



SPOKANE POLICE DEPARTMENT

FRANK STRAUB, JR.
CHIEF OF POLICE



**Internal Affairs
Exemption Log**

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

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

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

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

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

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

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

Use of force IA No: F14-001 Received: Jan 12, 2014

Incident No: 14-012464

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

Reason for use-of-force: Assaulting Officer

Officer assessment of citizen condition: Alcohol and 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 feet to 3 feet

Involved Citizen Build: Medium

Involved Citizen Height: 5'7" to 5'9"

Involved citizen:

Curtis W Bunch

Resistance(s):

Assaultive

Injuries/conditions:

Injured During Incident

Charges against citizen in relation to the incident:

Arrest - Felony

Officers involved:

Officer Nathanael G Gobble [1147/]

Officer current info:

Bureau: Operations

Unit: Uniform Operations

Assignment: Patrol

Snapshot - officer information at time of incident:

Badge/ID no: 1147

Bureau: Operations

Unit: Uniform Operations

Assignment: Patrol

Not Used: Probationer - FTO Car

Rank/title: Officer

Age: 30 Years of employment: 1 Years with unit:

Off duty: Off duty employed:

Use(s) Of Force:

Personal Impact Tools: Effective

Verbal/Other: Effective

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:

Personal Impact Tools: Effective

Verbal/Other: Effective

Witnesses:

Christopher M Batten

Linked address(s):
Home address: 2307 South Altamont BLVD E Spokane WA 99202 -

Linked phone(s):
Home Phone: (509) 217-5508

Mathew B Calhoon

Linked address(s):
Home Address: 1403 Kiernan ST W Spokane WA 99207 -

Linked phone(s):
Home Phone: (509) 218-8241

Leif F Sanders

Linked address(s):
Home Address: 315 Riverside W 301 Spokane WA 99202 -

Linked phone(s):
Home Phone: (509) 723-6895

Jenna L Sanders

Linked address(s):

Home Address: 315 Riverside W 301 Spokane WA 99202 -

Linked phone(s):

Cell: (509) 385-2605

Summary:

In compliance with policy per Assistant Chief Dobrow, 2/12/2014.

When/where:

Date/time occurred: Jan 12 2014 18:35

Incident location: 227 Riverside AV W Spokane WA 99202
Home Address: 1403 Kiernan ST W Spokane WA 99207
Home address: 2307 South Altamont BLVD E Spokane WA 99202
Home Address: 315 Riverside W 301 Spokane WA 99202
Home Address: 315 Riverside W 301 Spokane WA 99202
County: Spokane County

Linked files:

14-12464 CAD (docx)
Gobble's additional report (pdf)
14-12464 Donaldson's report (pdf)
Supervisors narrative (doc)
corrected supervisor incident summary (doc)
Corrected additional (doc)

Status/assignment information:

Status: Initial

Opened: Assigned: Due: Completed:

Disposition:

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: Probationer - FTO Car

BlueTeam chain routings

Jan 14, 2014 18:48: Sent from Sergeant Robert M Boothe [409/11480] to Lieutenant Justin C Lundgren [532/11713]

Instructions:

Blue team report on Donaldson and Gobble's use of force

Reviewed by Lieutenant Justin C Lundgren [532/11713] on Jan 14, 2014 at 22:48

Decision: Approved

Reviewer comment:

Eric, Rob discussed this incident with me but I told him I would forward it to you for review.

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

Jan 14, 2014 22:48: Sent from Lieutenant Justin C Lundgren [532/11713] to Lieutenant Eric S Olsen [255/11040]

Instructions:

For your review

Reviewed by Lieutenant Eric S Olsen [255/11040] on Jan 15, 2014 at 19:40

Decision: Not approved
Insufficient information

Reviewer comment:

Please give me a call ref this for further information.

Jan 15, 2014 19:40: Sent from Lieutenant Eric S Olsen [255/11040] to Sergeant Robert M Boothe [409/11480]

Instructions:

Needs clarification. Please contact me.

Reviewed by Sergeant Robert M Boothe [409/11480] on Feb 07, 2014 at 16:34

Decision: Approved

Reviewer comment:

Incident detail has been corrected

Feb 07, 2014 16:34: Sent from Sergeant Robert M Boothe [409/11480] to Lieutenant Craig N Meidl [388/11425]

Instructions:

Sir, This was forwarded to Lt Olsen and I received a memo saying that it had not been reviewed and asked that I forward it. I assume that it would go to you now

Reviewed by Lieutenant Craig N Meidl [388/11425] on Feb 10, 2014 at 13:12

Decision: Approved

Reviewer comment:

Force used by Ofc Donaldson and Ofc Gobble were within policy.

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

Feb 10, 2014 13:12: Sent from Lieutenant Craig N Meidl [388/11425] to Captain Daniel J Torok [242/11015]

Instructions:

Force used by Ofc Donaldson and Ofc Gobble was within policy.

Reviewed by Captain Daniel J Torok [242/11015] on Feb 11, 2014 at 11:38

Decision: Approved

Reviewer comment:

I concur with Lt. Meidl's findings that the force used was within policy.

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

Feb 11, 2014 11:38: Sent from Captain Daniel J Torok [242/11015] to Asst Chief Patrick M Dobrow [403/11482]

Instructions:

For review.

Reviewed by Asst Chief Patrick M Dobrow [403/11482] on Feb 12, 2014 at 12:51

Decision: Approved

Reviewer comment:

I have reviewed this incident and found the use of force to be reasonable and consistent with policy.

**Entered via BlueTeam by: Sergeant Robert M Boothe [409/11480]
on Jan 14, 2014 at 01:19**



Spokane Police Department
Internal Investigation



CONFIDENTIAL

**I.A. #:
Additional**

Reference incident #14-12464. In the incident details report it was noted that Officer Gobble applied one level 2 forward knee technique. His report did state that he applied two level 2 forward knee techniques, both were applied to the same area.

The second technique does not in any way change the summary of the application of force that was stated in the first summary of facts (Included below)

I base my conclusion on the officer's statements, the suspect's statements, and the physical evidence. The suspect assaulted the officers, and would be considered an assaultive resistor (Non compliance perceived as or resulting in an actual assault on an individual or officer. The scope and severity of the attack would support the reasonable perception that the actions would not result in death or great bodily harm). The officer's response to the assaultive resistance offered by the suspect was the application of a baton technique (Draw and Direct and impact) and a level 2 forward knee technique. All of these techniques are a objectively reasonable response to the subject actions, and thus would be considered a reasonable objective application of force and within the Spokane Police departments current use of force and defensive tactics training.



Spokane Police Department
Internal Investigation



CONFIDENTIAL

**I.A. #:
Additional**

On 011214 Officers Donaldson and Gobble were dispatched to an assault call at 227 W Riverside, incident #14-12464.

Dispatch advised that, "183411 ENTRY ARGUING WITH MALE WHO HIT COMPS VEHICLE CHRIS IS FIGHTING WITH HIM NOW. XFER..."

Dispatch further advised, "SUSP WALKED ACROSS STREET NOW, ACROSS FROM STERLING SAVINGS BANK WAS HITTING COMP, PUSHING COMP. NO WEAPONS SEEN. UNK WHO SUBJ IS, SUBJ JUMPED IFO COMPS VEH, KICKED HIS CAR, SOUNDS LIKE THEY ARE FIGHTING AGAIN."

Officer Donaldson arrived on scene and located the suspect who was holding a open beer in his right hand. Officer Donaldson was driving a fully marked police vehicle and was wearing the uniform of the day. Officer Donaldson activated his emergency lights, illuminated the suspect with his spot light and got out of his vehicle. Officer Donaldson ordered the suspect to stop, and he refused. Officer Donaldson blocked the suspect's path. Officer Donaldson advised that the suspect was, "posturing as if he was preparing for a physical altercation". Officer Donaldson requested back up with his radio.

Based on officer Donaldson's training and experience and the suspect's behaviors, officer Donaldson drew his expandable baton and expanded it and used the draw and direct technique to deescalate the situation by showing the suspect the force option that he could encounter. The de-escalation technique was effective, and the suspect complied with Officer Donaldson's orders. The suspect was placed into the shield of Officer Donaldson's patrol vehicle without incident. While officer Gobble was interviewing witnesses the suspect began to escalate in the back of the vehicle. He was threatening officer Donaldson. Officer Gobble came back and advised Donaldson that he had PC to arrest the suspect for Harassment. They removed the suspect to search him, incident to arrest. Officer Gobble was placing the male into the rear of the police vehicle, officer Donaldson walked to the driver's side of the patrol car to assist the suspect in getting in the car. The suspect then began flailing wildly and then leaned back and kicked officer Gobble in the leg with his foot, he then kicked the roof of the patrol car and allowing him to rotate around in the back seat of the car, the suspect yelled out, "motherfucker" and he coiled up his legs and kicked officer Donaldson in the face, knocking him backwards. The suspect was wearing heavy leather logger style boots. Officer Donaldson moved back and as the suspect continued to kick, the force of his kick pulled him out of the car and he landed on the ground. Officer Gobble was attempting to control the suspect who had coiled his legs back as if he were going to kick the officers again, officer Donaldson applied one application of his baton (angle 1) to the area above the suspects ankle, below the knee. As the suspect was coiling his leg to strike at officer Donaldson again, Officer Gobble applied one forward knee technique to the suspect's lower stomach, followed a second level 2 forward knee technique. The application of force

allowed the officers to close distance and roll the suspect onto his stomach and into the prone cuffing position.

The suspect was leg restrained, and placed into the shield. The suspect promptly sat up in the rear of the seat.

I contacted the suspect, and I asked him if we could talk. The suspect was frothing at the mouth and had the strong odor of intoxicants on his breath and person. He was slurring his words and speaking with a thick tongue.

The suspect had a small abrasion on his forehead that is consistent with the abrasive surface that he was proned cuffed on. I asked the suspect if he was injured at all and he didn't complain of any injuries, his lips were all swollen but it appeared to be from severely chapped lips rather than an injury.

I asked the suspect what happened and he said, "Some dudes just jumped me, he then said that there were allot of people that were out to jump him". I asked him if he knew that the people that had contacted him were the police, and he said, "Take me to Eastern!" I asked him if has ever been to Eastern state hospital and he said that he hasn't. I asked him if he remembered assaulting the officers and he dropped his head and slumped his shoulders and said, "I don't know why I did it, I'm sorry I didn't mean to disrespect anyone"

#3a

The suspect was transported to the Spokane county jail. At the SCJ, the suspect became confrontational with correctional officers and he had to be physically restrained and placed into a holding cell. Cpl. Hagar was unable to get any photographs at jail due to the suspect becoming combative and then refusing to allow Cpl Hagar to photograph him.

I base my conclusion on the officer's statements, the suspect's statements, and the physical evidence. The suspect assaulted the officers, and would be considered an assaultive resistor (Non compliance perceived as or resulting in an actual assault on an individual or officer. The scope and severity of the attack would support the reasonable perception that the actions would not result in death or great bodily harm). The officer's response to the assaultive resistance offered by the suspect was the application of a baton technique (Draw and Direct and impact) and a level 2 forward knee technique. All of these techniques are a objectively reasonable response to the subject actions, and thus would be considered a reasonable objective application of force and within the Spokane Police departments current use of force and defensive tactics training.

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-012464	
INCIDENT TYPE Arrest		INCIDENT CLASSIFICATION #1 HARASSMENT		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #2 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>	
RESPONDING TO (Officer Assault)			ASSIGNMENT (Officer Assault)		
REPORTED ON Sun 01/12/2014 18:34	DATE/TIME	OCURRED ON Sun 01/12/2014 18:20	DATE/TIME	OCURRED TO Sun 01/12/2014 18:39	DISTRICT
DISPATCH TIME 18:35	ARRIVED TIME 18:39	CLEARED TIME	REPORT DATE 01/12/2014	REPORT TIME 21:04	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE 9A.46.020(2)(B) HARASSMENT					UCR/NIBRS CODE 90Z / 90Z
ADDITIONAL CHARGES 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY), 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)					
LOCATION OF INCIDENT 227 W Riverside Avenue, Spokane, WA 99201				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS PC Affidavit Completed, Suspect Arrested, Suspect Can Be ID'd, Useful Physical Evidence, Witness to Crime					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS Gobble					
VICTIM/WITNESSES/OTHERS					
CODE A-1	NAME: LAST, FIRST, MIDDLE Bunch, Curtis W			SEX M	RACE/ETHNICITY W-White
HEIGHT 5'07"	WEIGHT 150	BUILD Medium	HAIR Brown	EYES BLU - Blue	DATE OF BIRTH/AGE 09/16/1972 41
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 242 W Riverside Avenue, Spokane, WA 99201			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL ADDRESSES TRANSIENT, Spokane, WA 99201					ADDRESS TYPE
ADDITIONAL PHONES NONE					
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION 9A.46.020(2)(B) HARASSMENT				UCR/NCIC CODE 90Z/90Z
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Felony Class C	DESCRIPTION 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)				UCR/NCIC CODE /13A
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Felony Class C	DESCRIPTION 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)				UCR/NCIC CODE /13A
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
ID NO./NAME OF REPORTING OFFICER #973 - Donaldson, Nathan				DISTRIBUTION	
APPROVAL #287 - Hager, William		DATE/TIME 01/13/2014 02:11			

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION HARASSMENT				ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-012464
CITATION #	DATE	TIME	BOOKED WHERE Spokane County Jail	DATE 01/12/2014	TIME 19:24
ARREST LOCATION 200 W Riverside Avenue, Spokane, WA 99201				STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input checked="" type="checkbox"/> DENIED
JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED	DATE & TIME NOTIFIED	NOTIFIED BY	DISPOSITION OF JUVENILE	
DRIVER'S LICENSE <input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE	OTHER ID #4b		
CODE CV-1	NAME: LAST, FIRST, MIDDLE Batten, Christopher M.		SEX M	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE 09/10/1968 45
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 2307 E S Altamont Blvd, Spokane, WA 99202		RESIDENTIAL STATUS	PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Business) (509) 455-3770, (Cell) (509) 217-5508					
REALTIONSHIP TO SUSPECT		VICTIM OF Offns. # 9A.46.020(2)(B) HARASSMENT		OFNDR. # A-1	
CODE V-1	NAME: LAST, FIRST, MIDDLE Ofc Nate Gobble, G		SEX M	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE #5b
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1100 W Mallon Avenue, Spokane, WA 99260		RESIDENTIAL STATUS	PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Work) (509) 242-8400					
REALTIONSHIP TO SUSPECT		VICTIM OF Offns. # 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)		OFNDR. # A-1	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES None			TYPE OF VICTIM	MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
HOSPITAL TAKEN TO	TAKEN BY	<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN	SUICIDE NOTE FOUND? <input type="checkbox"/>	HOLD PLACED BY
CODE V-2	NAME: LAST, FIRST, MIDDLE Ofc Nate Donaldson		SEX M	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE #5b
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1100 W Mallon, Spokane, WA 99260		RESIDENTIAL STATUS	PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION HARASSMENT		ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-012464	
ADDITIONAL PHONES (Work) (509) 242-8400				
REALTIONSHIP TO SUSPECT		VICTIM OF Offns. # 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)		OFNDR. # A-1
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES Apparent Minor Injury			TYPE OF VICTIM	MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO
HOSPITAL TAKEN TO	TAKEN BY	<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN	SUICIDE NOTE FOUND? <input type="checkbox"/>
HOLD PLACED BY				
NARRATIVE				

On 011214 at approximately 1835, I dispatched to 227 W Riverside on a reported assault. The complainant, Christopher Batten, advised he was arguing with a male that had hit his vehicle. Batten advised the male was then hitting and pushing him.

I was driving vehicle #397, a fully marked police vehicle equipped emergency lights and siren. I was wearing the uniform of the day.

I arrived in the area from the north on Bernard. Police Dispatch advised the suspect, a white male wearing a pullover and carrying a beer, was near the Onion restaurant. I noted there was only one person visible on the two blocks I could see surrounding the Onion. The male, wearing a black hooded sweatshirt, was carrying a silver can.

The male, later identified as Curtis Bunch, was walking W/B on northern curb of Riverside. I activated my emergency lights and illuminated Bunch with my marked patrol car's spotlight. Bunch ignored the light and continued W/B. I exited my patrol car and ordered Bunch to stop. He ignored me and kept walking. I circled in front of Bunch and ordered him to stop, sit down, and advised him that he was detained. Bunch looked at me and said he did not need to stop. I blocked Bunch's path and he stopped. Bunch took a step back, assumed a balanced stance and placed his hands in his pockets. I noted Bunch's feet were approximately three feet apart and he had his body slightly bladed away from me in a manner similar to that of a boxer. When I again ordered him to sit, he pulled his hands from his pockets and shrugged his shoulders, posturing as if he were preparing for a physical altercation. Using my portable radio I asked Officer Gobble to respond to my location.

Wanting to deescalate the situation I drew my collapsible baton. Bunch told me I had no reason to use the baton on him and leaned on a nearby parking pay box. The presence of the impact weapon changed Bunch's demeanor, giving me a temporary advantage over the situation. I ordered him to turn around and he complied. I handcuffed him in the standing position with his hands behind his back. Before I could double lock his cuffs Bunch began walking. I restrained him and was able to double lock his cuffs. I then escorted Bunch to my patrol car, frisked him for weapons, and placed him in the back. I noted a full pint sized can of Steel Reserve in Bunch's sweatshirt pocket. The open can of Steel Reserve Bunch had been carrying was sitting in front of my patrol car on the sidewalk. Bunch was argumentative and repeatedly told me I had no reason to stop him.

I advised Bunch of his Miranda Rights. He attempted to talk over me and told me he did not

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION HARASSMENT	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-012464
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understand.

Off Gobble arrived and then contacted the complainant and a witness, see his attached report for further. I waited with Bunch. Bunch continued to yell at me calling me a "motherfucker," "liar," and told me he would kill my wife and daughter. When I asked if he was trying to threaten me he stopped talking. I used the silence to complete a NOI for Open and Consume. A short while later Bunch again began yelling at me, ordering me to either take him to Jail or release him. As Bunch continued to yell the pace of his speech quickened, and the pitch of his voice raised to a scream. He was peering at me through shield in my patrol car and his face was contorted. #3a

#3a

Off Gobble returned and advised he had PC to arrest Bunch for Harassment. We had Bunch exit the patrol car, and as he stepped out I told him he was under arrest for Harassment. I searched Bunch incident to arrest. Off Gobble then ordered Bunch back into the car. Bunch remained standing in the doorway of the patrol car and began yelling loudly. I watched Off Gobble guide Bunch into the patrol car.

I walked to the driver's side of my patrol car to guide Bunch fully into the back seat. As I began attempting to control Bunch's arms he began kicking wildly. Bunch flailed onto his back and kicked the roof of my car. This caused him to spin in the back seat as Bunch is only 5'6". Bunch stopped rotating and ended up facing me on his back. Bunch glared directly at me pulled his legs into himself and then kicked out forcefully towards me yelling "motherfucker!" Bunch's foot struck me in the left eye propelling me backwards approximately one foot. Bunch was wearing heavy logger type boots. He immediately coiled his legs back preparing for additional strikes. I moved backwards and to my left avoiding the next two kicks from Bunch. Bunch kicked with enough force that he flew out of the driver's side rear door of my patrol car, landing on the ground.

Off Gobble attempted to roll Bunch onto his stomach. Despite being handcuffed Bunch was very violent with an increased pain threshold and continued to resist Off Gobble's attempts to restrain him. Bunch was cussing loudly and his face was contorted with rage. Bunch continued to kick both feet towards me and flail. Bunch was already under arrest for Harassment after he threatened to kill Batten and had just physically assaulted me. Bunch posed an immediate threat to my safety by continuing to kick with both heavily booted feet. It was apparent he was attempting to assault me again if I moved close enough to help Off Gobble roll him onto his stomach. Off Gobble applied two knee strikes to Bunch which had no effect and he continued kicking his feet at me. Bunch coiled his legs back to deliver another kick towards me. I applied a forward (Angle 1) technique with my baton striking the area above his ankle and below his knee. Bunch told me to stop and ceased kicking. The baton strike was successful in deescalating Bunch's violent behavior. This allowed us the opportunity to place Bunch into the prone position and place him into leg restraints for our and his own safety.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION HARASSMENT	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-012464
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We were able to place Bunch into leg restraints with the help of a third officer. Bunch was then placed in the back of my patrol car. He was able to sit up and stayed in that position. I noted Bunch had a scrape on his forehead and the knuckle of one hand, his injuries were consistent with abrasive surface on which he was resisting arrest. He did not complain of any injuries.

Sergeant Boothe arrived and I advised him of the above.

I transported Bunch to Jail. Off Gobble followed and advised Bunch had kicked him as well. I noted Off Gobble had fresh dirt on his uniform on his upper right leg. Bunch was booked for Harassment, and two counts of Assault 3rd degree.

While at Spokane County Jail Bunch was immediately escorted into a confinement cell. I noted four corrections officers were required to search him and they had to physically restrain him. Bunch called the Corrections Officers "motherfuckers."

Corporal Hager photographed myself, Off Gobble, and Bunch. See his attached photolog.

N. Donaldson #973
Team #9

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 14-012464	
REPORT PURPOSE			REPORTED ON DATE Sun 01/12/2014	TIME 18:34
INCIDENT CLASSIFICATION #1 HARASSMENT		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 ASSAULT-SIMPLE	
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 01/12/2014	REPORT TIME 21:15
PRIMARY CHARGE				UCR/NIBRS CODE

VICTIM/WITNESSES/OTHERS				
<small>OW-Owner of Property, O-Other, COV-Convicted, V-Deceased, VB-Victim - Business, V-Victim - Individual, S-Suspect, RU-Roadway, RO-Registered Owner, PS-Passenger, PE-Pedestrian, A-Armed Person, G-Legal Guardian, C-Complainant, CV-Complainant's Victim, D-Driver, PC-Pedestrian - Cyclist, I-Institutional, M-Missing, M/R-Person Mentioned, W-Witness</small>				
CODE W-1	NAME: LAST, FIRST, MIDDLE Calhoon, Matthew B			SEX M
				RACE/ETHNICITY W-White
				DATE OF BIRTH/AGE 03/04/1981 32
HEIGHT	WEIGHT	BUILD	HAIR	EYES
DESCRIPTORS				
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1403 W Kernan, Spokane, WA 99207			RESIDENTIAL STATUS
PHONE				
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (509) 218-8241				

CODE W-2	NAME: LAST, FIRST, MIDDLE Sanders, Leif F			SEX M
				RACE/ETHNICITY W-White
				DATE OF BIRTH/AGE 06/04/1977 36
HEIGHT	WEIGHT	BUILD	HAIR	EYES
DESCRIPTORS				
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 315 W Riverside Avenue #301, Spokane, WA 99201			RESIDENTIAL STATUS Full Time Resident
PHONE				
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (509) 723-6895				

CODE W-3	NAME: LAST, FIRST, MIDDLE Sanders, Janna L			SEX F
				RACE/ETHNICITY W-White
				DATE OF BIRTH/AGE 01/13/1977 36
HEIGHT	WEIGHT	BUILD	HAIR	EYES
DESCRIPTORS				
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 315 W Riverside Avenue #301, Spokane, WA 99201			RESIDENTIAL STATUS
PHONE				
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) 385-2605, 385-2604				

NARRATIVE

On 01/12/2014 at approximately 1835 hrs, Officer Donaldson and I were dispatched to a report of an assault outside of 227 W Riverside Ave. The call notes stated the complainant, Christopher (Chris)

ID NO./NAME OF REPORTING OFFICER #1147 - Gobble, Nathanael	DISTRIBUTION
APPROVAL	DATE/TIME

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION HARASSMENT	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-012464
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Batten called to report a male had hit his vehicle and was arguing with him. It then stated the male was hitting him and had a beer in his hand. Chris followed the male until Officer Donaldson arrived on scene.

While I was still en route, Officer Donaldson advised he was out with the suspect male on Riverside Ave just west of Bernard. He requested assistance and I responded to his location. Officer Donaldson is a senior officer, and a member of the Spokane police SWAT team. It's unusual that he request a back up officer, making me think that the suspect that he had detained was offering some resistance.

When I arrived, Officer Donaldson had already detained the suspect in handcuffs. The male was arguing with Officer Donaldson and I assisted Officer Donaldson with doing a pat down frisk of the male for weapons before putting him in the back of the patrol car. During the course of the pat down the suspect was shifting his weight back and forth and pivoting on his feet, despite being given clear concise orders not to.

I contacted the complainant, who was sitting in his vehicle just down the street.

I contacted Chris and he confirmed the male we had detained was the male who assaulted him. In summary, he told me the following information: He had left his office at 227 W Riverside Ave and walked to his vehicle that was parked on the south side of Riverside, facing east. He got into his vehicle and noticed two males "stumbling" WB down the sidewalk. The males were near the front of his vehicle and were standing on the sidewalk as he went to pull into traffic.

As he began to pull away from the curb, Chris heard a loud thump as if something had hit the side of his SUV. He looked over and saw the suspect, later identified as Curtis Bunch standing by his vehicle. He heard Curtis yell, "Why'd you run me over?" Chris got out of his vehicle and told him he had not run him over. Curtis yelled that he was going to call the police and approached Chris. Because of the suspects behavior and his threats, Chris felt in fear for his safety and Chris pulled out his phone and began to dial 911. Curtis hit Chris on the right side of his face with his fist. Chris pushed him back and tried to keep Curtis away. Curtis continually came after Chris saying, "I'm going to kick your ass" and "I'm going to come to your house and blow up your family." Curtis told him "I'm going to kill you" and "I'm going to blow your head off." Curtis continued to attempt to assault Chris as he was on the phone so Chris had to push him backwards to defend himself. Chris had no visible injuries from the suspects assault, however he appeared upset and concerned over the assault and the incident.

Chris told me he kept his arm out to keep Curtis at bay and twice, when he had to push Curtis back Curtis fell down. Curtis kept getting back up and approaching Chris.

Chris said there was another male that pulled up across the street during the incident. As I was

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION HARASSMENT	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-012464
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talking to Chris, the other male pulled up and told me he witnessed Curtis harassing Chris.

The male identified himself as Matthew Calhoon and told me he did not witness Curtis assault Chris. He said when he pulled up, he saw Curtis yelling and screaming at Chris. He heard Curtis say, "Give me three minutes, I'll go to the Plaza and pick up my friends and come back and kill you" and "that little girl in the back, I'll blow her head off too." He heard Curtis threaten to kill Chris' family and also tell Chris he would "kick your ass."

I advised Officer Donaldson of Chris and Matthew's statements and he re-contacted the Chris. Officer Donaldson advised me Chris was under arrest for Harassment. I had Curtis step out of the patrol car so he could be searched incident to arrest. Officer Donaldson advised him he was under arrest for Harassment and Curtis began yelling that he had not done anything. Then he said, "just take me to jail and tried to sit down before we were done searching him I had to apply a Gooseneck joint manipulation on his wrist to get him to stand up. Despite the application of the technique, the suspect showed a higher level of pain tolerance. Based on my training and experience, subjects demonstrating this level of resistance to the technique are usually under the influence of some type of mind altering substance. I maintained control of his right wrist while Officer Donaldson finished searching him.

Curtis became agitated saying, "fuck you, sons of bitches." I told him to sit down in rear passenger seat of the patrol car and he did not move. With one hand, I pushed down on his shoulder and with the other hand I guided his head forward so it would not hit the frame of the door as he sat down. As soon as his rear end hit the seat, he stood back up and refused to sit down. Officer Donaldson went around to the driver's side to guide him into the backseat if he continued to resist. I again rotated his head forward and pushed his midsection down into the seat. He rolled onto his back on the seat and coiled up his legs. He then lashed out with both his feet and kicked me on my upper right leg. The impact of his foot caused my leg to move backwards and left a dirt boot print on my uniform. The suspect recoiled his legs giving me the opportunity to close the door and I went to the driver's side to assist Officer Donaldson. As I came around the back side of the car, I saw Curtis coil his legs back and kick violently towards Officer Donaldson, causing Officer Donaldson to stumble backwards from the impact of Curtis' boot to his face. Curtis kicked Officer Donaldson so forcefully that he launched himself all the way out of the backseat.

The momentum of Curtis' kick carried him out of the car and onto the ground. He was still in handcuffs so I took control of his head and left arm and attempted to roll him onto his stomach. He refused to roll his hips over so he would be completely on his stomach. I told him three times to roll onto his stomach and he did not comply. His whole body was tensed and refused my commands to stop resisting.

Curtis had already assaulted Officer Donaldson and I by kicking us each with his legs. He was continuing to resist our efforts to get him into custody by tensing his body and not complying with my

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION HARASSMENT	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-012464
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commands to roll over. He was using his left leg as leverage against the ground so he could lift his right leg to kick at Officer Donaldson again. He brought his right leg back to kick at Officer Donaldson and

I delivered one knee strike to Curtis' upper right rib cage and told him to roll over again. He did not comply so I delivered one more knee strike to the same location. Officer Donaldson delivered one baton strike to Curtis' leg and he finally relaxed his body and we were able to roll him over. I maintained control of Curtis' upper body while Officer Donaldson applied leg restraints to restrain Curtis' legs.

Corporal Hager and Sgt Boothe arrived at the scene and assisted in getting Curtis into custody. Once he was leg restrained, we placed him in the back of the patrol car and he sat right up on his rear end.

I saw a male and female watching from an apartment window across the street at 315 W Riverside. I contacted Leif and Janna Sanders and they both advised they witnessed the incident. Leif told me they both watched as we detained Curtis and put him in the patrol car. He saw us search Curtis incident to arrest and heard him say, "fuck you, sons of bitches." Leif told me he saw Curtis resist as we attempted to put him in the patrol car and said, "I saw he was fighting you guys." Leif said he saw Curtis kick at Officer Donaldson and saw Officer Donaldson stumble backwards. Leif heard us tell Curtis he was under arrest and to stop resisting.

I followed Officer Donaldson to Spokane County Jail. Curtis was in leg restraints, upright in the back of the patrol car for several minutes at the scene. Once we got to jail, we had to wait for jail deputies to process other arrestees for several minutes and Curtis continued to sit upright in the back of the patrol car.

Curtis was booked into jail for two counts of 3rd degree assault of a law enforcement officer, see Officer Donaldson's report for additional details.

N. Gobble #1147
011214

Incident History for: #SP140012464

Entered 01/12/14 18:34:11 BY 91110 911221

Dispatched 01/12/14 18:35:02 BY PCC03 1123

Enroute 01/12/14 18:35:02

Onscene 01/12/14 18:39:27

Closed 01/13/14 00:09:39

Initial Type: ASLT Final Type: ASLT (ASSAULT)

Initial Priority: 1 Final Priority: 1

Disposition: 1E Source: 9 Primary Unit: D373

Police BLK: SPD8RS

Group: P8 Beat: Map Page: 33

Loc: 227 W RIVERSIDE AV ,SPK btwn N BROWNE ST & N BERNARD ST <000> (V)

Name: CHRIS Addr: SAME Phone: 5092175508

/183411 (911221) ENTRY ARGUING WITH MALE WHO HIT COMPS VEHICLE. CHRIS
IS FIGHTING WITH HIM NOW. XFER...

/183435 SUPP TXT: NO WEAPONS SEEN.

/183448 (1144) SUPP TXT: STILL THERE HITTING COMP, ADV TO WALK AWA
Y

/183502 (1123) DISPER D372 #973 DONALDSON, NATHAN

/183502 ASSTER D373 #1147 GOBBLE, NATE

/183515 (1144) SUPP TXT: SUSP:506-510, WM, WEARING POLOVER, BEER I
N HAND

/183536 SUPP TXT: SUSP WALKED ACROSS STREET NOW, ACROSS FRO
M STERLING SAVINGS BANK

/183556 SUPP TXT: WAS HITTING COMP, PUSHING COMP. NO WEAPON
S SEEN.

/183625 SUPP TXT: UNK WHO SUBJ IS, SUBJ JUMPED IFO COMPS VE
H, KICKED HIS CAR, SOUNDS LIKE T HEY ARE FIGHT
ING AGAIN.

/183628 (1123)

#3a

/183659 (1144) SUPP TXT: SUBJ IN MIDDLE OF STREET WITH COMP NOW

/183729 SUPP TXT: COMP NOT TALKING TO ME, ARGUING WITH MALE
IN BACKGROUND

/183801 SUPP TXT: SUBJ NOW WALKING TOWARDS DELANEY, NORTH S
IDE OF STREET

/183835 SUPP TXT: SUBJ HAS WHI TSHIRT HANGING BELOW PULLOVE
R, BLU JEANS. STILL WALKING WB T OWARDS ONION

/183851 SUPP TXT: COMP SAID HE DOES NOT NEED MEDICS

/183917 SUPP TXT: CURRENTLY IFO THE ONION

/183927 (1123) ONSCNE D372

/183956 (1144) SUPP TXT: STILL ON NORTH SIDE OF STREET

/184006 (1123) CHGLOC D372 [RIVERSIDE JWO ONION]

/184030 ONSCNE D372

/184036 (1144) SUPP TXT: COMP IS IN LINCOLN NAVIGATOR, WHITE

/184058 SUPP TXT: COMP SAID HE PULLED UP BEHIND THE OFFICER

S

/184139 SUPP TXT: CHRIS WILL WAIT IN VEH FOR OFFICERS TO CO

ME TO HIM.

/184400 (1123) MISC D372 ,ONE DETAINED IN HAND CUFFS

/184604 (1160) REMINQ D372 [REDACTED] #3a

''''

/185055 (973) *REMINQ D372 [REDACTED] #3a

'''

/185936 (1123) ONSCNE D373

/185948 MISC D372 ,ONE IN CUSTODY FOR HARASSMENT

/190510 MISC D372 ,ONE IN CUSTODY FOR ASLT 3RD

/190513 ASSTER P301 [RIVERSIDE JWO UNION]

#287 HAGER, BILL

/190520 ASSTER L245 [RIVERSIDE JWO UNION]

#409 BOOTHE, ROB

/190528 MISC L245 ,BOOKING WAS APPROVED

/190619 (287) *ONSCNE P301

/190704 (409) *ONSCNE L245

/190705 *ONSCNE L245

/191745 (973) *TRANS D372 [JAIL] M/0

/191907 *TRANS D372 [JAIL] M/0

/191923 (287) *CHGLOC P301 [JAIL]

/192114 (1147) *CHGLOC D373 [JAIL]

/192415 (287) *ONSCNE P301

/192421 (973) *TRANSC D372 M/1.9

/192443 (409) *MISC L245 ,PSTAT/ASST

/192503 (1147) *ONSCNE D373

/192620 (409) *CLEAR L245

/193133 (1123) OK D372

/193133 OK D373

/193133 OK P301

/202056 (287) *MISC P301 ,TOOK PHOTOS OF OFFICERS INJURY TO FACE/ BOOT

MARK ON LEG / DEF. INJURIES

/202121 *CLEAR P301 ,8K PSTAT/ASST

/203911 (1147) *ONSCNE D373

/204138 (973) *NEWLOC D372 [LOGAN]

/204425 (1147) *CHGLOC D373 [LOGAN]

/204749 *ONSCNE D373

/204926 (1160) OK D372

/204926 OK D373

/223459 (973) *CLEAR D372 DSP: 1E

,PSTAT/CFS PSTAT/MISD PSTAT/FEL

*** New Date: 01/13/14 ***

/000935 (1147) *MISC D373 ,PSTAT/FEL PSTAT/ASST

/000939 *CLEAR D373

/000939 CLOSE D373