



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 <i>Comm'n</i> , 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 Shawn Kendall

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
3/10/2014	3/3/2014	18:30
Record ID #	Incident No	IA No
8108	14-66470	F14-020
Date/Time Entered		
3/10/2014 22:09		

Incident Summary

* See Attached *

In compliance with policy per Assistant Chief Dobrow 03/27/14.

Incident Location

- 4717 Smith ST, Direction: N, Spokane, WA 99207

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
Clear	Dark	19 feet to 21 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	Yes	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Small	5'4" to 5'6"	
Officer Assessment of Citizen Condition During Incident		
None detected		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Complainant/Involved Citizen Information

Michael Christian Radvanyi

DOB: 1/31/1978 Race: White Gender: Male

Address

- 4717 Smith ST, Direction: N, Spokane, WA 99207

Phone

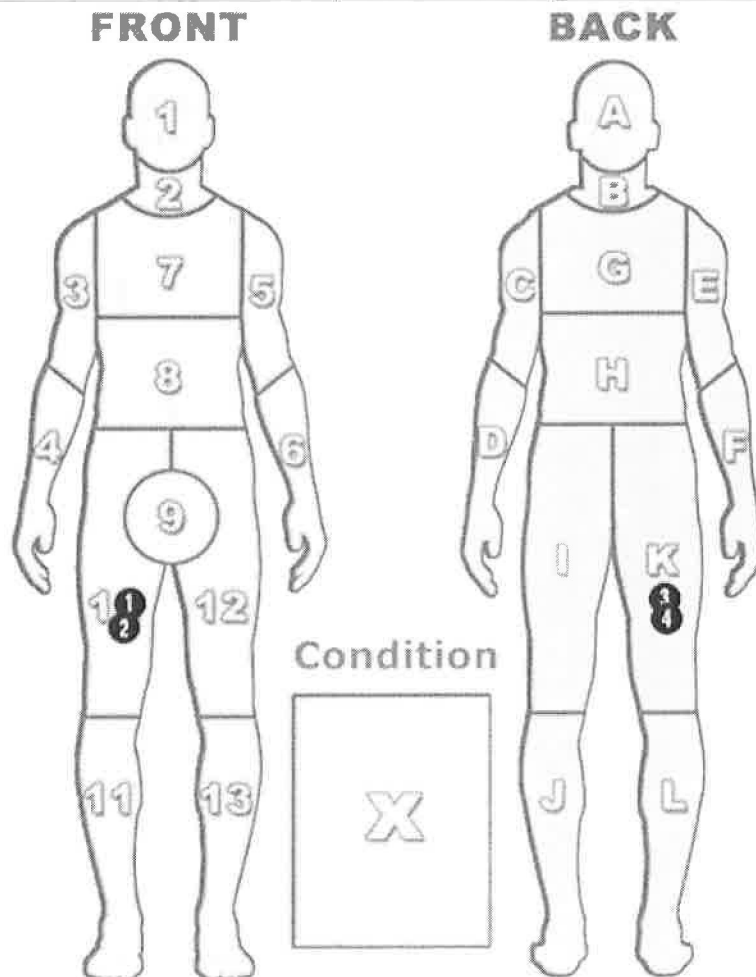
- (206) 856-3077

Types of Resistance Citizen Used Against Officer(s)

- Active Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
Injured During Incident	10, K	1, 2, 3, 4

**Charges against this citizen**

- Arrest - Felony

Involved Officers

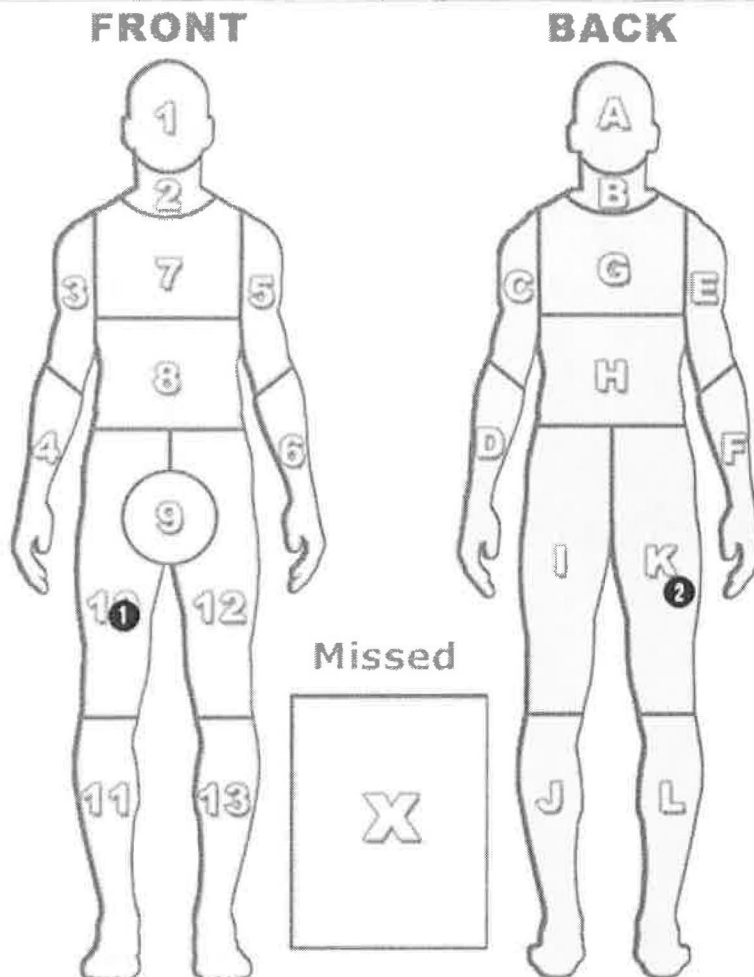
SPO Daniel Lesser - payroll number:

Force used by this officer against the citizen

- K-9 Deployment - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact

K-9 Deployment	Yes	10, K	1, 2
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**Injuries sustained by this officer**

Injury	Regions	Injury Locations
No injuries noted or visible		

Citizen Witnesses**Erika Kienas****DOB: 2/16/1988 - Race: White - Gender: Female****Address**

• 4718 Smith ST, Direction: N, Spokane, WA 99207

Phone

• (509) 315-4562

Officer Witnesses**Corporal Jeffrey McCollough - payroll number:****Sergeant Kurt Vigesaa - payroll number: 11495**

Attachments

Date Attached	Attachment Description	Attachment Type
3/10/2014	reports, CAD, K-9 Activity Log	pdf
3/10/2014	Sgt Kendall Narrative	docx

Chain of Command History

Sent Dt	From	To	Cc	Sender's Instructions	Approved	Recipient's Comments/Response
3/10/2014	Sergeant Shawn Kendall	Lieutenant Kevin King	Sergeant Steven Braun	K-9 Contact Ofc. Lesser and Rav.	<input checked="" type="checkbox"/>	This K-9 Deployment was reasonable and within policy.
3/26/2014	Lieutenant Kevin King	Captain Daniel Torok	(none)	For your review	<input checked="" type="checkbox"/>	I concur with Lt. King that the use of force was reasonable and within policy.
3/27/2014	Captain Daniel Torok	Asst Chief Patrick Dobrow	(none)	For review	<input checked="" type="checkbox"/>	The K9 contact UOF was consistent with policy.

Entering Officer Signature Line

Sergeant Shawn Kendall

Chain of Command Signature Lines

Lieutenant Kevin King

Captain Daniel Torok

Asst Chief Patrick Dobrow

03/10/14 20:44:16 PRINT REQUESTED BY TERMINAL PPTN03
Incident History for: #SP140066470 Xref: #SP140066306

Entered 03/03/14 18:19:19 BY 91111 911184
Dispatched 03/03/14 18:30:20 BY L203 424
Enroute 03/03/14 18:30:20
Onscene 03/03/14 18:58:01
Closed 03/04/14 01:36:25

Initial Type: SUSPER Final Type: SUSPER (SUSPICIOUS PERSON)
Initial Priority: 2 Final Priority: 3
Disposition: 1G Source: A Primary Unit: B332
Police BLK: SPB4HI
Group: P4 Beat: Map Page: 31
Loc: 4717 N SMITH ST ,SPK btwn E WELLESLEY AV & E WABASH AV <2500> (V)
Name: SACCHERI,DAVE Addr: 4808 N SMITH Phone: 5097013118

/181919 (911184) ENTRY XREF #66306. COMP WAS TOLD BY LE TO CALL IF MA
LE RETURNED TO LOC. MALE AT LOC NOW: WM, 30S,
505/THIN, GOTEE, MULTI COLORED HAT, BLK LEATHE
R COAT.
/181936 CHANGE NAM: DAVE --> SACCHERI,DAVE,
TXT: MALE ARRIVED ON BICYCLE. ###
/181954 (1008) HOLD
/182013 CROSS #SP140066306
,L203 11D
/182221 CHANGE PRI: 2 --> 3
/182226 MISC ,MSG SENT TO L203
/183020 (424) *DISPER L203 #424 VIGESAA, KURT
/183313 *REMINQ L203
#3a
/183733 (1008) \$PREMPT L203
/185440 (424) *DISPER L203 #424 VIGESAA, KURT
/185620 *REMINQ L203
#3a
/185801 *ONSCNE L203
/185845 (616) *ASSTER F22 [4717 N SMITH ST ,SPK]
#616 KENNEDY, STEPHANIE
/185951 (1008) ASSTER F33 [4717 N SMITH ST ,SPK]
#680 HOWE, DUSTIN
/190538 ASSTOS P320 [4717 N SMITH ST ,SPK]
#639 MCCOLLOUGH, JEFFREY
/190946 (639) *REMINQ P320
#3a
/191049 (1008) ASSTER K15 [4717 N SMITH ST ,SPK]
#452 LESSER, DANNY
/191109 REMINQ P320
#3a
/191219 ASSTER B332 [4717 N SMITH ST ,SPK]
#1177 BRIGGS, NICK
/191239 REMINQ P320
#3a
/191545 CALLBK P320 T/P320
,OWNER OF LOCATION SHOWS TO BE SHAWN O KAZEMBA
030383, PH NUMBER'S 208 818 1708 OR 509 200 2
612 OR 509 535 5684
/192415 (452) *ONSCNE K15
/192419 (1008) MISC P320 ,TO B332 PULL RIGHT UP FRONT
/192426 ONSCNE F22 ,?
/192426 ONSCNE F33 ,?

/192537 (1177) *ONSCNE B332
/194726 (1008) MISC P320
/194726 MISC P320
/194755 CALLBK P320
/194906 (1144) CALLBK P320
/195800 (452) *REMINQ K15
/195812 (1177) *TRANS B332
/200117 (639) *CLEAR P320
/200522 (452) *CHGLOC K15
/200551 (680) *REMINQ F33
/200618 *CHGLOC F33
/200654 (616) *CLEAR F22
/200945 (424) *REMINQ L203
/201900 (680) *ONSCNE F33
/201900 *ONSCNE F33
/201900 *ONSCNE F33
/201900 *ONSCNE F33
/201932 (1177) *TRANSC B332
/203115 (680) *CLEAR F33
/203834 (424) *REMINQ L203
/203850 *REMINQ L203
/205231 (417) *ASSTER L205

/205540 *ONSCNE L205
/205852 (424) *CLEAR L203
/211713 (417) *CLEAR L205
/212745 (657) CALLBK K15

/212931 (436) *ASSTER P315

/213707 *ONSCNE P315
/223638 *MISC P315
/223640 *CLEAR P315
/223856 (1008) OK B332
/223902 ONSCNE K15
/223906 OK K15
/224906 (1177) *TRANS B332
/225426 *TRANSC B332
/231658 *CHGLOC B332
/231846 (452) *CLEAR K15

/232729 (1177) *ONSCNE B332
*** New Date: 03/04/14 ***
/013625 *CLEAR B332
/013625 CLOSE B332

,03/03/14 19:47:14 Message To: PCC02 From: P
320

,IN CUSTODY IF U WOULD CONFIRM PLSE
T/PCC06

,CONFIRM DOC

T/PCC02

,DOC CONFIRMED, JAIL LOCATE

#3a

[DEACONESS] M/0

,ADULT MLAE STOP AT SIG 1 FIRST TO SDROP PROP

DSP: 1A

[DEAC]

#3b

[JAIL]

#3b

M/6.7

#3b

#3g

[DEAC]

#417 KENDALL, SHAWN

,PSTAT/ASST

T/PCC03

,NEED CORP FOR PHOTOS ROOM #2 IN EXPRESS CARE

[DEAC]

#436 ADAMS, DAVE

,PSTAT/ASST PHOTOS

,?

[JAIL] M/0

M/1.3

[7/PAPER]

,PSTAT/ASST PSTAT/RPT K9 BLDG SEARCH FELONY CA
PTURE

DSP: 1A --> 1G

,PSTAT/CFS PSTAT/WAR

03/10/14 20:44:49 PRINT REQUESTED BY TERMINAL PPTN03
Incident History for: #SP140066306 Xref: #SP140066470

Entered 03/03/14 15:37:41 BY 91110 911222
Dispatched 03/03/14 15:42:55 BY L203 424
Enroute 03/03/14 15:42:55
Onscene 03/03/14 15:42:55
Closed 03/03/14 17:20:39

Initial Type: BURGR Final Type: TRESP (TRESPASSING)
Initial Priority: 3 Final Priority: 3
Disposition: 14D Source: A Primary Unit: BC1
Police BLK: SPB4HI
Group: P4 Beat: Map Page: 31
Loc: 4717 N SMITH ST ,SPK btwn E WELLESLEY AV & E WABASH AV <2500> (V)
Name: SMITH NICOLE Addr: 4728 N SMITH Phone: 5093898569

/153741 (911222) ENTRY MALE INSIDE HOME THAT IS VACANT, MALE HAS BEEN
LIVING INSIDE LOC FOR SEVE RAL MONTHS, IN THE
PAST MALE PULLED A KNIFE ON COMPS NEIGHBOR,
/153907 SUPP TXT: MALE: 30'S WM 505-506/THIN, WEARING BLK L
EATHER COAT WITH BLK HOOD PULLED UP,
/153920 (159) HOLD
/153931 (911222) CHANGE NAM: NICOLE --> SMITH NICOLE
/154042 (159) CHANGE TYP: BURGR --> TRESP
RSP: P --> PP
PRI: 3 --> 3
/154255 (424) *DISPOS L203 #424 VIGESAA, KURT
/154407 (911222) SUPP TXT: COMP STATED THE HOME IS OWNED BY BANK OF
AMERICA, THE MALE HAS BEEN REPOR TED LIVING IN
THE HOME SEVERAL TIMES, ###
/154547 (616) *ASSTER F22 [4717 N SMITH ST ,SPK]
#616 KENNEDY, STEPHANIE
/154928 *ONSCNE F22
/155407 *CLEAR F22
/160452 (424) *REMINQ L203
/161334 *CLEAR L203
/161334 CLOSE L203
/165808 (911214) SUPP
NAM: SACCHERI, DAVE,
ADR: 4808 N SMITH,
PHO: 5097013118,
TXT: SUSP MALE HAS RETURNED TO HOUSE, 5 AGO SE
EN GOING INSIDE. NO WEAPONS SEEN. SUSP:WM, 30'
S, 505/THN, GOTEE, WEARING:BLK LEATHER COAT, B
LK BACKPACK, PUSHING A BICYCLE. POSS ARRESTED
FROM HOUSE LAST SUMMER. ###
/165822 REOPEN
/165926 (159) HOLD
/170944 (911222) SUPP
TXT: DAVE ON CB MALE LEFT 1 AGO ON BLK MOUNTAI
N EB ON WABASH TO MARKET, ###
/172035 (159) DISPOS BC1 #BC BC
/172036 MISC BC1 ,BROADCAST NORTH BY MDT
/172039 CLEAR BC1 DSP: 11D --> 14D
/172039 CLOSE BC1
/182013 (1008) CROSS #SP140066470
,L203 11D

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-066470	
INCIDENT TYPE Information		INCIDENT CLASSIFICATION #1 DOCUMENT SRVC-ATMPT		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #2 WARRANT ARREST	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #4	
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Mon 03/03/2014 18:19	DATE/TIME	OCCURRED ON Mon 03/03/2014 18:19	DATE/TIME	OCCURRED TO Mon 03/03/2014 18:19	DISTRICT
DISPATCH TIME 18:19	ARRIVED TIME 18:19	CLEARED TIME 18:19	REPORT DATE 03/04/2014	REPORT TIME 18:26	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE					UCR/NIBRS CODE
LOCATION OF INCIDENT 4717 N Smith, Spokane, WA 99207				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS Suspect Named					
RELATED INCIDENT NUMBERS					INCIDENT XREF 14-066306
ADDITIONAL REPORTING OFFICERS Ofc. Lesser					
SUSPECTS <small>V-Deceased, OW-Owner of Property, C-Complainant, PE-Pedestrian, W-Witness, M-Missing, MR-Person Mentioned, O-Other, PC-Pedestrian - Cyclist, IH-Institutional, PS-Passenger, RO-Registered Owner, RU-Runaway, S-Suspect, V-Victim - Individual, VB-Victim - Business, G-Legal Guardian, D-Driver, CV-Complainant in Victim, A-Arrested Person, CON-Contact</small>					
CODE S-1	NAME: LAST, FIRST, MIDDLE Radvanyi, Michael Christian			SEX M	RACE/ETHNICITY W-White
HEIGHT 5'04"	WEIGHT 145	BUILD Light	HAIR Brown	EYES Brown	DATE OF BIRTH/AGE 01/31/1978 36
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY, STATE ZIP 4717 N Smith, Spokane, WA 99207			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (206) 856-3077					
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. #4a	OTHER ID #4b	
VICTIM/WITNESSES/OTHERS <small>V-Deceased, OW-Owner of Property, C-Complainant, PE-Pedestrian, W-Witness, M-Missing, MR-Person Mentioned, O-Other, PC-Pedestrian - Cyclist, IH-Institutional, PS-Passenger, RO-Registered Owner, RU-Runaway, S-Suspect, V-Victim - Individual, VB-Victim - Business, G-Legal Guardian, D-Driver, CV-Complainant in Victim, A-Arrested Person, CON-Contact</small>					
CODE W-1	NAME: LAST, FIRST, MIDDLE Kienas, Erika L			SEX -	RACE/ETHNICITY -
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE 02/16/1988 26
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY, STATE ZIP 4718 N Smith Street, Spokane, WA 99208			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (509) 315-4562					
NARRATIVE					

On 03/03/014 at about 1819 hours I responded to 4717 N. Smith on the report of a suspicious

ID NO./NAME OF REPORTING OFFICER #639 - McCollough, Jeffrey		DISTRIBUTION	
APPROVAL #404 - Griffin, John	DATE/TIME 03/04/2014 19:25		

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION
DOCUMENT SRVC-ATTMPT

ATTEMPTED
☐

INCIDENT NUMBER
14-066470

male inside 4717 N. Smith. Several neighbors had called in to complain about a white male that was squatting in a vacant house at 4717 N. Smith.

Sgt. Vigesaa and I had responded earlier in the day and talked to several neighbors complaining of the male squatting in the residence. Neighbors advised that he has been staying there for months and has been arrested there before.

#3a

#3a

When I arrived onscene I contacted Erika Kienas across the street at 4718 N. Smith. She told me that she saw the male push his bike into the front door of 4717 N. Smith about 15 minutes prior to police arrival. She stated that he has not left. I showed Kienas a jail booking photo of Radvanyi. She positively identified the male as Radvanyi. She said that he has been staying inside the vacant home since at least October.

We knocked on the front door numerous times and did not get an answer. There were several postings on the front door, stating that it was a foreclosed property.

Neighbors advised that every time the bank in charge of the property puts new locks on the residence, Radvanyi put his own locks on so he can go in and out the front door.

The front door of the residence was locked.

Based on the information we have we developed p.c. that Radvanyi was hiding inside the residence, and it was his primary residence. Even though it is a foreclosed property.

After receiving no answer at the front door we were able to gain entry through an unlocked front window.

K-9 Ofc. Lesser responded to the scene. Ofc. Lesser located Radvanyi hiding in the attic of the residence. See Ofc. Lesser's report for more information.

Cpl McCollough #639

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-066470	
REPORT PURPOSE			REPORTED ON DATE Mon 03/03/2014	TIME 19:10	INCIDENT XREF
INCIDENT CLASSIFICATION #1 WARRANT ARREST		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 01:10	
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

I was requested by Sgt Vigesaa to respond to 4717 N. Smith to assist with trying to apprehend a suspect, Michael C. Radvanyi, who had a confirmed Felony DOC Warrant. The original charge was for Possession of a Dangerous Drug. #7a

#7a

I arrived on scene and contacted Sgt Vigesaa. He stated that Radvanyi had broken into a vacant house that had been foreclosed. Officers on scene were able to open a window that led into the living room by the front door. I decided to deploy my K9, Rav, for the following reasons. Radvanyi was wanted for a confirmed felony DOC Escape no bail Warrant. He had not been searched and it was unknown if he possessed any type of weapons. He was inside of a residence that he had broken into and was refusing to come it.

I made two very clear and loud announcements into the residence through the open front window. I yelled "Attention in the house this is the Spokane Police Department K9 Unit. Michael you are under arrest. You need to come out now or the house will be searched by a police dog and when he finds you he will bite you". After each announcement I instructed Rav to bark. I also made sure that Rav was quiet in case Radvanyi decided to yell out I would be able to hear him but Radvanyi said nothing.

After no response from Radvanyi I sent Rav into search the residence. Rav was able to clear the main floor and did not locate Radvanyi. We did locate an attic opening in the nw corner bedroom. I used a snow shovel I found in the residence and used that to push open the attic opening. I made two more announcements yelling into the attic "Michael, this is the Spokane Police Department K9 Unit. You are under arrest for a felony warrant. I know you are up there. You need to come out right now or the attic will be searched by a police dog and when he finds you he will bite you". Again I made sure Rav did not bark and was quiet so that I would be able to hear Radvanyi if he called out and he did not. It took us a couple of minutes to find a dresser and a speaker box to stack at the bottom of the attic opening so I would have something to stand on to be able to place Rav in the attic. I gave another K9 warning to Radvanyi to come out or a police dog would be used and again he did not respond.

I placed Rav on my shoulder and was able to guide him to a position that he was able to get up into the attic. Once inside the attic I gave Rav the search command. Several minutes later I could Radvanyi start to yell. I immediately climbed up into the attic. It took me a few moments to locate Radvanyi and Rav. Radvanyi had crawled into a secondary attic space that was accessed from a small hole by the chimney. As soon as I could see that his hands were clear I immediately had Rav release the contact. I instructed Radvanyi to crawl out towards me and Sgt Vigesaa took him into

ID NO./NAME OF REPORTING OFFICER #452 - Lesser, Dan		DISTRIBUTION
APPROVAL	DATE/TIME	

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION WARRANT ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-066470
--------------------------------------------------	---------------------------------------	-------------------------------------

custody. During search incident to arrest Radvayni was found to have been armed with a folding knife.

I estimated that Rav was on the contact for about 10 seconds. Ofc Briggs was on scene and transported Radvayni to Deaconess. While at Deaconess I checked Radvayni's injuries. His injuries consisted of what appeared to be two lacerations on the right mid thigh. Each laceration took 5 stitches. He also had two minor rakes on the opposite side of the thigh.

I spoke with Radvayni's at the hospital. I asked him if he had heard the announcements and he said yes. I advised Sgt Vigesaa along with Sgt Kendall of the contact. Cpl Adams responded for photographs.

Radvayni was medically cleared and Ofc Briggs transported him to jail and booked him.

Spokane Police Department

Ref. # U-DA143319100

K-9 DEPLOYMENT REPORT

GENERAL	Date/Time Reported	Date/Time Arrived	Date/Time Cleared	Agency #	
	3/3/2014 7:10:00 PM	3/3/2014 7:10:00 PM	3/3/2014 7:47:00 PM	140066470	
	Session Activity Type		Handler	K-9	
	Warrant		Dan Lesser	Rav	
Event Summary Information	I responded to assist the Day Pact team who had a suspect with a felony warrant inside of 4717 N. Smith who was refusing to come up. See narrative for further info.				
MISC	Consent Type	Warrant by K-9	Warrant #	# Arrests	Highest Charge
	N/A		N/A	1	N/A
REQ	Requesting Agency			Requesting Officer/Party	
	Spokane Police Department			Sgt Vigesaa	
	Services Requested			Request Method	
	Building search			Radio	
WEATH	Ground Condition		Weather Condition 1		Weather Condition 2
	N/A		Cloudy		N/A
	Temperature	Wind Speed	Wind Direction		Humidity
	36	0	N		93%
COMP	Start Miles	End Miles	Total Miles	Comp Time	Non-Comp Time
				0.62	

DEPLOYMENT ACTIVITIES				
Amt	Activities Performed/ Loc. Info	Action Perf./ Value	Proficiency	Time/ District
*	1 Building Search			
- - 4717 N. Smith - Spokane - WA				
<p>I was requested by Sgt Vigesaa to respond to 4717 N. Smith to assist with trying to apprehend a suspect, Radvanyi, who had a confirmed Felony DOC Warrant. The original charge was for Possession of a Dangerous Drug. #7a</p> <p>#7a</p> <p>I arrived on scene and contacted Sgt Vigesaa. He stated that Radvanyi had broken into a vacant house that had been foreclosed. Officers on scene were able to open a window that led into the living room by the front door. I decided to deploy my K9, Rav, for the following reasons. Radvanyi was wanted for a confirmed felony DOC Escape no bail Warrant. He had not been searched and it was unknown if he possessed any type of weapons. He was inside of a residence that he had broken into and was refusing to come in.</p> <p>I made to very clear and loud announcements into the residence through the open front window. I yelled "Attention in the house this is the Spokane Police Department K9 Unit. Michael you are under arrest. You need to come out now or the house will be searched by a police dog and when he finds you he will bite you". After each announcement I instructed Rav to bark. I also made sure that Rav was quiet in case Radvanyi decided to yell out I would be able to hear him but Radvayni said nothing.</p> <p>After no response from Radvanyi I sent Rav into search the residence. Rav was able to clear the main floor and did not locate Radvanyi. We did locate an attic opening in the nw corner bedroom. I used a snow shovel I found in the residence and used that to push open the attic opening. I made two more announcements yelling into the attic "Michael, this is the Spokane Police Department K9 Unit. You are under arrest for a felony warrant. I know you are up there. You need to come out right now or the attic will be searched by a police dog and when he finds you he will bite you". Again I made sure Rav did not bark and was quiet so that I would be able to hear Radvanyi if he called out and he did not. It took us a couple of minutes to find a dresser and a speaker box to stack at the bottom of the attic opening so I would have something to stand on to be able to place Rav in the attic. I gave another K9 warning to Radvayni to come out or a police dog would be used and again he did not respond.</p> <p>I placed Rav on my shoulder and was able to guide him to a position that he was able to get up into the attic. Once inside the attic I gave Rav the search command. Several minutes later I could Radvayni start to yell. I immediately climbed up into the attic. It took me a few moments to locate Radvayni and Rav. Radvayni had crawled into a secondary attic space that was accessed from a small hole by the chimney. As soon as I could see that his hands were clear I immediately had Rav release the contact. I instructed Radvayni to crawl out towards me and Sgt Vigesaa took him into custody. During search incident to arrest Radvayni was found to have been armed with a folding knife.</p> <p>I estimated that Rav was on the contact for about 10 seconds. Ofc Briggs was on scene and transported Radvayni to Deaconess. While at Deaconess I checked Radvayni's injuries. His injuries consisted of what appeared to be two lacerations on the right mid thigh. Each laceration took 5 stitches. He also had two minor rakes on the opposite side of the thigh.</p> <p>I spoke with Radvayni's at the hospital. I asked him if he had heard the announcements and he said yes. I advised Sgt Vigesaa along with Sgt Kendall of the contact. Cpl Adams responded for photographs.</p> <p>Radvayni was medically cleared and Ofc Briggs transported him to jail and booked him.</p>				
SUSPECT INFORMATION				
Name/ Address	DOB/ Phone	SSN	Incarcerated at	
* Radvanyi, Michael C	1/31/1978		Spokane County Jail	
TRANSIENT				

1- Building Search

I was requested by Sgt Vigesaa to respond to 4717 N. Smith to assist with trying to apprehend a suspect, Radvanyi, who had a confirmed Felony DOC Warrant. The original charge was for Possession of a Dangerous Drug. DOC also rated Radvanyi in their risk level classification as highly violent.

I arrived on scene and contacted Sgt Vigesaa. He stated that Radvanyi had broken into a vacant house that had been foreclosed. Officers on scene were able to open a window that led into the living room by the front door. I decided to deploy my K9, Rav, for the following reasons. Radvanyi was wanted for a confirmed felony DOC Escape no bail Warrant. He had not been searched and it was unknown if he possessed any type of weapons. He was inside of a residence that he had broken into and was refusing to come in.

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I spoke with Radvayni's at the hospital. I asked him if he had heard the announcements and he said yes. I advised Sgt Vigesaa along with Sgt Kendall of the contact. Cpl Adams responded for photographs.

Radvayni was medically cleared and Ofc Briggs transported him to jail and booked him.

Officer's Signature		Approved By	
		Date	03/03/14 23:22

Use of Force Report: Officer Dan Lesser and K-9 Rav #14-066470

On 3/3/2014 at approximately 1924 Officer Lesser responded to N. 4717 Smith to assist Cpl. McCollough and Sgt. Vigasaa on the arrest of Michael Radvanyi. Radvanyi had Felony Warrant for Escape and was observed by a witness entering the home.

Officer Lesser cleared the home and attic area with his K-9 partner Rav. Rav located and contacted Radvanyi hiding in the attic of the home.

I spoke with Radvanyi at Deaconess Medical Center. Radvanyi stated he heard the officers make the K-9 announcements but thought it might be a bluff. When the dog entered the attic he still refused to give up because he was scared. Radvanyi said, "I was committed to hiding." He also told me that the dog passed by him at one point in the attic but found him moments later. Radvanyi said that the dog did what he is trained to do.

After reading the attached documents, speaking with the officers and suspect I find that Officer Lesser's description of the crime, known and unknown threats related to the incident and Radvanyi's continued resistance, justified the deployment of Rav as a locating and apprehension tool.

Officer Lesser's K-9 deployment was reasonable, within State and Federal laws, within Department Policy and Standard Operating Procedures and met Department expectations.

Sergeant Shawn Kendall