



SPOKANE POLICE DEPARTMENT

FRANK STRAUB, JR.
CHIEF OF POLICE



**Internal Affairs
Exemption Log**

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

	offenses.	system. May not be released to the public except by court order.	Offenders) and RCW 13.50.100 (4) (a) and (b) (Keeping and Release of Records by Juvenile Justice or Care Agencies). <i>Deer v. DSHS, 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: F13-132 Received: Nov 17, 2013

Incident No: 13-385946

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

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

Officer assessment of citizen condition: Unknown Drugs

Citizen was injured: No

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 foot to 3 feet

Involved Citizen Build: Small

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

Involved citizen:

Thomas P Hatch

Resistance(s):

Life Threat/Suicidal

Linked address(s):

Home Address: 220 E. Pacific #94 99202

Home Address: 32 Pacific ST W Spokane WA 99201

Officers involved:

Officer Todd S Belitz [1084/]

Officer current info:

Bureau: Operations

Unit: Uniform Operations

Assignment: Patrol

Snapshot - officer information at time of incident:

Badge/ID no: 1084

Bureau: Operations

Unit: Uniform Operations

Assignment: Patrol

Not Used: Team 14 - Graves - N

Rank/title: Officer

Age: 38 Years of employment: 3 Years with unit:

Off duty: Off duty employed:

Use(s) Of Force:

Pointed Firearm: Effective

Takedown Technique: Effective

Officer Christopher Johnson [966/]

Officer current info:

Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol

Snapshot - officer information at time of incident:

Badge/ID no: 966
Bureau: Operations
Unit: Uniform Operations
Assignment: Patrol
Not Used: Team 14 - Graves - N
Rank/title: Officer
Age: 33 Years of employment: 6 Years with unit:
Off duty: Off duty employed:

Use(s) Of Force:

Pointed Firearm: Effective

Witnesses:

Courtney Rainer

Linked phone(s):
Home Phone: (509) 680-8304

Summary:

Officers Belitz and Johnson responded to 123 N. Bernard on a disorderly person call. The caller advised that a male is yelling and throwing things in the alley. A description of the male was provided. The caller added that it sounds like a fight, possibly between three people. Both Officers Belitz and Johnson were wearing the Spokane Police uniform of the day, which includes patches, badge, and accessories. Officer Belitz contacted the complainant (Carl Herwagen) who advised him that the male was yelling at people in apartment #410. Herwagen added that the male was last seen on the 4th floor in the stairwell. Officers responded to the 4th floor of the apartment complex. Officers contacted the subject in the stairwell of the complex (public). Officer Belitz identified officers as being "Spokane Police," and received a "fuck you," as the male attempted to slam the door on them. Officers entered the stairwell, led by Officer Johnson. The male who was later identified as being Thomas P. Hatch (DOB-013177) was standing approximately three feet from Officer Johnson, in his left hand he was holding a knife over his head. Hatch also had what appeared to be a "short" metal pipe in his other hand, holding it by his side. Officers drew their firearm and pointed it at Hatch. Officers felt in danger, due to being well within the 21 feet rule (Tueller Drill). Officer Johnson ordered Hatch several times to drop the knife. Officer Belitz noted that Hatch seemed to be off balance and falling backwards, explaining the reason for not immediately using deadly force. Hatch complied and dropped the knife and pipe. Officers then lowered their firearms to the low/ready position. However, Hatch did not obey verbal commands to get into the prone handcuffing position. Using a cover/contact technique, Officer Belitz moved in and using a straight arm bar technique took Hatch to the ground. Hatch was handcuffed (DL) without further incident. Search incident to arrest, officers located five other knives on Hatch's person. Hatch was subsequently arrested on an outstanding

DOC warrant and PCS (meth).

*Tueller Drill is where a subject can be within 21 feet and even if lethal force is applied, the attacker would be able to cause serious injury or even death to the officer with the edged weapon.

It should be noted that Officer Belitz, on this morning, had a civilian rider with him (Courtney Rainer). Officer Belitz told me that he did not believe that Rainer witnessed the confrontation, due to the fact she was in the hallway during the incident.

Hatch was not injured.

It is my finding that officers acted well within policy. The force used was appropriate and justified.

In compliance with policy per Captain Dobrow, 11/20/2013.

When/where:

Date/time occurred: Nov 17 2013 03:47

Incident location: 123 Bernard ST N Spokane WA 99201

Home Address: 32 Pacific ST W Spokane WA 99201

County: Spokane County

Linked files:

CAD (pdf)

officer's reports (pdf)

Status/assignment information:

Status: Completed

Opened: Assigned: Due: Completed: 11/20/2013

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 14 - Graves - N

BlueTeam chain routings

Nov 19, 2013 00:03: Sent from Corporal Blaine S Kakuda [443/11539] to Lieutenant Thomas J Hendren [482/11610]

Instructions:

13-385946

Reviewed by Lieutenant Thomas J Hendren [482/11610] on Nov 19, 2013 at 05:30

Decision: Approved

Reviewer comment:

The officer's use of force was justified and within policy. The subject was armed with a deadly weapon and posed a lethal threat to the officers. The officers discontinued pointing weapons at the suspect once the suspect dropped his weapons and was no longer a serious threat.
Lt. Hendren

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

Nov 19, 2013 05:30: Sent from Lieutenant Thomas J Hendren [482/11610] to Captain Daniel J Torok [242/11015]

Instructions:

Captain, use of force for your review.

Hendren

Reviewed by Captain Daniel J Torok [242/11015] on Nov 20, 2013 at 12:34

Decision: Approved

Reviewer comment:

The force used is consistent with policy. Officers showed great restraint in the force they used. This situation could have easily escalated if it were not for the officers acute awareness the suspect appeared to be falling backward, this allowed additional time for him to comply with their commands.

Nov 20, 2013 12:34: Sent from Captain Daniel J Torok [242/11015] to Captain Patrick M Dobrow [403/11482]

Instructions:

Use of force for you review.

Reviewed by Captain Patrick M Dobrow [403/11482] on Nov 20, 2013 at 12:46

Decision: Approved

Reviewer comment:

I have reviewed this UOF and agree that the officers use of force was appropriate and within policy.

Entered via BlueTeam by: Corporal Blaine S Kakuda [443/11539] on Nov 17, 2013 at 22:44

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER 13-385946	INCIDENT NUMBER 13-385946		
INCIDENT TYPE Arrest, Drug Involved		INCIDENT CLASSIFICATION #1 WARRANT ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 DRUGS-POSSESS	ATTEMPTED <input type="checkbox"/>
		INCIDENT CLASSIFICATION #3	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	ATTEMPTED <input type="checkbox"/>
RESPONDING TO (Officer Assault)			ASSIGNMENT (Officer Assault)		
REPORTED ON Sun 11/17/2013 03:47	DATE/TIME	OCCURRED ON Sun 11/17/2013 03:47	DATE/TIME	OCCURRED TO Sun 11/17/2013 05:35	DISTRICT
DISPATCH TIME 03:50	ARRIVED TIME 03:55	CLEARED TIME 05:35	REPORT DATE 11/17/2013	REPORT TIME 06:00	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE 69.50.4013(1) CNTL SUB(POSS-FEL)					UCR/NIBRS CODE /35A
LOCATION OF INCIDENT 123 N Bernard Street, Spokane, WA 99201			LOCATION NAME (IF APPLICABLE)		
ENTRY POINT	METHOD	WEAPON/TOOL/FORCE USED	SECURITY	EVIDENCE	
TYPE OF PREMISE (FOR VEHICLES STATE WHERE PARKED) Residence/Home					
SOLVABILITY FACTORS PC Affidavit Completed, Suspect Arrested, Useful Physical Evidence, Witness to Crime					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS C. Johnson					
VICTIM/WITNESSES/OTHERS <small>OW-Owner of Property, CO-Other, CCN-Contact, V-Deceased, VB-Victim - Business, V-Victim - Individual, S-Suspect, RU-Runaway, RC-Registered Owner, PS-Passenger, PE-Probationary Arrested Person, G-Legal Guardian, C-Complainant, CV-Complainant Victim, D-Driver, PC-Perpetrator, C-Cyber, I-Individual, M-Missing, MR-Parent/Married, W-Witness</small>					
CODE A-1	NAME: LAST, FIRST, MIDDLE Hatch, Thomas Patrick		SEX M	RACE/ETHNICITY W-White/Non-Hispanic	DATE OF BIRTH/AGE 01/31/1977 36
HEIGHT 6'00"	WEIGHT 180	BUILD Light	HAIR Blonde or	EYES BLU - Blue	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 32 W Pacific, Spokane, WA 99201			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION Not employed	EMPLOYER PHONE	
ADDITIONAL PHONES NONE					
CHARGE LEVEL Felony Class C		DESCRIPTION 69.50.4013(1) CNTL SUB(POSS-FEL)			UCR/NCIC CODE /35A
WARRANT #	BAIL	TYPE OF ARREST			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
DRIVER'S LICENSE <input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE #4a	OTHER ID #4b		

ID NO./NAME OF REPORTING OFFICER #1084 - Beltz, Todd	DISTRIBUTION Crime Analysis
APPROVAL #208 - Huddle, Kevin	DATE/TIME 11/17/2013 09:05

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION WARRANT ARREST				ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 13-385946
CODE C-1	NAME: LAST, FIRST, MIDDLE Herwagen, Carl			SEX	RACE/ETHNICITY
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 123 N Bernard Street, Spokane, WA 99201			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
NARRATIVE					

On 111713 at approximately 0350 hours, I responded to a reported disorderly person at 123 N. Bernard St in downtown Spokane. The caller, Carl Herwagen, stated that a male in black clothing was causing issues at the location and was yelling at anyone in the area.

I arrived on scene and contacted Carl. He lives in apartment #301 and stated that the disorderly male was now on the 4th floor in the stairwell. Carl stated that the male was now yelling at the people in room #410.

Officer Johnson arrived to assist me and we took the elevator to the 4th floor. Once on the 4th floor, we checked the south stairwell. Officer Johnson attempted to open the door and someone on the other side of the door pushed it back at Officer Johnson causing him to be moved back into the hallway.

I identified us as the Spokane Police and a voice was heard saying "fuck you." Officer Johnson opened the door to the stairwell and started to walk in. As he walked into the stairwell, I heard Officer Johnson yell "drop the knife, now!"

At this point, I entered the stairwell as to not leave Officer Johnson alone. When I entered the stairwell, I observed a male, later identified as Thomas Hatch, standing approximately 3 feet from Officer Johnson and myself with a knife raised above his head in his left hand and some sort of short metal pipe in his right hand.

At this point, we were there to investigate Thomas only as a disorderly person. We had planned on talking to him and telling him that he needed to leave. However, Thomas was instantly aggressive towards us when we identified ourselves as the police. He attempted to slam the door on us and told us to "fuck off."

When I observed Thomas with the knife over his head, it was being held in a stabbing position. With the close proximity (3 feet) and our inability to retreat due to the size of the stairwell, I drew my duty firearm from my holster and pointed it at Thomas.

I felt that my life was in danger as was Officer Johnsons. All it would have taken would be for Thomas to lunge at either one of us and we would have been cut with the knife. We were clearly

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION WARRANT ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 13-385946
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within the 21 feet of the Tueller Drill at this time.

The Tueller Drill is where a subject can be within 21 feet and even if lethal force is applied, the attacker would be able to cause serious injury or even death to the officer with the edged weapon.

As I processed the situation, I now saw that Thomas seemed to be off balance and falling backwards. During his stumble backwards, he dropped the knife and the pipe to the ground. I now lowered my duty pistol to the low ready position. I felt that Thomas was still a significant threat because I was unsure if he had any other weapons on him.

However, the fact that Thomas had dropped the knife and pipe that was in his immediate possession, I felt that I could lower my weapon. I told Thomas to get on the ground and he just stood there. I told Officer Johnson to cover me and I holstered my weapon and moved in close to Thomas and took him to the ground using a straight arm bar takedown technique.

Once I had ground control of Thomas, I placed my handcuffs on him (D/L). We completed a frisk of Thomas and located approximately 5 other knives on his person. [REDACTED] #3a

[REDACTED] #3a

I notified Thomas that he was under arrest for the warrant and walked him to my patrol car. I transported Thomas to jail and booked him for his DOC warrant. Before jail staff strip searched Thomas, Corrections Officer Bush was told by Thomas that he had meth in his underwear.

I walked back to where Thomas was being strip searched and when Thomas removed his pants, a small baggie fell to the ground. CO Bush slid the baggie back to me and I collected it. I checked the contents of the baggie and found that there was a small amount of white powder inside of it.

I field tested the substance and it immediately tested positive for methamphetamine. I notified Thomas that he was also under arrest for PCS-Meth.

I completed a PC affidavit per department policy and logged the baggie and its remaining contents onto police property as evidence.

T. Belitz #1084
SPD D478

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 13-385946	
REPORT PURPOSE			REPORTED ON DATE Sun 11/17/2013	TIME 03:47
INCIDENT CLASSIFICATION #1 DRUGS-POSSESS	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 WARRANT 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 11/17/2013	REPORT TIME 05:44
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On the 17 Nov.2013 at 0358hrs I assisted Of. Belitz at 123 N. Bernard #410 while wearing the uniform of the day. Carl Herwagen called 911 reference a male who had been throwing items and yelling in the alley. He described the white male as being in his 30's, 5'9-6' and thin. He was wearing all black clothing. He then said the suspect was in front of the building yelling and throwing items. He later reported it sounded like a fight in #410 and the suspect might be in that room.

We entered the building and went up to room #410. There was a stairwell to the left of #410. I attempted to open the door to make sure the suspect was not in the hallway. I pushed the door and was only able to open it several inches. I pushed again and saw a luggage bag in front of the door. As I continued shoving the door I heard yelling coming from behind the door. I again pushed on the door yelling for whoever was behind it to move. As the door was pushed fully open I saw a male later identified as Thomas Hatch. He was holding a knife and what appeared to be a long black metal pipe.

At this point I was contacting a suspect who had been acting irrational and throwing items. As I opened the hallway door Hatch was within three feet of me holding a knife over his head and a black metal pole in the other. He was very upset and yelling at us. There were two bags between us and several more knives and pipes on the ground. We were in a narrow hallway with very little room to maneuver.

I did pull my handgun and point it at Hatch based on the weapons he was holding, the close proximity and his behavior. I yelled at him several times to drop the knife. He did drop the knife and pipe. I kept my gun at the low ready as there were numerous weapons on the floor near Hatch in the hallway. Ofc. Belitz took control of Hatch and I holstered my firearm and assisted ofc. Belitz with handcuffing Hatch.

Hatch was booked on a DOC warrant and PCS-Meth that was found in his pants at the SCJ jail.

C453 Team #15
 C. Johnson #966

ID NO./NAME OF REPORTING OFFICER #966 - Johnson, Chris L	DISTRIBUTION	
APPROVAL #095 - Arnzen, Alan	DATE/TIME 11/17/2013 06:33	

11/17/13 22:37:12 PRINT REQUESTED BY TERMINAL PPTN01

Incident History for: #SP130385946

Entered 11/17/13 03:47:50 BY 91102 911205
Dispatched 11/17/13 03:50:53 BY D478 1084
Enroute 11/17/13 03:50:53
Onscene 11/17/13 03:55:39
Closed 11/17/13 08:33:46

Initial Type: DISORD Final Type: DISORD (DISORDERLY PERSON)

Initial Priority: 2 Final Priority: 2

Disposition: 1E Source: A Primary Unit: D478

Police BLK: SPD8RS

Group: P8 Beat: Map Page: 33

Loc: 123 N BERNARD ST #410 ,SPK -- SHERWOOD LANGHAM btwn W RIVERSIDE AV & W MAI

Name: HERWAGEN, CARL Addr: 123 N BERNARD #301 Phone: 5098087920

/034750 (911205) ENTRY MALE IN ALLEY YELLING AND THROWING THINGS. NO WEAPONS. MALE: WM 30S 509-600/THN. WEARING: AL L BLK CLOTHING.

/034808 SUPP TXT: MALE NOW IFO BLDG, STILL YELLING AND THRO WING THINGS. ###

/034929 (1144) HOLD
/034946 MISC ,AIRED SOUTH
/035053 (1084) *DISPER D478 #1084 BELITZ, TODD
/035539 *ONSCNE D478
/035651 (911209) SUPP
TXT: COMP ON CB, NOW SOUNDS LIKE A FIGHT IS GO ING ON IN #410. NO LONGER SEES S UBJ OUTSIDE. HE MAY HAVE GONE INTO APT #410 AS WELL. NO WEA PONS MENTIONED. HEA RS AT LEAST 3 PEOPLE.

/035655 SUPP
/035727 (1144) CHANGE
LOC: 123 N BERNARD ST ,SPK --> 123 N BERNARD ST #410 ,SPK,
LOCI: ALLEY BEHIND -->

/035815 (966) *ASSTER C453 [123 N BERNARD ST #410 ,SPK]
#966 JOHNSON, CHRISTOPHER
/035855 (1144) MISC D478 ,HE IS INSIDE
/040059 (966) *ONSCNE C453
/040106 (1144) REMINQ D478

/040219 REMINQ D478

/040748 REMINQ D478

/040844 MISC D478 ,HATCH IN CUSTODY
/040928 MISC D478 ,DOC CONFIRMED
/041827 (1084) *TRANS D478 [JAIL] M/0.0
1 MALE

/042312 (966) *REMINQ C453

/042905 *NEWLOC C453 [JAIL]
/045509 *CLEAR C453 ,PSTAT/ASST
/050118 (1084) *TRANSC D478
/050411 (966) *ASSTER C453 [JAIL]
#966 JOHNSON, CHRISTOPHER
/050429 *CLEAR C453 DSP: 8B
,PSTAT/RPT UOF REPORT

/051732 (1144) OK D478
/061717 (1084) *NEWLOC D478 [PAPER-SIG 1]
/063848 (802) OK D478

/083346 (1084) *CLEAR D478 DSP: 8B --> 1E
,PSTAT/CFS PSTAT/WAR PSTAT/FELPSTAT/RPT PSTAT/
RPT
/083346 CLOSE D478