



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 identicard revealing the identity of an individual performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigative activity.	RCW 42.56.230(7)(c) (Personal Information)
#7d	Law Enforcement Information Sheet	Contains confidential data used for law enforcement purposes. Disclosure has no legitimate value to the public and can endanger an individual's safety. Contains specific intelligence information the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7e	Confidential Informant information	Contains identifying information which could reveal the identity of a confidential informant. Considered intelligence information, used in a confidential manner for law enforcement purposes, protected to preserve the life and personal safety of the informant and family. Specific intelligence information	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims). Ashley v. Public Disclosure Comm'n, 16 Wn.App. 830, 836 (1977).

		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)

Spokane Police Department Use Of Force Report

Incident Entered By: Sergeant Michael McNab

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
3/3/2014	3/3/2014	19:49
Record ID #	Incident No	IA No
8090	14-066526	F14-015
Date/Time Entered		
3/3/2014 22:46		

Incident Summary

Drive stun Taser application-see attached reports.

In compliance with policy per Assistant Chief Dobrow 03/18/14.

Incident Location

- 206 Post ST, Suite/Apt: 711, Direction: S, Spokane, WA 99201

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Resisting Arrest	Call For Service	
Weather Condition	Lighting Condition	Distance to Citizen
Rain	Interior Lighting	1 feet to 3 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
No	Yes	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Medium	5'7" to 5'9"	
Officer Assessment of Citizen Condition During Incident		
Mentally unstable		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Complainant/Involved Citizen Information

#14

DOB: 2/24/1957 Race: White Gender: Male

Address

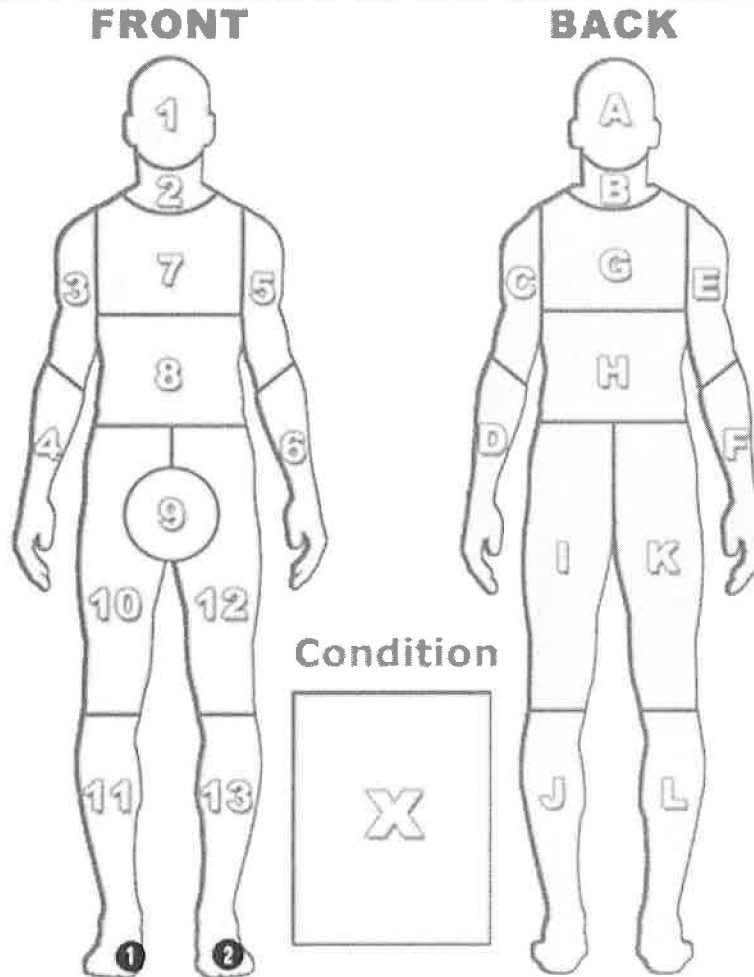
- 206 Post ST, Suite/Apt: 711, Direction: S, Spokane, WA 99201

Types of Resistance Citizen Used Against Officer(s)

- Active Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
Self Inflicted Injury	11, 13	1, 2

**Charges against this citizen**

- Arrest - Misdemeanor

Involved Officers

Officer Holton Widhalm - payroll number:

Less Lethal Force used by this officer against the citizen

- Taser - Was Less Lethal Force Used Effective? Yes
Serial # - X12000MWK
Cartridge # -

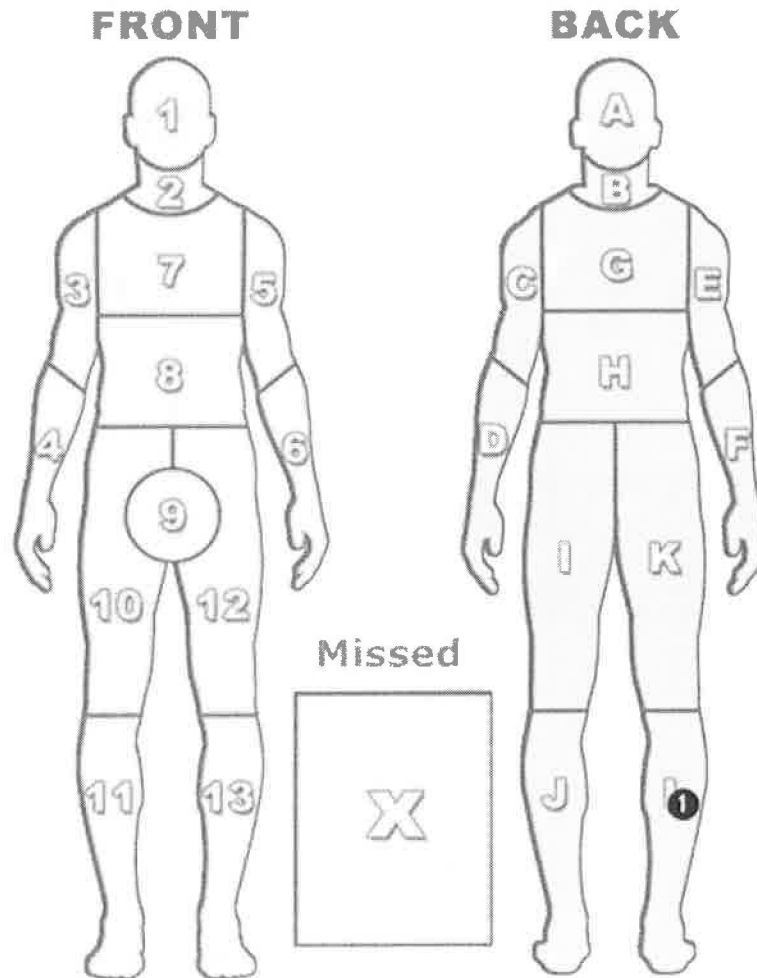
Was this a direct contact/drive stun contact? Yes
of cycles - 1
Was the cartridge attached? No

Was a follow up drive stun conducted? No
Duration of cycles - Automated
Was this an accidental (unauthorized) discharge? No

Statistical Information

Was this an Arc display? No
Was citizen painted with laser / red dot? No

Force Used	Effective?	Regions	Points of contact
Taser	Yes	L	1



Citizen Witnesses**Lena Maples****DOB: 6/29/1982 - Race: White - Gender: Female****Address**

- 206 Post ST, Direction: S, Spokane, WA 99201

Phone

- (509) 216-5815

Officer Witnesses

SPO Glenn Bartlett - payroll number:
SPO Michael McCasland - payroll number:

Attachments

Date Attached	Attachment Description	Attachment Type
3/4/2014	Widhalm Incident Report	pdf
3/4/2014	McCasland Additional	pdf
3/4/2014	CAD History	pdf
3/4/2014	Widhalm Taser Log	pdf
3/4/2014	Widhalm Taser Graph	pdf
3/4/2014	McNab Additional	doc

Chain of Command History

Sent Dt	From	To	Cc	Sender's Instructions	Approved	Recipient's Comments/Response
3/4/2014	Sergeant Michael McNab	Lieutenant Craig Meidl	Sergeant David Staben	Drive-stun use of force	<input checked="" type="checkbox"/>	Within policy.
3/14/2014	Lieutenant Craig Meidl	Captain Daniel Torok	(none)	Within policy.	<input checked="" type="checkbox"/>	The use of force was consistent with policy.
3/18/2014	Captain Daniel Torok	Asst Chief Patrick Dobrow	(none)	For review	<input checked="" type="checkbox"/>	I reviewed this UOF and found it to be within policy and clearly reasonable.

Entering Officer Signature Line

 Sergeant Michael McNab

Chain of Command Signature Lines

 Lieutenant Craig Meidl

 Captain Daniel Torok

 Asst Chief Patrick Dobrow

Incident History for: #SP140066526 Xref: #SP140066541

Entered 03/03/14 19:30:12 BY 91117 911224
Dispatched 03/03/14 19:40:49 BY C355 989
Enroute 03/03/14 19:40:49
Onscene 03/03/14 19:44:15

Initial Type: DISORD Final Type: DISORD (DISORDERLY PERSON)
Initial Priority: 2 Final Priority: 2
Disposition: Source: 9 Primary Unit: C355
Police BLK: SPD8RS
Group: P8 Beat: Map Page: 33
Loc: 206 S POST ST #711 ,SPK -- CARLYLE APARTMENTS btwn W 2ND AV & W
3RD AV (V)

Name: MAPLES,LENA L062982 Addr: SOCIAL WORKER Phone:
5092165815

/193012 (911224) ENTRY MALE RESIDENT THREW CHAIR THROUGH
WINDOW AND I

S DESTROYING ITEMS IN ROOM. POSS HAS POCKET KNI
VES, NONE IN USE.

/193057 SUPP TXT: MALE: #14 #14 WM, 50'S, 507/THN.
/193115 SUPP TXT: IF #14 LEFT IT WOULD BE ON FOOT.
/193123 SUPP TXT: NOBODY ELSE IN THE ROOM WITH SUSP.
/193155 CHANGE NAM: FEMALE --> MAPLES,LENA L062982,
TXT: ###

/193227 (1123)

#3a

/193230 HOLD

/194049 (989) *DISPER C355 #989 WIDHALM, HOLTON

/194055 (1067) *ASSTER C354 [206 S POST ST #711 ,SPK]

#1067 LESSER, ROBERT SCOTT

/194125 (911165) SUPP TXT: LENA ON CB. HEARS GLASS BREAKING
AND MALE

INSIDE HAS HX OF SUICIDE ATTEM PTS. REQ ETC.
NONE GIVEN. REQ TC WITH ETA. COMP AFRAID TO GO
INSIDE APT WI THOUT LE ASSIST. ###

/194139 (711) *ASSTER E273 [206 S POST ST #711 ,SPK]

#711 MCCASLAND, MICHAEL

/194152 (1123) PISEEN

/194246 (1067) \$PREMPT C354

/194328 (1123) CALLBK T/PCC04

,PLEASE CB COMP AND ADVISE LE ENROUTE. ALSO SE
E IF STAFF AT LOCATION IS AWARE OF SITUATION

/194415 (711) *ONSCNE E273
/194606 (989) *ONSCNE C355
/195524 (1123) \$CROSS #SP140066541
/195603 ASSTER P308 [206 S POST ST #711 ,SPK]
#401 BARTLETT, GLENN
/195717 CALLBK E273 T/PCC03
,AMR HAS US ON THE LIST. UNK ETA
/195823 CALLBK E273 T/PCC03
,FIRE ENROUTE FOR A CONC/BREATHING MALE WHO HAS
LACERATIONS TO HIS FEET
/195833 (401) *ONSCNE P308
/200327 (1179) MISC C355 ,#####
/202045 (401) *CLEAR P308 ,PSTAT/ASST 16 PICS
/203353 (711) *CLEAR E273 ,PSTAT/ASST
/204008 (989) *CHGLOC C355 [SHMC]
/204111 *MISC C355 ,L216 ADV OF DRIVE STUN ON ASSAULTIVE
#14 .
/204306 *ONSCNE C355
/205102 (689) *ASSTER L216 [SHMC]
#689 MCNAB, MICHAEL
/205438 (1179) OK C355
/210402 (689) *ONSCNE L216
/211010 (1179) OK L216
/212159 (689) *CLEAR L216
/212856 (989) *REMINQ C355
#3a
""
/214725 *CHGLOC C355 [1]
/215324 *ONSCNE C355
/215421 (1179) OK C355
/222911 (989) *CHGLOC C355 [LOGAN]

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-066526	
INCIDENT TYPE Arrest, Information		INCIDENT CLASSIFICATION #1 MALICIOUS MISCHIEF		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 Mon 03/03/2014	DATE/TIME 19:30	OCCURRED ON Mon 03/03/2014	DATE/TIME 19:30	OCCURRED TO Mon 03/03/2014	DATE/TIME 19:50
DISTRICT					
DISPATCH TIME 19:40	ARRIVED TIME 19:44	CLEARED TIME 22:30	REPORT DATE 03/03/2014	REPORT TIME 22:44	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE M-10.12.020(A)(1) MALICIOUS MISCHIEF PERSONAL PROPERTY					UCR/NIBRS CODE 290 / 290
LOCATION OF INCIDENT 206 S Post Street #711, Spokane, WA 99201				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS Suspect Arrested, Suspect Named, Useful Physical Evidence, Witness to Crime					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS McCasland					
VICTIM/WITNESSES/OTHERS <small>V-Deceased, OW-Owner of Property, C-Complainant, PE-Pedestrian, W-Witness, M-Missing, MIP-Person Mentioned, O-Other, PC-Police Officer, CY-Cyber, TH-Third Party, PS-Passenger, RO-Registered Owner, RU-Runaway, S-Suspect, V-Victim, I-Individual, VB-Victim - Business, G-Legal Guardian, D-Driver, CV-Complainant & Victim, A-Arrested Person, CON>Contact</small>					
CODE A-1	NAME: LAST, FIRST, MIDDLE #14			SEX M	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE 02/24/1957 57					
HEIGHT 5'09"	WEIGHT 157	BUILD Light	HAIR Brown	EYES GRN - Green	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 206 S Post Street #711, Spokane, WA 99201			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES NONE					
CHARGE LEVEL Gross Misdemeanor		DESCRIPTION M-10.12.020(A)(1) MALICIOUS MISCHIEF PERSONAL PROPERTY			UCR/NCIC CODE 290/290
WARRANT #	BAIL	TYPE OF ARREST Summoned/Cited			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION # 4Z0188694	DATE 03/03/2014	TIME 19:30	BOOKED WHERE		DATE TIME
ARREST LOCATION 206 S Post Street #711, Spokane, WA 99201			STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED	SUSPECT ARMED WITH
JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED	NOTIFIED BY	DISPOSITION OF JUVENILE
DRIVER'S LICENSE	<input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. #4a	<input type="checkbox"/> FAKE	OTHER ID #4b

ID NO./NAME OF REPORTING OFFICER #989 - Widhalm, Holton		DISTRIBUTION
APPROVAL #278 - Gately, John	DATE/TIME 03/04/2014 06:44	

Incident Report #1

03/04/2014 14:44:48.532

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION MALICIOUS MISCHIEF				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 14-066526	
CODE W-1	NAME: LAST, FIRST, MIDDLE Maples, Lena L				SEX F	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE 06/29/1982 31
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 206 S Post Street, Spokane, WA 99201				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Business) (509) 624-1999, (Work) (509) 227-5310, (Cell) (509) 216-5815							
CODE VB-1	NAME: LAST, FIRST, MIDDLE Carlyle Apts				SEX -	RACE/ETHNICITY -	DATE OF BIRTH/AGE
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 206 S Post Street, Spokane, WA 99202				RESIDENTIAL STATUS		PHONE (509) 624-1999
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Business) (509) 624-1999							
RELATIONSHIP TO SUSPECT			VICTIM OF Offns. # M-10.12.020(A)(1) MALICIOUS MISCHIEF PERSONAL			OFNDR. # A-1	
PROPERTY							
ITEM # 1	STATUS Destroyed/Damaged/Vandalized				QUANTITY 1	UNITS	TOTAL VALUE \$ 500.00
DESCRIPTION/COMMENTS Large double pain window			ITEM/CATEGORY Miscellaneous not otherwise Classified			TYPE Miscellaneous	
BRAND		MODEL		SERIAL NUMBER		OWNER ASSIGNED NUMBER	
OWNER Carlyle Apts				RECEIVED FROM			
COMMENTS							
NARRATIVE							

On 030314 at approximately 1930hrs, Lena Maples called from the Carlyle Apartments at 206 S Post to report that resident **#14** in #711 threw a chair through a window and was destroying items in his room. She said he may have a pocket knife but it was not in use. Ms. Maples called back at 1941hrs, and said she heard glass breaking. She also informed 911 that Mr. **#14** has a history of suicide attempts. She was afraid to go in the apartment by herself without law enforcement to assist.

Officer McCasland and I responded. I arrived at 1946hrs, and we went inside. We contacted Ms. Maples and she told us Mr. **#14** was still breaking things. She told me she was the social worker for the building. Ms. Maples opened the door with her key before I could tell her to wait. I

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION MALICIOUS MISCHIEF	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-066526
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called inside for Mr. #14 but no one responded. I could see into the apartment and saw the broken window. We were seven stories up and the hole was large enough for an adult to fit through. We opened the door wider but I couldn't see anyone inside. I thought Mr. #14 may have jumped out the window so we went inside the apartment.

Once inside I found Mr. #14 laying on his bed. We tried communicating with him but at first he wouldn't respond. He was barefoot and I could see a cut under one of his feet. There was broken glass all over the floor. Mr. #14 started cursing at us, saying something similar to, "Fuck you, I'm not going anywhere!" Officer McCasland told Mr. #14 to get up but he pushed the officer away. Mr. #14 yelled something similar to "I'm going to fuck you up." Mr. #14 was pushing Officer McCasland away. I tried to get control off one of Mr. #14 arms but they were tense and he was keeping them by his waist. Officer McCasland and Mr. #14 fell onto the bed and Mr. #14 put his arms under him. I repeatedly told him to put his arms behind his back but he refused saying, "fuck you."

At that point I had the following information:

1. I was responding to a malicious mischief crime involving Mr. #14 and when contact was made he was being uncooperative.
2. Mr. #14 had not been searched and could have the knife Ms. Maple reported, or other weapons that could injure or kill officers, staff, or other residents. He was keeping his arms by his waistline which is a common area for weapons to be stored.
3. Mr. #14 made the statement that he was going to fuck up Officer McCasland, therefore he led me to believe he was going to assault the officer.

Based on this information I took out my Taser and told Mr. #14 to stop resisting and to put his hands behind his back. He still would not put his hands behind his back. When I tried to hold onto his arm I could feel that he was very tense and was not going to voluntarily put his hands behind his back. I provided Mr. #14 with another warning that I was going to Tase him but he responded by saying something similar to, "Fuck you."

At that point I felt the safest way to resolve the situation with the least amount of force was to attempt a drive-stun on Mr. #14 tense arm. I took the cartridge off and placed the taser contacts on Mr. #14 arm. I pulled the trigger initiating a 5 second burst but Mr. #14 was still moving around violently so I couldn't keep it in contact with him. Mr. #14 pushed forward on his bed and this presented his legs to me. Before the 5 seconds was up I placed it on his right calf. Mr. #14 immediately gave up and put his hands behind his back. I estimate the amount of time the Taser was contacting his calf while it was engaged was about 2 second or less. I couldn't seen any injury from the Taser contact.

I handed Officer McCasland my handcuffs and he handcuffed Mr. #14 We called for medics to

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION MALICIOUS MISCHIEF	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-066526
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come check out his cuts. Cpl. Bartlett responded for photos of the damage. Based on Mr. #14 demeanor and actions I had AMR transport him to Sacred Heart for a mental evaluation and treatment of his cuts. I issued Mr. #14 a criminal citation for Malicious Mischief. I advised him of his mandatory court date. I gave him a copy. I provided staff at the hospital with the details of this incident for the mental evaluation.

Widhalm #989
Team 9 C355
030414

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-066526	
REPORT PURPOSE			REPORTED ON DATE Tue 03/04/2014	TIME 19:30	INCIDENT XREF
INCIDENT CLASSIFICATION #1 MALICIOUS MISCHIEF		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 03/04/2014		REPORT TIME 10:15
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 03-03-14, I responded with Officer Widhalm (See his report) to 206 S. Post711. The complainant, Maples had called saying a male, #14 was being disorderly and she could hear glass breaking.

Upon arrival, We contacted the Maples who was the hallway waiting on us to arrive. Maples opened the door to #14 apartment. I could hear loud Music and feel a cold draft coming in to the room.

I turned the radio off and announced we were Spokane Police. I could see a large double pane window on the west side of the apartment was completely broke out. #14 was lying on his bed with his feet crossed and hands across his chest.

I heard Officer Widhalm saying to #14 we were the Spokane Police. #14 responded with "Fuck you, what you going do". I told #14 we were here to find out what was going on. I asked him why the window was broke out. He said, "Fuck you what you going to do. Why don't you just bring it".

I asked #14 where his shoes and coat were at as we were going to need them. He again told me, "Fuck you, lets do this, I'm going to fuck you up".

I asked #14 to calm down and the only response we got was "Fuck you".

I grabbed #14 right arm and pulled him toward the end of the bed. He immediately tense up screaming "Fuck you". He curled up in to a ball. I took his arm and put it behind his back. He would not cooperate. He reached back with his left arm. I then attempted to get a lateral neck restraint. I could not get it on from the angle I was at. I pulled back on his arm and Officer Widhalm initiated a touch stun with his taser.

#14 complied with our instructions from the point forward. I told him to roll over and put his arms behind his back. He did this, he was handcuffed D/L, He remained on his stomach laying on the bed.

We gathered his coat and shoes and noticed he had a deep cut on his foot from the glass.

ID NO./NAME OF REPORTING OFFICER #711 - McCasland, Michael		DISTRIBUTION	
APPROVAL #741 - Beckley, David	DATE/TIME 03/04/2014 11:16		

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION MALICIOUS MISCHIEF	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-066526
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A chair, closet door and numerous other items were thrown out the window on the roof of the building next door.

Fire arrived and treated #14 cut. He was transported by AMR to Sacred Heart.

I took no other action on this report.

McCasland 711, E273



Spokane Police Department
Internal Investigation



CONFIDENTIAL

IA#

14-66526

Additional

Complaint Being Investigated

Use of force-drive stun Taser application

Officer Interview Summary

I contacted officer Widhalm at Sacred Heart on 3/3/14 at approximately 2100. He described the incident as follows: Subject is a patient/resident at the Carlyle Hotel. Subject was damaging property at the facility. When contacted the subject became combative. Widhalm attempted to apply a drive-stun to the male's arm but missed. While the Taser was still going through the standard cycle, he transitioned to the right calf where contact was made for a second or two. The male then complied and was taken into custody. Subject had several cuts on his feet from walking on broken glass. The cuts were made prior to officers contacting the subject.

Witness Interview Summary

I spoke to #14 #14 at Sacred Heart Medical Center on 3/3/14 at approximately 2100. Mr. #14 was being treated for multiple minor lacerations to his feet. I examined #14 right and left calves for any injuries left by the Taser finding none. #14 was uncooperative stating he did not know why he was at the hospital. He did not remember being contacted by the police or any type physical altercation with officers. #14 asked me to leave him alone.

Physical Evidence

Photographs taken by Corporal Bartlett.

Investigative Summary

Officer Widhalm and McCasland were confronting a mentally ill subject who was possibly armed with a knife, possibly suicidal, and was damaging property. The male made it verbally known that he intended to resist arrest and assault the officers. The subject actively resisted being taken into custody. Officer Widhalm observed Officer McCasland's failed attempt of a lateral neck restraint and decided to deploy his Taser in drive-stun mode. Officer Widhalm had difficulty making contact with the device due to the subject's movements. He made contact to the subject's right calf for a second or two. The drive-stun tactic was effective resulting in the subject's immediate compliance.

I reviewed the attached Taser data. I noted trigger activation at 1949 for five seconds. The attached graph for that activation shows contact was briefly made towards the end of the cycle. The Taser data is consistent with Widhalm's statement and report.

Officer Widhalm's use of force was reasonable given the circumstances he and Officer McCasland were facing. He chose a minimal amount of force to gain compliance which resulted

in no injuries to the suspect or officers. His actions were within department's use of force policy.

**EVIDENCE.COM****Taser Information**

Dept. SPOKANE CITY POLICE
DEPARTMENT
Serial X12000MWK
Model TASER X26P
Firmware Version Rev. 03.045
Device Name X12000MWK
Health Active

Report Generated by

Name McNab, Mike

Badge ID

689

Local Timezone

Pacific Standard Time (UTC -08:00)

Generated On

03 Mar 2014 22:23:16

Device (X26P)

Seq #	Local Time [dd:mm:yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
1	20 Nov 2013 09:13:19	Armed		27	0
2	20 Nov 2013 09:13:44	Armed		27	0
3	20 Nov 2013 09:14:28	Armed		27	0
4	20 Nov 2013 09:17:25	Armed		25	83
5	20 Nov 2013 09:17:29	Trigger	5		83
6	20 Nov 2013 09:17:34	Trigger	5		83
7	20 Nov 2013 09:17:40	Trigger	5		83
8	20 Nov 2013 09:17:46	Trigger	5		83
9	20 Nov 2013 09:17:51	Trigger	5		83
10	20 Nov 2013 09:17:57	Trigger	5		83
11	20 Nov 2013 09:18:03	Trigger	5		83
12	20 Nov 2013 09:18:08	Trigger	5		83
13	20 Nov 2013 09:18:14	Trigger	5		83
14	20 Nov 2013 09:18:22	Trigger	5		83
15	20 Nov 2013 09:18:28	Trigger	5		83
16	20 Nov 2013 09:18:33	Trigger	5		83
17	20 Nov 2013 09:18:39	Trigger	5		83
18	20 Nov 2013 09:18:44	Trigger	5		83
19	20 Nov 2013 09:18:52	Trigger	5		82
20	20 Nov 2013 09:18:57	Trigger	5		82
21	20 Nov 2013 09:19:04	Safe	99	34	82
22	20 Nov 2013 09:20:29	Armed		30	92
23	20 Nov 2013 09:20:30	Trigger	5		92
24	20 Nov 2013 09:20:36	Safe	7	31	92
25	20 Nov 2013 09:20:46	Armed		30	92
26	20 Nov 2013 09:20:47	Trigger	5		92

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
27	20 Nov 2013 09:20:55	Safe	9	31	92
28	20 Nov 2013 09:30:09	USB			Unknown
29	20 Nov 2013 09:30:26	Time Sync	From '20 Nov 2013 09:30:26' to '20 Nov 2013 09:30:24'		
30	12 Feb 2014 19:10:18	Armed		25	100
31	12 Feb 2014 19:10:19	Safe	1	24	100
32	12 Feb 2014 19:13:19	Armed		24	100
33	12 Feb 2014 19:13:19	Safe	0	25	100
34	12 Feb 2014 19:13:49	Armed		24	100
35	12 Feb 2014 19:13:51	Trigger	5		100
36	12 Feb 2014 19:13:58	Safe	9	25	99
37	12 Feb 2014 19:15:25	Armed		24	99
38	12 Feb 2014 19:15:27	Trigger	1		99
39	12 Feb 2014 19:15:28	Safe	3	24	99
40	12 Feb 2014 19:16:02	Armed		24	99
41	12 Feb 2014 19:16:02	Safe	0	25	99
42	12 Feb 2014 19:19:38	Armed		23	99
43	12 Feb 2014 19:19:38	Trigger	5		99
44	12 Feb 2014 19:19:47	Safe	8	25	99
45	12 Feb 2014 19:19:53	Armed		24	99
46	12 Feb 2014 19:19:54	Trigger	5		99
47	12 Feb 2014 19:20:00	Safe	7	25	99
48	12 Feb 2014 19:20:32	Armed		25	99
49	12 Feb 2014 19:20:32	Trigger	5		99
50	12 Feb 2014 19:20:38	Safe	7	25	99
51	12 Feb 2014 19:20:45	Armed		25	99
52	12 Feb 2014 19:20:46	Trigger	2		99
53	12 Feb 2014 19:20:48	Safe	3	25	99
54	12 Feb 2014 19:20:50	Armed		25	99
55	12 Feb 2014 19:20:50	Trigger	2		99
56	12 Feb 2014 19:20:53	Safe	3	26	98
57	12 Feb 2014 19:21:27	Armed		24	98
58	12 Feb 2014 19:21:28	Trigger	1		98
59	12 Feb 2014 19:21:29	Safe	1	25	98
60	12 Feb 2014 19:21:32	Armed		25	98
61	12 Feb 2014 19:21:33	Trigger	5		98
62	12 Feb 2014 19:21:40	Safe	8	25	98
63	12 Feb 2014 19:22:11	Armed		26	98
64	12 Feb 2014 19:22:11	Trigger	2		98
65	12 Feb 2014 19:22:13	Safe	2	25	98

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
66	12 Feb 2014 19:22:18	Armed		26	98
67	12 Feb 2014 19:22:18	Trigger	5		98
68	12 Feb 2014 19:22:25	Safe	7	26	98
69	12 Feb 2014 19:22:47	Armed		25	98
70	12 Feb 2014 19:22:47	Trigger	2		98
71	12 Feb 2014 19:22:49	Safe	2	26	98
72	12 Feb 2014 19:22:53	Armed		26	98
73	12 Feb 2014 19:22:54	Trigger	5		98
74	12 Feb 2014 19:23:00	Safe	6	27	98
75	12 Feb 2014 19:25:05	Armed		25	98
76	12 Feb 2014 19:25:05	Trigger	5		98
77	12 Feb 2014 19:25:11	Safe	6	26	97
78	12 Feb 2014 23:03:15	Armed		19	97
79	12 Feb 2014 23:03:16	Safe	1	19	97
80	12 Feb 2014 23:03:17	Armed		19	97
81	12 Feb 2014 23:03:19	Safe	2	19	97
82	12 Feb 2014 23:04:10	Armed		22	97
83	12 Feb 2014 23:04:10	Safe	0	21	97
84	13 Feb 2014 20:05:58	Armed		20	97
85	13 Feb 2014 20:06:00	Trigger	1		97
86	13 Feb 2014 20:06:02	Safe	4	20	97
87	14 Feb 2014 00:49:47	Armed		16	97
88	14 Feb 2014 00:49:50	Safe	3	15	97
89	14 Feb 2014 00:49:51	Armed		15	97
90	14 Feb 2014 00:49:52	Safe	1	15	97
91	14 Feb 2014 01:53:52	Armed		19	97
92	14 Feb 2014 01:53:54	Safe	2	20	97
93	17 Feb 2014 03:34:28	Armed		17	97
94	17 Feb 2014 03:34:31	Safe	3	18	97
95	17 Feb 2014 03:34:38	Armed		18	97
96	17 Feb 2014 03:34:40	Safe	2	18	97
97	17 Feb 2014 03:34:45	Armed		18	97
98	17 Feb 2014 03:34:47	Safe	2	19	97
99	21 Feb 2014 23:08:52	Armed		24	97
100	21 Feb 2014 23:08:53	Trigger	5		97
101	21 Feb 2014 23:08:58	Safe	7	25	97
102	22 Feb 2014 16:15:33	Armed		21	97
103	22 Feb 2014 16:15:33	Trigger	2		97
104	22 Feb 2014 16:15:35	Safe	2	21	97

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
105	03 Mar 2014 19:49:48	Armed		18	97
106	03 Mar 2014 19:49:51	Trigger	5		97
107	03 Mar 2014 19:50:23	Safe	35	20	97
108	03 Mar 2014 22:01:44	USB			Unknown
109	03 Mar 2014 22:07:54	Time Sync	From '03 Mar 2014 22:07:54' to '03 Mar 2014 22:11:40'		
110	03 Mar 2014 22:12:30	Time Sync	From '03 Mar 2014 22:12:30' to '03 Mar 2014 22:12:29'		

Pulse Log Graph

