
| /211434 | (1123) | ) OK      | D480 |  |
| /211434 |        | OK        | L244 |  |
| /215337 |        | MISC      | D388 | ,ONE ALSO IN CUSTODY FOR TWO COUNTS OF ASSAULT<br>3RD LE |
| /215414 | (1176) | ) *REMINQ | D388 | [REDACTED] #3a   |
| /221657 | (1123) | ) TRANS   | D388 | [JAIL]   |
|         |        |           |      | , 2.9 STARTING   |
| /221753 | (244)  | ) *CLEAR  | L244 | , PSTAT/ASST   |
| /222122 | (844)  | ) *MISC   | D480 | , PSTAT/ASST PSTAT/RPT                                   |
| /222140 |        | *REMINQ   | D480 | [REDACTED] #3b   |
| /222221 | (1176) | ) *TRANSC | D388 | [JAIL] M/4.3   |
| /222632 | (844)  | ) *REMINQ | D480 | [REDACTED] #3b   |
| /222707 |        | *REMINQ   | D480 | [REDACTED] #3a   |
| /222834 | (1123) | ) OK      | D388 |  |
| /223256 | (844)  | ) *CLEAR  | D480 |  |
| /223309 | (1176) | ) *NEWLOC | D388 | [DECON CAR ]   |
| /224517 |        | *CHGLOC   | D388 | [LOGAN PAPER]  |
| /231921 |        | *REMINQ   | D388 | [REDACTED] #3b   |

# INCIDENT REPORT

**Spokane Police/Spokane County Sheriff**

Page 1

|  |  |  |  |   |  |
|--|--|--|--|---|--|
| AGENCY NAME/SUBSTATION<br><b>SPD</b>   |  | EVIDENCE NUMBER  |  | INCIDENT NUMBER<br><b>13-347764</b>   |  |
| INCIDENT TYPE<br><b>Arrest</b>   |  | INCIDENT CLASSIFICATION #1<br><b>ASSAULT-SIMPLE</b>    |  | INCIDENT CLASSIFICATION #2<br><input type="checkbox"/>                                    |  |
|  |  | INCIDENT CLASSIFICATION #3<br><input type="checkbox"/> |  | INCIDENT CLASSIFICATION #4<br><input type="checkbox"/>                                    |  |
| RESPONDING TO (Officer Assault)  |  |  |  | ASSIGNMENT (Officer Assault)  |  |
| REPORTED ON<br><b>Mon 10/14/2013</b>   | DATE/TIME<br><b>19:39</b>  | OCCURRED ON<br><b>Mon 10/14/2013</b>                   | DATE/TIME<br><b>19:39</b>                  | OCCURRED TO<br><b>Mon 10/14/2013</b>  | DATE/TIME<br><b>22:28</b>  |
| DISTRICT   |  |  |  |   |  |
| DISPATCH TIME<br><b>19:39</b>  | ARRIVED TIME<br><b>19:43</b>   | CLEARED TIME<br><b>22:28</b>                           | REPORT DATE<br><b>10/14/2013</b>           | REPORT TIME<br><b>23:45</b>   | EST. TOTAL PROPERTY LOSS   |
| PRIMARY CHARGE<br><b>9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)</b>  |  |  |  |   | UCR/NIBRS CODE<br><b>/13A</b>  |
| ADDITIONAL CHARGES<br><b>9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)</b>  |  |  |  |   |  |
| LOCATION OF INCIDENT<br><b>800 W 5th Avenue, Spokane, WA 99204</b>   |  |  |  | LOCATION NAME (IF APPLICABLE)   |  |
| SOLVABILITY FACTORS<br><b>Suspect Arrested</b>   |  |  |  |   |  |
| RELATED INCIDENT NUMBERS   |  |  |  |   | INCIDENT XREF  |
| ADDITIONAL REPORTING OFFICERS<br><b>Donaldson, Van Tassel</b>  |  |  |  |   |  |
| VICTIM/WITNESSES/OTHERS<br><small>OW-Owner of Property, O-Other, CON-Contact, Y-Deceased, VB-Victim - Business, V-Victim - Individual, S-Suspect, RU-Runaway, RO-Registered Owner, PS-Passenger, PE-Pedestrian, A-Arrested Person, G-Guardian, C-Complainant, CV-Complainant is Victim, D-Driver, PC-Pedestrian - Cyclist, IN-Individual, M-Missing, MIR-Person Mentioned, W-Witness</small> |  |  |  |   |  |
| CODE<br><b>A-1</b>   | NAME: LAST, FIRST, MIDDLE<br><b>Anderson, Lance Charles</b>          |  |  | SEX<br><b>M</b>   | RACE/ETHNICITY<br><b>I-American Indian or</b>  |
| DATE OF BIRTH/AGE<br><b>04/23/1978 35</b>  |  |  |  |   |  |
| HEIGHT<br><b>6'00"</b>   | WEIGHT<br><b>200</b>   | BUILD<br><b>Medium</b>                                 | HAIR<br><b>Black</b>                       | EYES<br><b>BRO - Brown</b>  | DESCRIPTORS  |
| CONFIDENTIALITY<br><input type="checkbox"/>  | ADDRESS: STREET, CITY STATE ZIP<br><b>Transient</b>                  |  |  | RESIDENTIAL STATUS  | PHONE  |
| PLACE OF EMPLOYMENT/SCHOOL/ADDRESS   |  |  |  | OCCUPATION<br><b>Not employed</b>   | EMPLOYER PHONE   |
| CHARGE LEVEL<br><b>Felony Class C</b>  | DESCRIPTION<br><b>9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)</b> |  |  |   | UCR/NCIC CODE<br><b>/13A</b>   |
| WARRANT #  | BAIL   | TYPE OF ARREST<br><b>On-View of Arrest</b>             |  |   | MULTIPLE ARRESTEE SEGMENTS INDICATOR<br><input type="checkbox"/>                           |
| CHARGE LEVEL<br><b>Felony Class C</b>  | DESCRIPTION<br><b>9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)</b> |  |  |   | UCR/NCIC CODE<br><b>/13A</b>   |
| WARRANT #  | BAIL   | TYPE OF ARREST<br><b>On-View of Arrest</b>             |  |   | MULTIPLE ARRESTEE SEGMENTS INDICATOR<br><input type="checkbox"/>                           |
| CITATION #   | DATE   | TIME   | BOOKED WHERE<br><b>Spokane County Jail</b> |   | DATE<br><b>10/14/2013</b>  |
|  |  |  |  |   | TIME<br><b>19:54</b>   |
| ARREST LOCATION<br><b>W 2nd Avenue &amp; S Browne Street, Spokane, WA 99202</b>  |  |  |  | STATEMENT<br><input checked="" type="checkbox"/> ORAL<br><input type="checkbox"/> WRITTEN | CHARGES<br><input type="checkbox"/> ADMITTED<br><input checked="" type="checkbox"/> DENIED |
| JUV. PAR/GRD. Notified<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO  |  |  |  | SUSPECT ARMED WITH  |  |
| NAME/RELATIONSHIP OF PERSON NOTIFIED   |  | DATE & TIME NOTIFIED                                   |  | NOTIFIED BY   |  |
| DISPOSITION OF JUVENILE  |  |  |  |   |  |
| DRIVER'S LICENSE<br><input type="checkbox"/> FAKE  | STATE  | SOCIAL SECURITY NO.<br><b>#4a</b>                      | <input type="checkbox"/> FAKE              | OTHER ID<br><b>#4b</b>  |  |

|   |                                       |
|---|---------------------------------------|
| ID NO./NAME OF REPORTING OFFICER<br><b>#1176 - Brown-Beiber, Benjamin</b> | DISTRIBUTION<br><b>Crime Analysis</b> |
| APPROVAL<br><b>#244 - Lee, Thomas</b>                                     | DATE/TIME<br><b>10/15/2013 01:38</b>  |

Incident Report #1

10/15/2013 01:39:44.523

# INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

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|   |   |                              |   |   |   |   |                                |
|---|---|------------------------------|---|---|---|---|--------------------------------|
| INCIDENT CLASSIFICATION<br><b>ASSAULT-SIMPLE</b>                    |   |                              |   | ATTEMPTED<br><input type="checkbox"/>           |   | INCIDENT NUMBER<br><b>13-347764</b>   |                                |
| HAIR LENGTH<br><i>Long</i>  | HAIR TYPE   | HAIR STYLE<br><i>Braided</i> | FACIAL HAIR   |   | FACIAL SHAPE                                  | TEETH   |                                |
| APPEARANCE  | COMPLEXION  | FACIAL FEATURES              | DISTINCTIVE FEATURES  |   | GLASSES                                       | R/L HANDED  |                                |
|   |   |                              |   |   | SPEECH<br><i>Slurred</i>                      |   |                                |
| TATTOOS/LOCATION<br><i>Hand, Left, Hand, Right</i>                  |   |                              |   |   |   |   |                                |
| MARKS/LOCATION  |   |                              |   |   |   |   |                                |
| CLOTHING<br><i>White sweatshirt, black cargo pants, black boots</i> |   |                              |   |   |   |   |                                |
| HATE BIAS   |   |                              |   | CIRCUMSTANCES                                   |   |   |                                |
| TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES<br><i>None</i>          |   |                              |   | TYPE OF VICTIM                                  |   | MEDICAL RELEASE OBTAINED?<br><input type="checkbox"/> YES <input type="checkbox"/> NO |                                |
| HOSPITAL TAKEN TO<br><i>Deaconness</i>                              | TAKEN BY<br><i>SO/SPD Escort by</i>   |                              | <input type="checkbox"/> EMPLOYEE<br><input type="checkbox"/> ON DUTY       | ATTENDING PHYSICIAN                             |   | SUICIDE NOTE<br>FOUND? <input type="checkbox"/>                                       | HOLD PLACED BY                 |
|   |   |                              |   |   |   |   |                                |
| CODE<br><b>V-1</b>  | NAME: LAST, FIRST, MIDDLE<br><b>Ofc Ronald Van Tassel, E</b>                      |                              |   | SEX<br><b>M</b>                                 | RACE/ETHNICITY<br><b>W-White/Non-Hispanic</b> |   | DATE OF BIRTH/AGE<br><b>#6</b> |
| HEIGHT<br><b>6'02"</b>  | WEIGHT<br><b>210</b>  | BUILD<br><b>Medium</b>       | HAIR<br><b>Brown</b>  | EYES<br><b>BLU - Blue</b>                       | DESCRIPTORS                                   |   |                                |
| CONFIDENTIALITY<br><input type="checkbox"/>                         | ADDRESS: STREET, CITY STATE ZIP<br><b>1100 W Mallon Street, Spokane, WA 99260</b> |                              |   | RESIDENTIAL STATUS                              |   | PHONE   |                                |
| PLACE OF EMPLOYMENT/SCHOOL/ADDRESS                                  |   |                              |   | OCCUPATION<br><b>Employed</b>                   |   | EMPLOYER PHONE  |                                |
| ADDITIONAL PHONES<br><b>(Work) (509) 242-8400 x.20844</b>           |   |                              |   |   |   |   |                                |
| RELATIONSHIP TO SUSPECT<br><b>Victim was Stranger</b>               |   |                              | VICTIM OF<br>Offns. # <b>9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)</b> |   |   | OFNDR. #<br><b>A-1</b>  |                                |
| TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES<br><i>None</i>          |   |                              |   | TYPE OF VICTIM<br><b>Police/Law Enforcement</b> |   | MEDICAL RELEASE OBTAINED?<br><input type="checkbox"/> YES <input type="checkbox"/> NO |                                |
| HOSPITAL TAKEN TO   | TAKEN BY  |                              | <input type="checkbox"/> EMPLOYEE<br><input type="checkbox"/> ON DUTY       | ATTENDING PHYSICIAN                             |   | SUICIDE NOTE<br>FOUND? <input type="checkbox"/>                                       | HOLD PLACED BY                 |
|   |   |                              |   |   |   |   |                                |
| CODE<br><b>V-2</b>  | NAME: LAST, FIRST, MIDDLE<br><b>OFC Nathan Donaldson, E</b>                       |                              |   | SEX<br><b>M</b>                                 | RACE/ETHNICITY<br><b>W-White/Non-Hispanic</b> |   | DATE OF BIRTH/AGE<br><b>#6</b> |
| HEIGHT  | WEIGHT  | BUILD                        | HAIR  | EYES  | DESCRIPTORS                                   |   |                                |
| CONFIDENTIALITY<br><input type="checkbox"/>                         | ADDRESS: STREET, CITY STATE ZIP<br><b>1100 W Mallon Avenue, Spokane, WA 99260</b> |                              |   | RESIDENTIAL STATUS                              |   | PHONE   |                                |
| PLACE OF EMPLOYMENT/SCHOOL/ADDRESS                                  |   |                              |   | OCCUPATION<br><b>Employed</b>                   |   | EMPLOYER PHONE  |                                |
| ADDITIONAL PHONES<br><b>(Work) (509) 242-8400</b>                   |   |                              |   |   |   |   |                                |

Incident Report #1

CONTINUED ON NEXT PAGE

10/15/2013 01:39:44.773

# INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

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|  |   |   |                                     |   |
|--|---|---|-------------------------------------|---|
| INCIDENT CLASSIFICATION<br><b>ASSAULT-SIMPLE</b>           |   | ATTEMPTED<br><input type="checkbox"/>                                 | INCIDENT NUMBER<br><b>13-347764</b> |   |
| REALTIONSHIP TO SUSPECT<br><b>Victim was Stranger</b>      | VICTIM OF<br>Offns. # <b>9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)</b> |   | OFNDR. #<br><b>A-1</b>              |   |
| TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES<br><b>None</b> |   | TYPE OF VICTIM<br><b>Police/Law Enforcement</b>                       |                                     | MEDICAL RELEASE OBTAINED?<br><input type="checkbox"/> YES <input type="checkbox"/> NO |
| HOSPITAL TAKEN TO  | TAKEN BY  | <input type="checkbox"/> EMPLOYEE<br><input type="checkbox"/> ON DUTY | ATTENDING PHYSICIAN                 | SUICIDE NOTE<br>FOUND? <input type="checkbox"/>                                       |
| HOLD PLACED BY   |   |   |                                     |   |
| NARRATIVE  |   |   |                                     |   |

On 10/14/13 at 1939 hours I responded to the intersection of W. 2nd Ave. and S. Browne St. to assist Ofc. O'Connell with an unconscious subject at that location. Ofc. O'Connell had been on patrol when he observed the man lying on the sidewalk. When I arrived Ofc. O'Connell pointed out a male passed out on the sidewalk in front of the Public Market on W. 2nd Ave. just east of S. Browne St.

The male, later identified as Lance Anderson, was curled up in the fetal position on the sidewalk. He did not respond to officers attempts to wake him up by speaking to him or shaking him. Spokane Fire Department arrived to check on Mr. Anderson. When fire department personnel arrived, they were unable to rouse Mr. Anderson by rubbing on his sternum. Fire department personnel eventually were able to wake Mr. Anderson up using an ammonia inhaler.

Once Mr. Anderson woke up, he was able to stand up and speak with police. While speaking with police, he placed his hands in his pockets. Since I was concerned that Mr. Anderson might have weapons in his pockets and he had not been frisked, I asked him to remove his hands. He ignored me and I had to remove his hand from his pocket. At that point I patted him down to check for weapons but did not locate any weapons.

Since Mr. Anderson was slurring his speech and was unsteady on his feet, I asked him to sit on a nearby concrete planter so that he would not fall and hurt himself. He was eventually able to locate his ID card. I waited with Mr. Anderson while Ofc. Donaldson checked his wanted status. While I was waiting with him Mr. Anderson stood up twice. Both times that he stood up I told him to sit down. He ignored me both times and I had to physically assist him in sitting down again.

Ofc. Donaldson learned that Mr. Anderson had an outstanding felony Department of Corrections warrant. Ofc. O'Connell and I then placed Mr. Anderson in handcuffs (DL) and placed him in my patrol car. I then transported him to Spokane County Jail. While transporting Mr. Anderson he urinated in the back of the police car.

Upon arrival at jail Mr. Anderson requested to be seen by the jail nurse. While waiting for the nurse to arrive, Mr. Anderson was placed in the officer area in booking. He was told to stand with his back against the south wall of the room, but refused to stand and instead chose to sit on the floor. While Mr. Anderson was sitting on the floor, Ofc. Donaldson dropped a key on the ground near him. Ofc. Donaldson covered the key with his foot and moved it away from Mr. Anderson. While Ofc. Donaldson was moving the key, Mr. Anderson kicked Ofc. Donaldson in the foot.

## INCIDENT REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

Page 4

INCIDENT CLASSIFICATION  
**ASSAULT-SIMPLE**

ATTEMPTED  
☐

INCIDENT NUMBER  
**13-347764**

When the jail nurse arrived he stated that he wanted to have Mr. Anderson medically cleared at a hospital before he would admit him to jail. I told Mr. Anderson I was going to take him to the hospital to be medically evaluated, but Mr. Anderson refused to walk out to my police car. He had to be carried out by jail officers, who then placed him in the back seat of my cruiser.

I transported Mr. Anderson to the Deaconess hospital emergency room for medical clearance. Upon arrival at the hospital I searched the back seat of the cruiser and located a handcuff key under the rear seat. I had searched the back seat area before Mr. Anderson was placed in it and no handcuff key was present. I placed Mr. Anderson in a wheelchair and took him into the emergency room. Inside the emergency room Mr. Anderson repeatedly tried to stand up from the wheelchair and I had to hold him down to keep him in the chair.

Hospital staff showed us to a room, and I was able to have Mr. Anderson sit in the bed. I handcuffed both of his hands to the rails of the bed. Mr. Anderson then urinated in the bed. He also stated he had left the handcuff key in my police car.

I was standing to Mr. Anderson's left, and Ofc. Donaldson was standing at the foot of the bed near the door. Mr. Anderson then spat in Ofc. Donaldson's direction, but the spittle landed on Mr. Anderson's legs. He then spat again in Ofc. Donaldson's direction, and this spittle landed on the floor next to Ofc. Donaldson.

Mr. Anderson then lunged out of the bed at Ofc. Donaldson. Ofc. Donaldson deployed a short (about 1/2 second) dose of OC spray to Mr. Anderson's face to stop him from spitting and lunging at Ofc. Donaldson.

Ofc. Van Tassel and Sgt. Lee responded to assist with Mr. Anderson. While waiting in Mr. Anderson's room, Mr. Anderson spat at Ofc. Van Tassel. The spittle missed Ofc. Van Tassel and landed on the counter at the foot of the bed.

Hospital staff advised that Mr. Anderson was medically cleared and that the only drug in his system was alcohol. A spit hood was placed on Mr. Anderson, and he was walked back out to my police car and transported back to jail. Mr. Anderson was booked into jail without further incident.

Mr. Anderson's handcuff key was turned in to the property section as evidence. I completed a charging document for Mr. Anderson's assaults on Ofc. Donaldson and Ofc. Van Tassel.

Ofc. Brown-Bieber #1176/D388

# SUPPLEMENTAL REPORT

**Spokane Police/Spokane County Sheriff**

Page 1

|   |                                       |   |                                     |                                       |
|---|---------------------------------------|---|-------------------------------------|---------------------------------------|
| AGENCY NAME/SUBSTATION<br><b>SPD</b>  |                                       | EVIDENCE NUMBER                           | INCIDENT NUMBER<br><b>13-347764</b> |                                       |
| REPORT PURPOSE  |                                       | REPORTED ON DATE<br><b>Mon 10/14/2013</b> | TIME<br><b>19:39</b>                | INCIDENT XREF                         |
| INCIDENT CLASSIFICATION #1<br><b>ASSAULT-SIMPLE</b>                         | ATTEMPTED<br><input type="checkbox"/> | INCIDENT CLASSIFICATION #2                |                                     | ATTEMPTED<br><input type="checkbox"/> |
| INCIDENT CLASSIFICATION #3  | ATTEMPTED<br><input type="checkbox"/> | INCIDENT CLASSIFICATION #4                |                                     | ATTEMPTED<br><input type="checkbox"/> |
| DISPATCH TIME   | ARRIVED TIME                          | CLEARED TIME                              | REPORT DATE<br><b>10/14/2013</b>    | REPORT TIME<br><b>22:03</b>           |
| PRIMARY CHARGE<br><b>9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)</b>     |                                       |   |                                     | UCR/NIBRS CODE                        |
| ADDITIONAL CHARGES<br><b>9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)</b> |                                       |   |                                     | EST. TOTAL PROPERTY LOSS              |
| NARRATIVE   |                                       |   |                                     |                                       |

On 101413 at approximately 1939, Officer Brown-Bieber and I dispatched to 2nd and Browne to assist another officer. We arrived to find Officer O'Connell out with an unconscious male, later identified as Lance Anderson.

I exited the patrol car from the passenger side. I noted Anderson was curled up in the fetal position on the sidewalk. He was curled around a coat and a backpack. Spokane Fire Department arrived and were able to wake Anderson with smelling salts.

Officer Brown-Bieber spoke with Anderson. I noted Anderson seemed to respond to questions slowly and had very slurred speech. He denied consuming any alcohol or drugs. Officer Brown-Bieber had Anderson sit on a nearby flower pot. Anderson sat for several minutes but stood up after being told not to. He was placed back onto the flower pot.

A namecheck of Anderson confirmed him to have an outstanding DOC arrest warrant. Anderson was arrested by Officer Brown-Bieber and placed in the back of our patrol car. See Officer Brown-Bieber's attached report.

When we arrived at Spokane County Jail the nursing staff denied to accept Anderson due to his physical state. Officer Brown-Bieber and I transported Anderson to Deaconess Hospital. During transport I plainly heard Anderson's cuffs clanking but could only see him moving around in the back of the car. When we arrived at the Jail sally port I used my flashlight to check Anderson in the back of my car. From the driver's side of the car I noted he was still handcuffed behind his back. While in the officer area I moved past Anderson. I dropped my gun locker key on the ground near Anderson. I reached out with my right foot and pushed the key away from Anderson. As I did so Anderson kicked one of his feet towards me, striking me on the right small toe.

The Jail Nurse declined to accept Anderson. We transported him to Deaconess Hospital for clearance. Anderson was disorderly while at the hospital. He refused Off Brown-Bieber's repeated commands to sit in the wheelchair and repeatedly called us "bitches." Hospital staff placed us in a room and we handcuffed Anderson to the bed by both hands.

|   |                                      |              |
|---|--------------------------------------|--------------|
| ID NO./NAME OF REPORTING OFFICER<br><b>#973 - Donaldson, Nathan</b> |                                      | DISTRIBUTION |
| APPROVAL<br><b>#244 - Lee, Thomas</b>                               | DATE/TIME<br><b>10/15/2013 01:41</b> |              |



## SUPPLEMENTAL REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

Page 2

INCIDENT CLASSIFICATION  
**ASSAULT-SIMPLE**

ATTEMPTED  
☐

INCIDENT NUMBER  
**13-347764**

Off Brown-Bieber and I were both on Anderson's left hand side in the small room. Anderson began spitting in our direction and I moved towards the door. As I passed near the foot of the bed Anderson spat at me one more time. I moved quickly through the door to avoid being struck. I checked my uniform to determine I had not been hit by spittle.

As I stood in the doorway Anderson looked at me and said I would do as he said. Anderson then suddenly lunged forward sitting up in the bed and looking directly at me. I note the muscles in his lower right arm were clenched on the bed and his face was contorted.

Anderson was already under arrest for a felony warrant. He had physically resisted our efforts to control him and had attempted to access a hidden handcuff key. Anderson had also kicked me and had attempted to spit on me seconds earlier.

To prevent Anderson from attempting another assault on me I accessed my OC spray and deployed a short burst to his face/head. Anderson closed his eyes and yelled "Spray me again!" As he did this Anderson kicked blindly with his left foot, striking a nearby machine. Anderson then began screaming, saying his face was burning. I holstered my OC and then placed a wet rag on Anderson's face. Off Brown-Bieber joined me outside of the room.

I stepped outside of the hospital and requested Sgt Lee and another officer join us. A short while later Off VanTassel arrived along with Sgt Lee. I briefed both to the situation. Anderson continued to spit randomly. At one point he looked directly at Off VanTassel near the foot of the bed, and spit a large amount of saliva at Off VanTassel. Had Off VanTassel not moved quickly he would have been struck in the upper chest or face.

Anderson was released and we escorted him out of the hospital. We then transported him to Spokane County Jail where he was booked without further incident.

N. Donaldson #973  
Team #9

# SUPPLEMENTAL REPORT

**Spokane Police/Spokane County Sheriff**

Page 1

|   |              |                                       |   |                                     |                                       |
|---|--------------|---------------------------------------|---|-------------------------------------|---------------------------------------|
| AGENCY NAME/SUBSTATION<br><b>SPD</b>                |              | EVIDENCE NUMBER                       |   | INCIDENT NUMBER<br><b>13-347764</b> |                                       |
| REPORT PURPOSE                                      |              |                                       | REPORTED ON DATE<br><b>Mon 10/14/2013</b>           |                                     | TIME<br><b>21:30</b>                  |
| INCIDENT CLASSIFICATION #1<br><b>WARRANT ARREST</b> |              | ATTEMPTED<br><input type="checkbox"/> | INCIDENT CLASSIFICATION #2<br><b>ASSAULT-SIMPLE</b> |                                     | ATTEMPTED<br><input type="checkbox"/> |
| INCIDENT CLASSIFICATION #3                          |              | ATTEMPTED<br><input type="checkbox"/> | INCIDENT CLASSIFICATION #4                          |                                     | ATTEMPTED<br><input type="checkbox"/> |
| DISPATCH TIME                                       | ARRIVED TIME | CLEARED TIME                          |   | REPORT DATE<br><b>10/15/2013</b>    | REPORT TIME<br><b>05:04</b>           |
| PRIMARY CHARGE                                      |              |                                       |   |                                     | UCR/NIBRS CODE                        |
| NARRATIVE   |              |                                       |   |                                     |                                       |

On 10-14-13 I responded to Deaconess Hospital to assist Ofc Donaldson. Lance Anderson was in a bed being treated. Anderson was very vocal, swearing over and over.

I was standing at the foot of the bed, against a counter. I was about 8 feet away from Anderson. Anderson had been spitting on the ground over and over. A couple times he had spit several feet, towards Officers and nursing staff. We told Anderson over and over to stop spitting.

Anderson then spit again, which went several feet. I told Anderson to stop it or we were going to put on a spit mask. He turned his head in my direction. I could hear him hawking up flem into his mouth. He reared his head back, opened his mouth and spit right at me.

I saw a large, thick spit coming right at me. I was able to dodge the spit barely, which went over my shoulder and hit the wall and counter. If I did not move, it would have hit me. I placed a spit mask on Anderson until he was released from the hospital.

See Ofc Donaldson's report for further.

R Van Tassel  
D480  
844

|   |                                      |  |  |
|---|--------------------------------------|--|--|
| ID NO./NAME OF REPORTING OFFICER<br><b>#844 - VanTassel, Ronald</b> |                                      | DISTRIBUTION<br><b>Department of Corrections</b> |  |
| APPROVAL<br><b>#649 - Eckersley, Brian</b>                          | DATE/TIME<br><b>10/15/2013 06:33</b> |  |  |