



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 offenses.	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)
#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 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.
#3f	Information from WACIC/NCIC (ACCESS): <u>Gun information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to

		law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	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.
#3L	WACIC/NCIC (ACCESS): <u>Stolen Property</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.
#3m	WACIC/NCIC (ACCESS): <u>Court Orders</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	RCW 42.56.050 (Invasion

		identifying information unique to the holder and which, if obtained by the public could be abused or lead to identity theft.	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 Identicard	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	RCW 42.56.250(8) (Employment and licensing)

		disclosure for their safety and privacy.	
#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)
#5d	Employee training files	Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination	RCW 42.56.250(1).
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	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims). Ashley v. Public Disclosure <i>Comm'n</i> , 16

		preserve the life and personal safety of the informant and family. Specific intelligence information 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.	<i>Wn.App.</i> 830, 836 (1977).
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
4/28/2014	4/23/2014	16:54
Record ID #	Incident No	IA No
8230	14-125029	F14-036
Date/Time Entered		
4/28/2014 12:17		

Incident Summary

After reviewing the incident documentation, observing the suspect injuries and discussion with involved officers, I find that Officer Buchmann's deployment of K-9 "Talon" was reasonable, within state and federal laws, within Department Policy and met Department expectations.

Sergeant Shawn Kendall
K-9 Unit Supervisor/SWAT/Defensive Tactics Coordinator

In compliance with policy per Assistant Chief Dobrow 05/09/14.

Incident Location

- 4804 Martin WY, 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	Interior Lighting	7 feet to 10 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	Yes	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Medium	5'10" to 6'0"	
Officer Assessment of Citizen Condition During Incident		
None detected		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Complainant/Involved Citizen Information

Wade L. Phillips

DOB: 10/23/1968 Race: White Gender: Male

Address

- 2717 Diamond ST, Direction: E, Spokaen, WA 99207

Phone

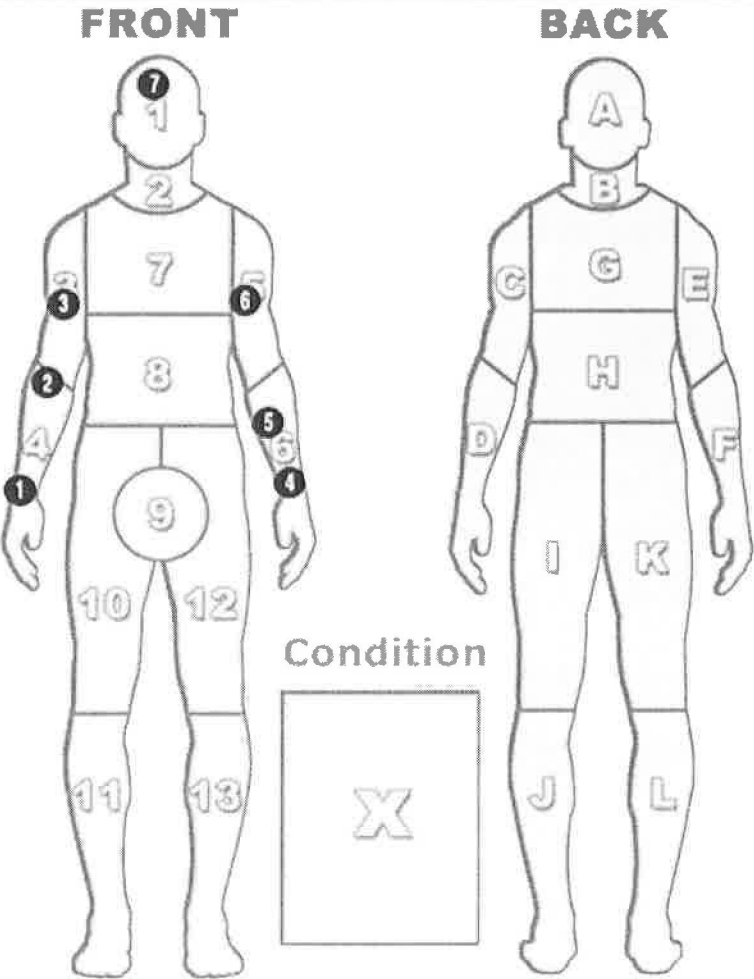
- (509) 724-6498

Types of Resistance Citizen Used Against Officer(s)

- Active Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
Injured During Incident	1, 3, 4, 5, 6	1, 2, 3, 4, 5, 6, 7



Charges against this citizen

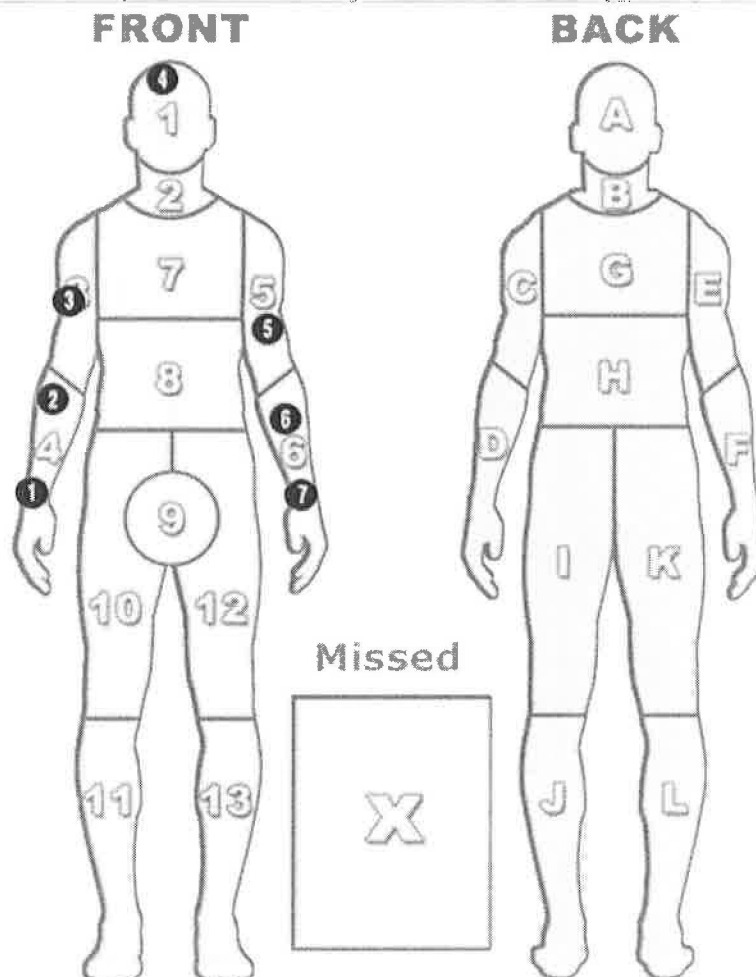
- Arrest - Felony

Involved Officers

SPO Paul Buchmann - 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	1, 3, 4, 5, 6	1, 2, 3, 4, 5, 6, 7

**Injuries sustained by this officer**

Injury	Regions	Injury Locations
No injuries noted or visible		

Citizen Witnesses**Mark Atchison****DOB: 1/23/1973 - Race: Black - Gender: Male****Address**

- 2341 South East BLVD, Suite/Apt: 1, Direction: S, Spokane, WA 99203

Phone

- (509) 251-8891

Patricia Bruns**DOB: 1/29/1965 - Race: White - Gender: Female****Address**

• 4804 Martin ST, Direction: N, Spokane, WA 99207

Phone

• (509) 218-8109

Jason Priest**DOB: 9/24/1970 - Race: White - Gender: Male****Address**

• 4804 Martin, Direction: N, Spokane, WA 99207

Officer Witnesses**SPO Jeremy Daniel - payroll number:****SPO Craig Hamilton - payroll number:****SPO Daniel Lesser - payroll number:****Corporal Shane Oien - payroll number:****Attachments**

Date Attached	Attachment Description	Attachment Type
4/28/2014	CAD	pdf
4/28/2014	K-9 Deployment	pdf
4/28/2014	K-9 UOF	pdf
4/28/2014	Reports	pdf

Chain of Command History

Sent Dt	From	To	Cc	Sender's Instructions	Approved	Recipient's Comments/Response
4/28/2014	Sergeant Shawn Kendall	Lieutenant Kevin King	Sergeant Steven Braun	K-9 Contact Talon	<input type="checkbox"/>	Please add your approval/disapproval
4/28/2014	Lieutenant Kevin King	Sergeant Shawn Kendall	(none)	Please add your evaluation	<input checked="" type="checkbox"/>	After reviewing the incident documentation, observing the suspect injuries and discussion with involved officers, I find that Officer Buchmann's deployment of K-9 "Talon" was reasonable, within state and federal laws, within Department Policy and met Department expectations. Sergeant Shawn Kendall K-9 Unit Supervisor/SWAT/Defensive Tactics Coordinator
4/28/2014	Sergeant Shawn Kendall	Lieutenant Kevin King	Sergeant Steven Braun	K-9 Contact Talon	<input checked="" type="checkbox"/>	This K-9 deployment was reasonable and with policy and law.
4/29/2014	Lieutenant Kevin King	Captain Daniel Torok	(none)	For your review	<input checked="" type="checkbox"/>	I concur with Lt. King. The use of force was consistent with policy.
4/29/2014	Captain Daniel	Asst Chief Patrick	(none)	for review	<input checked="" type="checkbox"/>	I reviewed this case and find the K9 contact UOF to be reasonable and

Torok

Dobrow

within policy.

Entering Officer Signature Line

Sergeant Shawn Kendall**Chain of Command Signature Lines**

Lieutenant Kevin King

Sergeant Shawn Kendall

Captain Daniel Torok

Asst Chief Patrick Dobrow

04/24/14 00:43:16 PRINT REQUESTED BY TERMINAL K9UN01
Incident History for: #SP140125029

Entered 04/23/14 16:54:12 BY 91115 95
Dispatched 04/23/14 17:06:09 BY F31 767
Enroute 04/23/14 17:06:09
Onscene 04/23/14 17:24:27
Closed 04/24/14 00:27:16

Initial Type: SUSCIR Final Type: SUSCIR (SUSPICIOUS CIRCUMSTANCES)
Initial Priority: 2 Final Priority: 3
Disposition: 1G Source: A Primary Unit: F31
Police BLK: SPB3WH
Group: P3 Beat: Map Page: 31
Loc: 4804 N MARTIN ST ,SPK btwn E WELLESLEY AV & E WABASH AV <1900> (V)
Name: ANON MALE Addr: NEIGHBOR Phone: REFUSED

/165412	(95	)	ENTRY	LE WAS AT THE HOUSE A WEEK AGO, COMP WAS TOLD TO CALL IF SOMEONE SHOWS UP , COMP SAID THERE ARE PEOPLE AT THE HOUSE NOW, THEY ARRIVED ON F OOT.
/165419	(318	)	HOLD	PRI/3
/165432	(95	)	SUPP	TXT: COMP THINKS THERE IS A MALE, FEMALE AND P OSSIBLY A CHILD INSIDE NOW
/165453			SUPP	TXT: NO VEH DESC ###
/170609	(767	)	*DISPER F31	#767 DANIEL, JEREMY
/170615	(464	)	*ASSTER F30	[4804 N MARTIN ST ,SPK]
				#464 OIEN, SHANE E
/170717	(750	)	*ASSTER F34	[4804 N MARTIN ST ,SPK]
				#750 ANDERSON, JERRY C
/170733	(649	)	*ASSTER L235	[4804 N MARTIN ST ,SPK]
				#649 ECKERSLEY, BRIAN
/170816			*REMINQ L235	#3b
/170913			*REMINQ L235	#3a
/171123			*REMINQ L235	
/171428	(750	)	*REMINQ F34	
/171745	(649	)	*REMINQ L235	
/171847			*REMINQ L235	
/171955	(464	)	*REMINQ F30	#3b
/172006			*REMINQ F30	
/172011	(750	)	*REMINQ F34	
/172014			*REMINQ F34	
/172017	(649	)	*REMINQ L235	
/172121	(750	)	*REMINQ F34	#3a
/172223			*REMINQ F34	
/172232	(649	)	*REMINQ L235	#3b
/172245	(464	)	*REMINQ F30	
/172427	(767	)	*ONSCNE F31	
/172448	(750	)	*ONSCNE F34	
/172532	(649	)	*REMINQ L235	#3b
/172711			*REMINQ L235	
/172753			*ONSCNE L235	
/172933	(750	)	*REMINQ F34	#3a
/173135	(320	)	REMINQ F34	#3g
/173147			REMINQ F34	#3b
/173238	(318	)	CALLBK F31	

T/PCC02

,CONFIRM DOC WARR ON PATRICIA BRUNS 012965 PLE

/181538	(452)	)	*ASSTER	K15	#713 HAMILTON, CRAIG [4804 N MARTIN ST ,SPK] #452 LESSER, DANNY
/182300	(713)	)	*ONSCNE	K14	
/190322	(464)	)	*TRANSC	F30	[JAIL] M/RESET
/190329	(713)	)	*CHGLOC	K14	[DEAC]
/190452	(750)	)	*CHGLOC	F34	[JAILX]
/190455		)	*CHGLOC	F34	[JAIL]
/190508	(452)	)	*CHGLOC	K15	[DEAC]
/190617	(649)	)	*REMINQ	L235	#3b
/190828	(388)	)	*ASSTER	L142	[JAIL]
/190838	(1123)	)	CALLBK	F30	#388 MEIDL, CRAIG T/PCC02 , PLEASE CALL AMR AND SEE IF THEY CAN MEET LE I N THE AREA. WE ARE SB DIV/WELLESLEY RIGHT NOW W/A MALE WHO IS NOT DOING TOO GOOD
/190900	(750)	)	*CHGLOC	F34	[DEAC]
/190959	(1123)	)	CALLBK	F30	T/PCC02 , PLEASE CALL DEAC AND LET THEM KNOW THAT WE AR E ENROUTE W/A MALE WHO HAD A K9 CONTACT AND SU BJ IS STATING HIS LIVER IS NOT DOING TOO WELL NOW.
/191305	(713)	)	*ONSCNE	K14	
/191306	(1123)	)	NEWLOC	F30	[DEAC]
/191310	(767)	)	*CHGLOC	F31	[DEAC]
/191314	(1206)	)	*MISC		, TRAFFIC CONTROL...BLOCKED INTERSECTIONS
/191602	(388)	)	*NEWLOC	L142	[DEAC]
/191644	(1160)	)	CALLBK	F31	T/PCC01 , DEAC WAS ADVISED EARLIER
/191714	(750)	)	*ONSCNE	F34	
/191837	(649)	)	*CHGLOC	L235	[DEAC]
/191849	(388)	)	*MISC	L142	, SPOKE WITH CPL OIEN. NEVER LOST CONSCIOUSNESS . SHALLOW BREATHING. APPEARS HE WILL BE FINE.
/191856			*MISC	L142	, PSTAT/ASST
/192029	(1123)	)	ASSTOS	K10	[DEAC]
/192029			\$ASSTOS	L205	#735 BUCHMANN, PAUL [DEAC]
/192053	(464)	)	*TRANSC	F30	#417 KENDALL, SHAWN
/192055	(767)	)	*ONSCNE	F31	[JAIL] M/RESET
/192104	(464)	)	*TRANS	F30	[JAIL] M/RESET
/192201	(388)	)	\$PREMPT	L142	
/192303	(464)	)	*TRANSC	F30	[DEACONESS] M/0
/192653	(649)	)	*CLEAR	L235	
/192837	(750)	)	*REMINQ	F34	#3b
/193002	(417)	)	*ONSCNE	L205	
/193255	(767)	)	*TRANS	F31	[JAIL] M/0 , MALE
/193441			*REMINQ	F31	#3a
/193821			*TRANSC	F31	M/1.4
/193915	(1123)	)	CALLBK	F31	T/PCC02 #3a
/194335	(1160)	)	CALLBK		T/PCC01 , WRNT CONFIRMED AND BEING FAXED TO JAIL , PSTAT/ASST , PSTAT/ASST
/195535	(417)	)	*CLEAR	L205	
/195801	(713)	)	*CLEAR	K14	
/200252	(767)	)	*REMINQ	F31	#3b
/200400			*NEWLOC	F31	[DEAC]

/200829	(750	)	*CLEAR	F34	, PSTAT/ASST
/200838	(1069	)	ONSCNE	K15	
/200840			OK	F30	
/200840			OK	F31	
/200840			OK	K10	
/200840			OK	K15	
/200950	(452	)	*CLEAR	K15	, PSTAT/ASST
/210742	(767	)	*REMINQ	F31	
#3a					
/210924	(1069	)	CALLBK	F31	T/PCC06
					, CONF/SEND PHILLIPS, WADE L 102368
/211131	(1141	)	CALLBK	F31	T/PCC01
					, CONF/SENT X3 ON PHILLIPS
/211300	(767	)	*TRANS	F31	[JAIL] M/0
					, MALE
/211344	(464	)	*CHGLOC	F30	[LOGAN]
/211746			\$PREMPT	F30	
/212444	(1123	)	CLEAR	K10	
/220334	(767	)	*TRANSC	F31	[JAIL] M/1.5
					, TRANSPORT WAS COMPLETED ON PHILLIPSAT ROUGHLY
					2120 HRS.
/220337			*NEWLOC	F31	[1]
/220515	(1069	)	OK	F31	
/220904	(767	)	*NEWLOC	F31	[LOGAN]
/222634	(1069	)	OK	F31	
/230855	(767	)	*NEWLOC	F31	[PAPER]
/235247	(1069	)	OK	F31	
*** New Date: 04/24/14 ***					
/002618	(767	)	*MISC	F31	, PSTAT/CFS PSTAT/RPT PSTAT/ROP
/002633			*MISC	F31	, PSTAT/WAR PSTAT/WAR PSTAT/WAR
/002650			*MISC	F31	, PSTAT/WAR
/002716			*CLEAR	F31	DSP: 1G
					, + 1A
/002716			CLOSE	F31	

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-125029	
INCIDENT TYPE Information		INCIDENT CLASSIFICATION #1 SUSP CIRCUMSTANCES		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <input type="checkbox"/>
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4 <input type="checkbox"/>
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Wed 04/23/2014 16:54	DATE/TIME	OCCURRED ON Wed 04/23/2014 16:54	DATE/TIME	OCCURRED TO Wed 04/23/2014 21:20	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 04/23/2014	REPORT TIME 23:10	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE					UCR/NIBRS CODE
LOCATION OF INCIDENT 4808 N Martin, Spokane, WA				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS None					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS K9 Buchmann					
VICTIM/WITNESSES/OTHERS <small>V-Deceased, OW-Owner of Property, C-Complainant, PE-Pedestrian, W-Witness, M-Missing, M/R-Person Mentioned, O-Other, PC-Pedestrian - Cyclist, IN-Institutional, P-Passenger, RO-Registered Owner, RU-Runaway, S-Suspect, V-Victim - Individual, VB-Victim - Business, G-Legal Guardian, D-Driver, CV-Complainant is Victim, A-Arrested Person, CON-Contact</small>					
CODE OW-1	NAME: LAST, FIRST, MIDDLE Bruns, Patricia Marie			SEX F	RACE/ETHNICITY W-White
HEIGHT 5'05"	WEIGHT 140	BUILD Medium	HAIR Brown	EYES BRO - Brown	DATE OF BIRTH/AGE 01/29/1965 49
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 4808 N Martin Street, Spokane, WA 99207			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL ADDRESSES 1009 S Monroe #3, Spokane, WA 99204					ADDRESS TYPE Temporary
ADDITIONAL PHONES (Cell) (509) 218-8109, (Cell) (509) 838-3498, (Cell) (509) 838-3984					
DRIVER'S LICENSE <input type="checkbox"/> FAKE STATE		SOCIAL SECURITY NO. <input type="checkbox"/> FAKE		OTHER ID	
#4b		#4a			
CODE CON-1	NAME: LAST, FIRST, MIDDLE Dick, Cheryl L			SEX F	RACE/ETHNICITY I-American Indian or
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE 02/08/1970 44
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP bx 725, Nespelem, WA 99155			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE

ID NO./NAME OF REPORTING OFFICER #767 - Daniel, Jeremy		DISTRIBUTION	
APPROVAL #507 - Blessing, Erin		DATE/TIME 04/24/2014 01:48	

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION SUSP CIRCUMSTANCES					ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-125029	
CODE CON-2	NAME: LAST, FIRST, MIDDLE PRIEST, JASON LEE				SEX M	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE 09/24/1970 43
HEIGHT 5'09"	WEIGHT 150	BUILD Light	HAIR Blonde or	EYES BLU - Blue	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 4808 N MARTIN, Spokane, WA 99207				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE		OTHER ID		
#4b			#4a				
CODE CON-3	NAME: LAST, FIRST, MIDDLE Atchison, Mark James				SEX M	RACE/ETHNICITY B-Black	DATE OF BIRTH/AGE 01/23/1973 41
HEIGHT 6'04"	WEIGHT 200	BUILD Medium	HAIR Black	EYES BRO - Brown	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 2341 Southeast Blvd #1, Spokane, WA 99203				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL ADDRESSES						ADDRESS TYPE Transient	
ADDITIONAL ADDRESSES 2724 N Willow, Spokane, WA 99206						ADDRESS TYPE Home	
ADDITIONAL PHONES (Cell) (509) 251-8891							
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE		OTHER ID		
#4b			#4a				
CODE CON-4	NAME: LAST, FIRST, MIDDLE Phillips, Wade L				SEX M	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE 10/23/1968 45
HEIGHT 5'11"	WEIGHT 185	BUILD Medium	HAIR Brown	EYES BLU - Blue	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 2717 E Diamond, Spokane, WA 99207				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL ADDRESSES 5401 N Crestline, Spokane, WA						ADDRESS TYPE Home	
ADDITIONAL PHONES (Cell) (509) 724-6498, (Cell) 808-0784							
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE		OTHER ID		
#4b							
NARRATIVE							

On 042314 at 1706 hrs, I self dispatched myself on a suspicious circumstance call at 4808 N Martin. This address is a continual problem drug & stolen property house that often times has repeat

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION
SUSP CIRCUMSTANCES

ATTEMPTED
☐

INCIDENT NUMBER
14-125029

offenders frequenting the residence. Approximately 10+ days ago, a black male possibly named "Mark" fled from me on a bicycle and I believe he went to this problem house but I could not be certain at the time.

The following day after "Mark" fled from me, I contacted neighbors who are extremely tired of the amount of traffic and problems that arise in the neighborhood due to the problem house. I explained to them that a black male had fled from me and I provided them a description. They advised they would call crime check if there was any suspicious activity or if they saw anyone matching the description of "Mark."

Today at 1654 hrs, the neighbors saw enough activity to call to report the activity. Myself, Cpl Oien, Ofc Anderson, Sgt Eckersley all responded to the residence. Myself and Cpl Oien were able to make contact with the property owner, Patricia Bruns. I recognized her from prior contacts and began explaining to her the complaints on her residence and that I was looking for a black male named "Mark."

Bruns was cooperative and agreed that her house is a problem and she is trying to clean it up. Bruns admitted that her house can be out of control at times and she wouldn't mind our assistance in getting wanted/problem subjects out.

Bruns stated there were 4 adults in the residence. One being a black male named Mark Atchison. I utilized my in car SPRS jail booking photo program and confirmed that Atchison was the same black male that had recently fled from me. I warrant check showed that Atchison had a valid/confirmed outstanding Felony warrant for his arrest.

Bruns stated a second male that was inside the residence like had warrants as well. She identified this male as Wade "sparky" Phillips. I am very familiar with Phillips as he is a prolific repeat offender in Spokane. A warrant check on Phillips revealed that he had a 1 valid local Felony warrant for his arrest and 2 misdemeanor warrants. Phillips also has prior contacts of being armed with dangerous weapons such as firearms.

I immediately requested for K9 assistance in the event a K9 would be needed, taking in to account Officer safety concerns in attempting to arrest both Atchison and Phillips.

The other 2 subjects inside, Bruns identified as Cheryl Dick and Jason Priest.

I explained to Bruns my desire to arrest both Atchison & Phillips on their warrants. She understood and even expressed her willingness to cooperate to help clean up her problem house. I asked Bruns if she would consent to Officers entering her residence to locate and arrest Atchison & Phillips if need be. With no hesitation, Bruns consented to any and all Officers to enter her house to locate the wanted subjects.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

Page 4

INCIDENT CLASSIFICATION SUSP CIRCUMSTANCES	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-125029
--	---------------------------------------	-------------------------------------

K9 Officer Buchmann arrived to assist. With the front door already open/ajar, Officers made countless announcements for people to show themselves. Cheryl Dick appeared at the front and exited the residence without incident. Cheryl also confirmed that Atchison Phillips were inside the house. We remained cautious at the front of the residence as no one else was making themselves known from inside. We made numerous other announcements identifying ourselves as "Spokane Police" and our intentions of entering the residence. Ofc Buchmann gave several K9 announcements. Still, any remaining occupants made no attempt to show themselves or make verbal contact.

Officers at the front were joined by Ofc Hamilton and Ofc D. Lesser. After no cooperation from any remaining occupants, myself, Cpl Oien, Lesser, Hamilton, & Buchmann all entered the residence on Bruns' consent. We began a slow and deliberate search due to obvious Officer safety concerns.

During the search and for likely fear of a K9 contact, Atchison advised he was coming out of the SE bedroom. He was arrested and taken in to custody without incident.

We were also able to make contact with Jason Priest and have him exit the residence.

This left only Phillips as the remaining occupant. Ofc Buchmann and his K9 located Phillips hiding in a closet in the same SE bedroom. See Ofc Buchmann's report.

Phillips was placed under arrest on his warrant, searched incident to arrest, and escorted outside to Cpl Oien's patrol car.

I later booked Atchison in to Spokane Co. Jail on his Felony warrant.

Phillips was transported to Deaconess Medical Center due to a K9 contact and to receive medical clearance to be booked in to jail. After receiving minor treatment and getting medically cleared, I took custody of Phillips and transported him to Spokane Co. Jail where he was booked on his local Felony warrant.

Sgt Eckersley (L235) and Sgt Kendall (L205) were made aware of the entire incident.

See K9 Ofc Buchmann's report for all other information.

Ofc Daniel #767 (F31)

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-125029	
REPORT PURPOSE			REPORTED ON DATE Wed 04/23/2014 16:54		INCIDENT XREF
INCIDENT CLASSIFICATION #1 SUSP CIRCUMSTANCES		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 04/26/2014	REPORT TIME 01:07
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 04-23-14 at about 1745 hours, I responded to 4808 N. Martin to assist PACT with the apprehension of subjects with warrants. PACT Officers advised that they had confirmation that three subjects were inside the house and that they had search consent from the homeowner to go inside to arrest them. The subjects inside were identified as Wade Phillips, Mark Atchison and Jason Priest. Another female and a dog were also inside the residence. The female was not wanted at this time.

Phillips had a felony warrant for Attempt to Elude a Police Vehicle and two misdemeanor traffic warrants. These warrants were confirmed. He was listed as a Repeat Offender and had history of U.S. Marshall Holds, Probation Violation, Stolen Property, Residential Burglary, Person With a Weapon, and listed in our records as "Armed" on previous contacts.

Atchison had a felony DOC Escape warrant, with the original charge of Possession of Stolen Property 2nd Deg. [REDACTED] #3a

#3a

#3a

Priest had a misdemeanor warrant for Failure to Transfer Title. [REDACTED] #3a

#3a

I responded with K9 Talon. We are a WAC certified police patrol dog team. We are also accredited with the Washington State Police Canine Association (WSPCA). Talon and I are in our first year as a team.

We responded in a fully marked "Spokane Police K9" car and parked in the front of the address. I was wearing the uniform of the day, which clearly identified me as a Police Officer. It was my training uniform, which was a K9 ball cap, black sweatshirt with a tactical vest over it with "Police" clearly printed on the front and back, camouflaged pants and duty belt. Talon was wearing a harness with "POLICE" marked along both shoulders and a Spokane Police patch on the left side of his chest. We were clearly identifiable as Spokane Police.

ID NO./NAME OF REPORTING OFFICER #735 - Buchmann, Paul		DISTRIBUTION
APPROVAL	DATE/TIME	

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION SUSP CIRCUMSTANCES	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-125029
--	---------------------------------------	-------------------------------------

The front door of the house was already standing open. Cpl. Oien was able to call the dog and secure it to a fence with a leash. He then knocked on the door and announced our presence. After only a brief time, the female with no warrants came out of the house, but no one else responded from inside.

I moved up to the doorway and made three loud and distinct announcements of "Attention in the residence. Spokane Police K9 Unit! You are under arrest. You need to come out now or make yourself known. The residence will be searched by a Police Dog and when he finds you, he will bite you." After the announcements, Talon barked several times loudly. I waited well over 30 seconds between each announcement, hearing no response from inside the house.

From the open doorway, I could see into a living room, which was cluttered with mattresses, furniture and other items. In one corner of the room, I observed an axe, sledge hammer, baseball bat and other items that could easily be used as weapons.

After several minutes, we entered the residence. Due to Priest's misdemeanor warrant, I did not release Talon initially and followed other Officers inside to search. We had received information that Phillips and Atchison were likely in the back southeast bedroom. We cleared up to a hallway that led to two bedrooms and a bathroom on the south side of the residence. At this hallway, I made another loud announcement. As I was still giving the announcement, I heard a male call out that he was coming out and to keep the dog back. Other Officers continued verbal contact with the male and I moved back with Talon. Atchison came out of the southeast bedroom and was taken into custody without incident.

I moved back up to the hallway and covered that area as Officers made contact with Priest in the attic of the house through a hole in the kitchen ceiling. He was removed from the house without incident.

Believing that Phillips was the only person left in the house, I gave another announcement, advising him by name that he was under arrest and that the house would be searched by a Police Dog. I then deployed Talon to search for the following reasons:

CRIME: Phillips had an active Felony Warrant for Attempt to Elude a Police Vehicle, a violent felony. He also had two misdemeanor warrants for driving on a suspended license.

THREAT FACTORS:

#3a

#3a

#3a

Multiple people had

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION SUSP CIRCUMSTANCES	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-125029
--	---------------------------------------	-------------------------------------

confirmed that he was inside the house where weapons had already been seen and he was refusing to come out. He had not been searched and could be armed. Cpl. Oien also informed me that Phillips had resisted arrest on a previous occasion and had fought with Officers. Phillips had been in the house for several minutes, knowing that Police were there. This allowed him plenty of time to fortify a hiding location or set up an ambush for Officers.

RESISTANCE: Phillips did not live at the residence and refused to come out despite repeated loud announcements. It was confirmed by other people that he was inside and likely hiding in the southeast bedroom.

I deployed Talon to search for Phillips. There was a sheet covering the bedroom to the southeast. Talon went through the sheet, partially pulling it down and allowing me to see into the room. I saw Talon working the bedroom and he showed a good change of behavior at the closet area. Another sheet was covering the closet but Talon went through it. He pulled over a mesh collapsible laundry basket with clothes that had been in the closet. He then entered the closet and appeared to be trying to work his way in to get to something or someone. Talon continued pulling at something in the closet, acting like he was still trying to get to someone. I could not see Talon's head, which was in the closet, but could see his body. It appeared that he had ahold of something in his mouth and was pulling with his body, trying to pull it out of the closet. Based on his behavior, it appeared that he was contacting someone and trying to pull them out of the closet.

Based on Talon's behavior, I called out something similar to, "If the dog is biting you, call out so we know and we will come get him off." I heard no verbal response or other yelling. I thought I heard a faint moaning. I moved forward with other Officers to the closet. I pulled down the sheet covering the closet and observed Talon biting the coat of a male that was sitting on the floor of the closet. Talon had ahold of the right sleeve of a Carhart style coat that the subject was wearing. It appeared the male had a coat or blanket over his head.

I commanded Talon to release and he did so immediately. I re-directed him away from the male and other Officers took him into custody.

The male was confirmed to be Phillips. He had two folding pocket knives, a multi-tool with a knife and a larger hunting style fixed blade knife in a sheath on his person.

Phillips was very lethargic and said that he was not feeling well. He said that had been ill for several days and that his liver hurt badly from complications from Hepatitis.

Cpl. Oien photographed the hiding location where Phillips had been taken into custody. He also

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 4

INCIDENT CLASSIFICATION SUSP CIRCUMSTANCES	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-125029
--	---------------------------------------	-------------------------------------

photographed the knives that had been removed from Phillips.

Sgt. Eckersley was on scene and was aware of the use of force applied.

Phillips was transported to Deaconess Hospital for treatment. At Deaconess, I observed injuries to Phillips' arms from being contacted by Talon. I observed punctures, minor tearing and raking on his right wrist and hand, punctures and raking on his right arm near his elbow and a puncture with raking on his upper right arm. He also had raking and punctures on his left wrist, left forearm and a puncture with tearing on his upper left arm. He also had some minor scratch marks on his forehead.

Cpl. Oien photographed the injuries.

I spoke with Phillips. He said the other people in the house told him that the Police were there and told him to hide. He got into the closet and tried to hide there. He said that he heard the announcements I made and heard Talon barking. He said he did not come out because he did not want to go to jail and because he was not feeling well. He said he did not know that he had the warrants.

Phillips continued to be very lethargic and would answer my questions with only minimal responses.

After being treated and released from Deaconess, Phillips was booked into jail.

See Ofc. Daniel's report for more information.

Sgt. Kendall also responded to the hospital and was advised of the K9 contact.

Estimated Distance from announcements and release to contact was about 10 feet. Approximate duration of contact was 10 to 15 seconds due to Phillips making no noise to alert us that Talon had contacted him.

P. Buchmann #735
Spokane Police - K10

Spokane Police Department

Ref. # U-PA1442317240

K-9 DEPLOYMENT REPORT

GENERAL	Date/Time Reported	Date/Time Arrived	Date/Time Cleared	Agency #
	4/23/2014 5:24:00 PM	4/23/2014 5:24:00 PM	4/23/2014 9:24:00 PM	14-125029
	Session Activity Type		Handler	K-9
	Felony Warrant		Paul Buchmann	Talon
Event Summary Information	Assisted PACT with warrant arrest. 2 subjects with felony warrants and one with misdemeanor. Bark out of one felony warrant and contact with other.			

MISC	Consent Type	Warrant by K-9	Warrant #	# Arrests	Highest Charge
	N/A		N/A	2	N/A

REQ	Requesting Agency		Requesting Officer/Party	
	Spokane Police Department		Pact	
	Services Requested		Request Method	
	Building Search		Nextel	

WEATH	Ground Condition		Weather Condition 1		Weather Condition 2	
	Dry		Fair		N/A	
	Temperature	Wind Speed	Wind Direction	Humidity		
	49	0	N	61%		

COMP	Start Miles	End Miles	Total Miles	Comp Time	Non-Comp Time
				4.00	

DEPLOYMENT ACTIVITIES				
Amt	Activities Performed/ Loc. Info	Action Perf./ Value	Proficiency	Time/ District
1	Apprehension-Bite	Building Search Performed	Located Person Successfully	
Building-Residential - - 4808 N. Martin St. - Spokane - WA				
Suspect Wade Phillips had a felony and misdemeanor warrant and was hiding in a closet in a bedroom. He refused to come out despite repeated announcements made. Talon searched, located and contacted Phillips. We moved forward and I released Talon as other Officers took him into custody.				
1	Apprehension-No Bite	Suspect	Performed Properly	
Building-Residential - - 4808 N. Martin St. - Spokane - WA				
After moving into the residence, I made an additional announcement in a hallway by the bedrooms. As I was making the announcements, Atchison surrendered and was taken into custody without incident.				

SUSPECT INFORMATION			
Name/ Address	DOB/ Phone	SSN	Incarcerated at
* Phillips,Wade Lee	10/23/1968	#4a	Spokane County Jail
* Atchison,Mark James	1/23/1973	#4a	Spokane County Jail
2341 SOUTHEAST BLVD #1 Spokane WA 99203			
<p>1- Apprehension-Bite Suspect Wade Phillips had a felony and misdemeanor warrant and was hiding in a closet in a bedroom. He refused to come out despite repeated announcements made. Talon searched, located and contacted Phillips. We moved forward and I released Talon as other Officers took him into custody.</p> <p>1- Apprehension-No Bite After moving into the residence, I made an additional announcement in a hallway by the bedrooms. As I was making the announcements, Atchison surrendered and was taken into custody without incident.</p>			
Officer's Signature		Approved By	
		Date	04/25/14 01:07



Spokane Police Department

K9 Use of Force Report

General Use of Force Information

Case #	14-125029	Report Type	Apprehension
Location	4808 N. Martin St.	Handler	Paul Buchmann
Date Occurred	4/23/2014	K-9	Talon
Date of Report	4/23/2014 9:30:00 PM	Imm. Supervisor	Kendall
Reviewed By			
Review Date			

Subject Information

Subject's Name **Phillips, Wade Lee**

DOB **10/23/1968** Age **45**

SSN **[REDACTED] #4a**

Gender **M**

Address **2717 E. Diamond Ave**

City **Spokane** Zip Code **99207**

State

Phone # **509-251-8891**

Medical Information

Visible Injuries present? **Yes** Subject refuse treatment? **No**

Treatment Required? **Yes** Exam/ Treatment Location **Emergency Room**

Examined by Doctor? **Yes** Examining Doctor **Deaconness**

Explanation of Treatment **Cleaning and bandaging of punctures. Sutures on small tears.**

Time of Exam **7:23 PM**

K-9 Specific Information

Verbal warning given prior to engagement? **Yes** Number of bites or engagements **7**

Subjects actions leading to the Use of Force

Phillips was in the residence and refused to come out or respond to verbal commands despite repeated announcements and warnings. He had a valid felony warrant for Attempt to Elude, a violent felony, as well as two misdemeanor traffic warrants. #3a

#3a

Reason no Verbal warning given? **N/A**

Off leash apprehension made? **Yes**

On leash contact made? **No**

K-9 obeyed handler's commands? **Yes**

K-9 Assaulted? **No**

K-9 Injured? **No**

List K-9's Injuries **n/a**

K-9 Treatment costs

Examining Veterinarian

Report Narrative

On 04-23-14 at about 1745 hours, I responded to 4808 N. Martin to assist PACT with the apprehension of subjects with warrants. PACT Officers advised that they had confirmation that three subjects were inside the house and that they had search consent from the homeowner to go inside to arrest them. The subjects inside were identified as Wade Phillips, Mark Atchison and Jason Priest. Another female and a dog were also inside the residence. The female was not wanted at this time.

Phillips had a felony warrant for Attempt to Elude a Police Vehicle and two misdemeanor traffic warrants. These warrants were confirmed. #3a

#3a

Atchison had a felony DOC Escape warrant, with the original charge of Possession of Stolen Property 2nd Deg. #3a

#3a

#3a

Priest had a misdemeanor warrant for Failure to Transfer Title. #3a

#3a

I responded with K9 Talon. We are a WAC certified police patrol dog team. We are also accredited with the Washington State Police Canine Association (WSPCA). Talon and I are in our first year as a team.

We responded in a fully marked "Spokane Police K9" car and parked in the front of the address. I was wearing the uniform of the day, which clearly identified me as a Police Officer. It was my training uniform, which was a K9 ball cap, black sweatshirt with a tactical vest over it with "Police" clearly printed on the front and back, camouflaged pants and duty belt. Talon was wearing a harness with "POLICE" marked along both shoulders and a Spokane Police patch on the left side of his chest. We were clearly identifiable as Spokane Police.

The front door of the house was already standing open. Cpl. Oien was able to call the dog and secure it to a fence with a leash. He then knocked on the door and announced our presence. After only a brief time, the female with no warrants came out of the house, but no one else responded from inside.

I moved up to the doorway and made three loud and distinct announcements of "Attention in the residence. Spokane Police K9 Unit! You are under arrest. You need to come out now or make yourself known. The residence will be searched by a Police Dog and when he finds you, he will

bite you." After the announcements, Talon barked several times loudly. I waited well over 30 seconds between each announcement, hearing no response from inside the house. From the open doorway, I could see into a living room, which was cluttered with mattresses, furniture and other items. In one corner of the room, I observed an axe, sledge hammer, baseball bat and other items that could easily be used as weapons. After several minutes, we entered the residence. Due to Priest's misdemeanor warrant, I did not release Talon initially and followed other Officers inside to search. We had received information that Phillips and Atchison were likely in the back southeast bedroom. We cleared up to a hallway that led to two bedrooms and a bathroom on the south side of the residence. At this hallway, I made another loud announcement. As I was still giving the announcement, I heard a male call out that he was coming out and to keep the dog back. Other Officers continued verbal contact with the male and I moved back with Talon. Atchison came out of the southeast bedroom and was taken into custody without incident. I moved back up to the hallway and covered that area as Officers made contact with Priest in the attic of the house through a hole in the kitchen ceiling. He was removed from the house without incident.

Believing that Phillips was the only person left in the house, I gave another announcement, advising him by name that he was under arrest and that the house would be searched by a Police Dog. I then deployed Talon to search for the following reasons:

CRIME: Phillips had an active Felony Warrant for Attempt to Elude a Police Vehicle, a violent felony. He also had two misdemeanor warrants for driving on a suspended license.

THREAT FACTORS:

#3a

#3a

#3a

#3a

#3a

Multiple people had confirmed that he was inside the house where weapons had already been seen and he was refusing to come out. He had not been searched and could be armed. Cpl. Oien also informed me that Phillips had resisted arrest on a previous occasion and had fought with Officers. Phillips had been in the house for several minutes, knowing that Police were there. This allowed him plenty of time to fortify a hiding location or set up an ambush for Officers.

RESISTANCE: Phillips did not live at the residence and refused to come out despite repeated loud announcements. It was confirmed by other people that he was inside and likely hiding in the southeast bedroom.

I deployed Talon to search for Phillips. There was a sheet covering the bedroom to the southeast. Talon went through the sheet, partially pulling it down and allowing me to see into the room. I saw Talon working the bedroom and he showed a good change of behavior at the closet area. Another sheet was covering the closet but Talon went through it. He pulled over a mesh collapsible laundry basket with clothes that had been in the closet. He then entered the closet and appeared to be trying to work his way in to get to something or someone. Talon continued pulling at something in the closet, acting like he was still trying to get to someone. I could not see Talon's head, which was in the closet, but could see his body. It appeared that he had ahold of something in his mouth and was pulling with his body, trying to pull it out of the closet. Based on his behavior, it appeared that he was contacting someone and trying to pull them out of the closet.

Based on Talon's behavior, I called out something similar to, "If the dog is biting you, call out so we know and we will come get him off." I heard no verbal response or other yelling. I thought I heard a faint moaning. I moved forward with other Officers to the closet. I pulled down the sheet covering the closet and observed Talon biting the coat of a male that was sitting on the floor of the closet. Talon had ahold of the right sleeve of a Carhart style coat that the subject was wearing. It appeared the male had a coat or blanket over his head.

I commanded Talon to release and he did so immediately. I re-directed him away from the male and other Officers took him into custody.

The male was confirmed to be Phillips. He had two folding pocket knives, a multi-tool with a knife and a larger hunting style fixed blade knife in a sheath on his person.

Phillips was very lethargic and said that he was not feeling well. He said that had been ill for several days and that his liver hurt badly from complications from Hepatitis.

Cpl. Oien photographed the hiding location where Phillips had been taken into custody. He also photographed the knives that had been removed from Phillips.

Sgt. Eckersley was on scene and was aware of the use of force applied.

Phillips was transported to Deaconess Hospital for treatment. At Deaconess, I observed injuries to Phillips' arms from being contacted by Talon. I observed punctures, minor tearing and raking on his right wrist and hand, punctures and raking on his right arm near his elbow and a puncture with raking on his upper right arm. He also had raking and punctures on his left wrist, left forearm and a puncture with tearing on his upper left arm. He also had some minor scratch marks on his forehead.

Cpl. Oien photographed the injuries.

I spoke with Phillips. He said the other people in the house told him that the Police were there and told him to hide. He got into the closet and tried to hide there. He said that he heard the announcements I made and heard Talon barking. He said he did not come out because he did not want to go to jail and because he was not feeling well. He said he did not know that he had the warrants.

Phillips continued to be very lethargic and would answer my questions with only minimal responses.

After being treated and released from Deaconess, Phillips was booked into jail.

See Ofc. Daniel's report for more information.

Sgt. Kendall also responded to the hospital and was advised of the K9 contact.

Estimated Distance from announcements and release to contact was about 10 feet.

Approximate duration of contact was 10 to 15 seconds due to Phillips making no noise to alert us that Talon had contacted him.

Handler's Signature (X)
