



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, 122 Wn.App. 84, 94 (2004)</i>
#2c	Child Victim of Sexual Assault	This redaction protects information revealing the identity (name, address, location, or photograph) of child victims of sexual assault who are under age eighteen.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
#2d	Child victims or child witnesses	Information re a child witness / victim is protected to assure the rights under law: to not have name, address, nor photograph disclosed by any law enforcement agency w/o permission of the child or parents/guardians.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
ACCESS Database Info			
#3a	Information from WACIC/NCIC (ACCESS): <u>Criminal history information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3b	Information from WACIC/NCIC (ACCESS): <u>License Plate Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3c	Information from WACIC/NCIC (ACCESS): <u>Vehicle Registered owner information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3d	Information from WACIC/NCIC (ACCESS): <u>Wanted persons information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3e	Information from WACIC/NCIC (ACCESS): <u>Officer safety information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except 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 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	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 identocard revealing the identity of an individual performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigative activity.	RCW 42.56.230(7)(c) (Personal Information)
#7d	Law Enforcement Information Sheet	Contains confidential data used for law enforcement purposes. Disclosure has no legitimate value to the public and can endanger an individual's safety. Contains specific intelligence information the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7e	Confidential Informant information	Contains identifying information which could reveal the identity of a confidential informant. Considered intelligence information, used in a confidential manner for law enforcement purposes, protected to	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 Eric Kannberg

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
6/9/2014	6/9/2014	02:10
Record ID #	Incident No	IA No
8318	14-183365	F14-049
Date/Time Entered		
6/13/2014 22:30		

Incident Summary

See Additional.

In compliance with policy per Assistant Chief Dobrow 07/14/14.

Incident Location

- 100 Division ST, Direction: N, Spokane, WA 99202

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Threat to harm others	Call For Service	
Weather Condition	Lighting Condition	Distance to Citizen
Clear	Street Light	19 feet to 21 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
No	No	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Medium	5'7" to 5'9"	
Officer Assessment of Citizen Condition During Incident		
Mentally unstable		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Complainant/Involved Citizen Information

Antonio Martinez

DOB: 11/8/1961 Race: White Gender: Male

Address

- Transient, Spokane, WA

Types of Resistance Citizen Used Against Officer(s)

- Life Threat/Suicidal

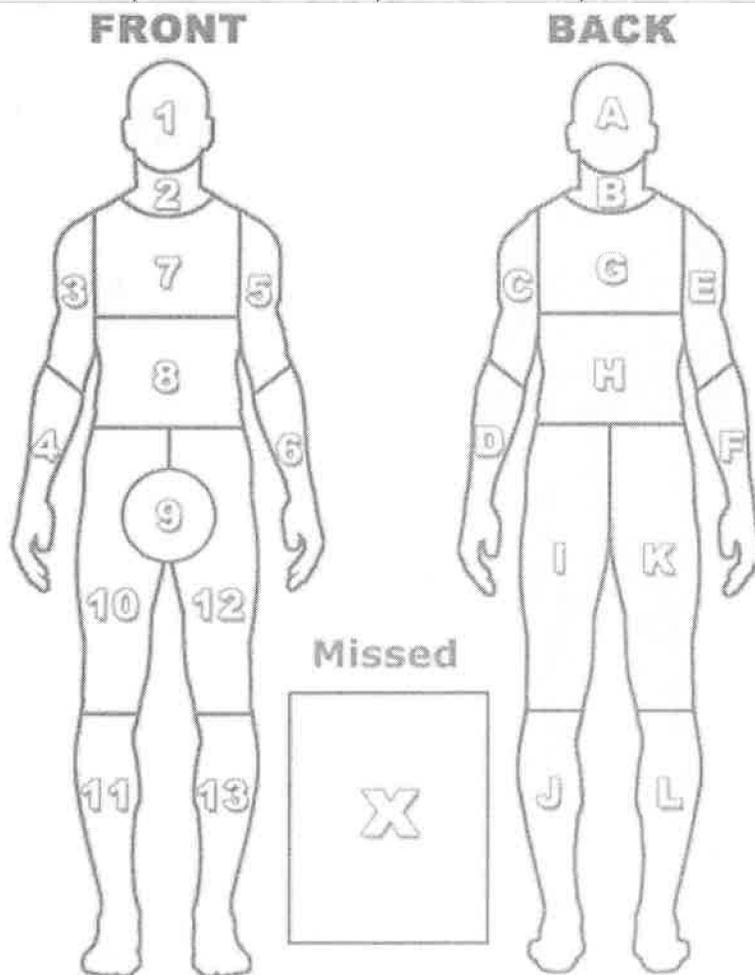
Involved Officers

Officer Christopher Conrath - Payroll Number:

Force used by this officer against the citizen

- Pointed Firearm - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Pointed Firearm	Yes		



Citizen Witnesses

Corey Hough
DOB: 9/7/1987 - Race: White - Gender: Male

Address

• 3427 Valley Forge RD, Direction: E, Mead, WA 99021

Phone

• (509) 714-1542

Attachments

Date Attached	Attachment Description	Attachment Type
6/16/2014	Reports	pdf
6/27/2014	Additional	doc
6/27/2014	Officer Additional	pdf

Chain of Command History

Sent Dt	From	To	Cc	Sender's Instructions	Approved	Recipient's Comments/Response
6/13/2014	Sergeant Eric Kannberg	Lieutenant Thomas Hendren	(none)	For your review	<input type="checkbox"/>	Eric, the reports attachment is your additional. Can you please add the officers reports and resubmit. Hendren
6/16/2014	Lieutenant Thomas Hendren	Sergeant Eric Kannberg	(none)	See previous field for instructions.	<input checked="" type="checkbox"/>	[Forwarded by Sergeant Eric Kannberg]
6/16/2014	Sergeant Eric Kannberg	Lieutenant Thomas Hendren	(none)	For your review	<input checked="" type="checkbox"/>	I agree with Sgt. Kannberg's assessment. Officer Conrath was faced with a potential lethal force situation as the suspect was armed and initially non-cooperative. He pointed his firearm at the suspect preparing for lethal force but correctly used restraint and gained compliance from the suspect. This pointing of the firearm was within policy and state law. Hendren #482
6/16/2014	Lieutenant Thomas Hendren	Captain Daniel Torok	(none)	Captain, here is a use of force for your review. Hendren #482	<input type="checkbox"/>	Please add comments about deescalation techniques.
6/19/2014	Captain Daniel Torok	Lieutenant Thomas Hendren	(none)	see comment	<input checked="" type="checkbox"/>	Sgt. Kannberg, see the captain's comments and address the issues from our discussion with Officer Conrath's documentation or lack there of. Hendren #482
6/27/2014	Lieutenant Thomas Hendren	Sergeant Eric Kannberg	(none)	See previous field.	<input checked="" type="checkbox"/>	[Forwarded by Sergeant Eric Kannberg]
6/27/2014	Sergeant Eric Kannberg	Lieutenant Thomas Hendren	(none)	Lt. Hendren. Officer Conrath completed an additional reference further observations at the scene as discussed.	<input checked="" type="checkbox"/>	I agree with Sgt. Kannberg's assessment. The officer's use of force, pointing a firearm at a subject who was armed with a knife, originally non-compliant, and in the proximity of several other citizens was reasonable and within department policy. Lt. Hendren #482
6/28/2014	Lieutenant Thomas Hendren	Captain Daniel Torok	(none)	Captain, here is a use of force for your review. As you requested, Sgt.	<input checked="" type="checkbox"/>	I concur with Lt. Hendren. The use of force was consistent with policy.

				Kannberg spoke with Officer Conrath about his original report and the lack of pertinent detail. See Officer Conrath's supplemental report. Hendren #482		
7/1/2014	Captain Daniel Torok	Asst Chief Patrick Dobrow	(none)	For review	<input checked="" type="checkbox"/>	I have reviewed this incident and find the UOF (directly pointing a firearm) to be reasonable and within policy.

Entering Officer Signature Line

Sergeant Eric Kannberg

Chain of Command Signature Lines

Lieutenant Thomas Hendren

Sergeant Eric Kannberg

Captain Daniel Torok

Asst Chief Patrick Dobrow



Spokane Police Department
Internal Investigation



CONFIDENTIAL

IA#
Additional

Complaint Being Investigated

Use of Force

Complainant Interview Summary

Mr. Martinez stated he needed to kill all the black people because they were poisoning the children.

Officer Interview Summary

Officer Conrath responded to Mr. Martinez standing in the middle of Main waving around a knife and threatening people. There were citizens in the area being bar closing time. Officer Conrath pulled his vehicle up to Mr. Martinez with his emergency lights on and exited his vehicle while drawing his gun. Officer Conrath gave verbal commands to Mr. Martinez do drop the knife however he did not comply. Officer Conrath pointed his gun at Mr. Martinez for the following reasons:

Crime: Display of Dangerous Weapon

Threat Factors: Mr. Martinez was standing in the middle of a road in the downtown area waving around a large knife. There were other citizens in the area.

Resistance: Mr. Martinez failed to comply with lawful orders to drop the knife

Mr. Martinez finally complied with Officer Conrath's lawful orders and he was taken into custody.

Witness Interview Summary

Mr. Hough stated Mr. Martinez was waving around a knife and shouting about killing people.

Physical Evidence

Knife

Investigative Summary

Mr. Martinez was standing in the middle of road waiving around a large knife. The downtown bars were just closing and there were citizens on the sidewalk. Mr. Martinez was in close proximity to the citizens which created a situation that was tense, uncertain and rapidly evolving. He refused to obey lawful commands to put the knife down. Seeing Mr. Martinez was refusing to obey lawful commands and holding onto a large knife, he posed an immediate threat of great bodily injury to citizens and Officer Conrath. Officer Conrath acted to protect the citizens in the area and him by drawing his weapon, using profanity to direct Mr. Martinez to put the knife down and get on the ground. His actions met with compliance. Officer Conrath's actions were objectively reasonable based on the totality of the circumstances. The officers' actions were within departmental guidelines and state law.

Sgt. Kannberg #271

Incident History for: #SP140183365

Entered 06/09/14 02:10:27 BY 91116 911224
Dispatched 06/09/14 02:10:58 BY PCC03 1144
Enroute 06/09/14 02:10:58
Onscene 06/09/14 02:12:38
Closed 06/09/14 03:18:10

Initial Type: PERW Final Type: PERW (PERSON WITH A WEAPON)
Initial Priority: 2 Final Priority: 2
Disposition: 1E Source: 9 Primary Unit: C462
Police BLK: SPC5EC
Group: P5 Beat: Map Page: 33
Loc: N DIVISION ST/E MAIN AV ,SPK <100,000> (V)
Name: HOUGH,COREY Addr: BARACHOS Phone: 5098474595

/021027 (911224) ENTRY EB. MALE WALKING WITH A BIG KNIFE. IS SWING KN
IFE AROUND. NOBODY IS AROUND MALE.
/021058 (1144) DISPER C453 #844 VANTASSEL, RONALD
/021058 ASSTER C456 #929 LYONS, CORY
/021059 (1106) *ASSTER C462 #1106 CONRATH, CHRIS
/021110 (1144) ASSTER C461 #1181 LESSER, CHRISTOPHER
/021115 (911224) SUPP TXT: MALE:WM, 40-50 YO, 507-510/MED, WEARING:D
ARK CLOTHES. NOW WALKING SB TOWA RD THE RED LI
ON PUB.
/021136 SUPP TXT: IS IN THE MIDDLE ON THE RD. STILL HAS THE
KNIFE OUT. MAY BE INTOX OR HIGH .
/021150 (367) *ASSTER L202 [N DIVISION ST/E MAIN AV ,SPK]
#367 HALLOCK, BRAD
/021150 (735) *ASSTER K10 [N DIVISION ST/E MAIN AV ,SPK]
#735 BUCHMANN, PAUL
/021235 (1186) *ASSTER C354 [N DIVISION ST/E MAIN AV ,SPK]
#1186 BROWN, JORDAN
#1067 LESSER, ROBERT SCOTT
/021238 (1106) *ONSCNE C462
/021250 (911224) CHANGE NAM: MALE --> HOUGH,COREY,
ADR: AREA --> BARACHOS,
TXT: NOW EB ON MAIN.
/021300 (987) *ASSTER C471 [N DIVISION ST/E MAIN AV ,SPK]
#987 SCHNEIDER, MICHAEL
/021315 (1144) MISC C462 ,STILL HAS KNIFE IN HAND, RESTRICTED
/021323 (911224) SUPP TXT: COMP SEES LE. OFFLINE. ###
/021346 (929) *ONSCNE C456
/021410 (367) *ONSCNE L202
/021413 (1144) MISC C462 ,DETAINED, UNITS SLOW IT DOWN
/021456 (987) *ONSCNE C471
/021458 (1144) ONSCNE K10
/021507 MISC K10 ,C4, UNRESTRICTED
/021620 REMINQ C462
#3a
/021724 (1181) *ONSCNE C461
/021738 (1144) MISC C462 , IN CUSTODY
/022113 MISC C462 ,CONFIRMED/SENT
/022225 MISC C456 ,PER L220, BOOKING EXCEPTION APPROVED
/022605 (1106) *TRANS C462 [JAIL] M/0
/022717 (1144) \$PREMPT L202
/022720 \$PREMPT C461
/022845 \$PREMPT C354
/023025 \$PREMPT K10
/023145 (1106) *TRANSC C462 M/2.0

/023435 (1144) \$PREMPT C453
/023606 \$PREMPT C456
/023655 (987) *REMIHQ C471

[REDACTED] #3a

/023938 *MISC C471
/024011 *MISC C471
/024057 (1106) *REMIHQ C462

,NATE COULTER
,ALEXUS ALEXANDER
[REDACTED] #3a

/024241 (1144) \$PREMPT C471
/031559 (1106) *MISC C462

,BOOKED ON THE WARRANT AS WELL AS FOR DISPLAY
OF A DANGEROUS WEAPON

/031810 *CLEAR C462

DSP: 1E
,PSTAT/CFS PSTAT/WAR PSTAT/MISD

/031810 CLOSE C462

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-183365	
INCIDENT TYPE Arrest		INCIDENT CLASSIFICATION #1 WPN-UNLAW POSS		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"/>	
RESPONDING TO (Officer Assault)				ASSIGNMENT (Officer Assault)	
REPORTED ON Mon 06/09/2014 02:10	DATE/TIME	OCCURRED ON Mon 06/09/2014 02:00	DATE/TIME	OCCURRED TO Mon 06/09/2014 02:12	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 06/09/2014	REPORT TIME 05:05	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE 9.41.270 WEAPON(INTIMIDATE WITH)					UCR/NIBRS CODE /520
LOCATION OF INCIDENT Main Avenue & Division Street, Spokane, WA 99201				LOCATION NAME (IF APPLICABLE)	
ENTRY POINT	METHOD	WEAPON/TOOL/FORCE USED	SECURITY	EVIDENCE	
TYPE OF PREMISE (FOR VEHICLES STATE WHERE PARKED)					
SOLVABILITY FACTORS Suspect Arrested, Useful Physical Evidence					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS None					
VICTIM/WITNESSES/OTHERS					
CODE A-1	NAME: LAST, FIRST, MIDDLE Martinez, Antonio			SEX M	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE 11/08/1961 52					
HEIGHT 5'08"	WEIGHT 220	BUILD Heavy	HAIR Black	EYES BRO - Brown	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP Transient			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION 9.41.270 WEAPON(INTIMIDATE WITH)				UCR/NCIC CODE /520
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION # 4Z0255211	DATE 06/09/2014	TIME 02:10	BOOKED WHERE Spokane County Jail		DATE 06/09/2014
TIME 03:00					
ARREST LOCATION Main Avenue & Division Street, Spokane, WA 99201				STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED
SUSPECT ARMED WITH					
JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED	NOTIFIED BY	DISPOSITION OF JUVENILE
DRIVER'S LICENSE <input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE	OTHER ID (ID Card) #4b		

ID NO./NAME OF REPORTING OFFICER #1106 - Conrath, Chris	DISTRIBUTION Mental Health Services	
APPROVAL #208 - Huddle, Kevin	DATE/TIME 06/09/2014 06:28	

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION WPN-UNLAW POSS				ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-183365
CODE V-1	NAME: LAST, FIRST, MIDDLE Hough, Corey A			SEX M	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE 09/07/1987 26		HEIGHT	WEIGHT	BUILD	HAIR
EYES		DESCRIPTORS			
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 3427 E Valley Forge Road, Mead, WA 99021			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) (509) 714-1542, (Car) (509) 847-4595					
REALIATIONSHIP TO SUSPECT	VICTIM OF Ofns. # 9,41.270 WEAPON(INTIMIDATE WITH)			OFNDR. # A-1	
NARRATIVE					

On the listed date and time, I responded to the are near Main/Division to a report of a male with a knife who was threatening people and waving the knife around.

Upon arrival, I observed a male, later identified as Antonio Martinez who was standing in the middle Main Avenue just east of Division Street. He was holding a large silver knife with an 8" fixed blade. He was swinging the knife back and forth as if he intended to fight someone with it. He was shouting something that I couldn't understand. I immediately exited my patrol car and began giving him instructions to drop the knife. My flashing blue and red lights were on. I drew my pistol and said, "Police, drop the knife!" He replied, "No! Why?" He started walking toward me as he continued to swing the knife back and forth. Then I said, "Drop the fucking knife! Do it now, or I'm going to shoot you!" As he continued to walk directly toward me I believed that I was going to be forced to shoot him to defend my life. I pointed my pistol directly at his chest and had my finger on the trigger. At that time, he was approx twenty feet away from me. I gave him one more instruction to drop the knife before he got shot. This time, he elected to toss the knife several feet away on the ground to the south. He was still closing the distance between us. I lowered my weapon and told him, "Face down on the ground, do it now!" Initially, he refused. Finally, I yelled to him, "Get on the ground mother fucker! Do it now!" He complied. At about that time, K-9 Officer Buchmann had arrived on scene with his dog. Martinez' hands were underneath him so I was instructing him to put his hands out to his sides. He was reluctant to comply with those instructions until Ofc Buchmann's dog started barking. I placed him in handcuffs(dl), and patted him for weapons.

I recognize that the use of extreme profanity is generally considered to be unprofessional, and even distasteful. In this case however, I used it as a calculated means with which to get the subject's attention and to gain compliance. This was a lethal force situation where my direct application of that force was likely avoided due to the language that I used.

I explained to Martinez why the police were there, and that he was scaring people with his behaviors and the display of the knife. He started rambling on about how he "needed to kill all the blacks because they were poisoning the children." He said a few other things about gang members and death to black people that was mostly unintelligible. He added that he used to be Marine

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION WPN-UNLAW POSS	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-183365
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Reconnaissance so he wasn't afraid of getting shot. Upon running his information through dispatch, I learned that Martinez had a confirmed misdemeanor warrant. he was placed under arrest at that time and seated in my patrol car.

Ofc Lyons briefly contacted complainant/victim, Corey Hough who was working at the Borracho night club outside when Martinez first displayed the large knife. Ofc Lyons took a brief statement from him which he relayed to me. Hough said that Martinez was just feet away from him initially. He was swinging the knife around and shouting about killing people. Hough specifically stated that he was alarmed and afraid due to the behaviors.

I determined that there was PC to charge Martinez with Display of a Dangerous Weapon. He was transported to County Jail where he was booked on that charge as well as for the warrant. It should be noted that while in the back of my car, Martinez said repeatedly that he was "spazzing out, and needed to kill, kill, kill!" A booking exception was completed in order to keep Martinez locked up at least until morning.

Clearly there were some mental issues going on with Mr Martinez. Hopefully there will be an opportunity for him to be evaluated by Mental Health prior to the time he is released.

C. Conrath 1106

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-183365	
REPORT PURPOSE			REPORTED ON DATE Mon 06/09/2014	TIME 02:10	INCIDENT XREF
INCIDENT CLASSIFICATION #1 WPN-UNLAW POSS		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 06/27/2014	REPORT TIME 21:30	
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

It was brought to my attention that in my original report there was insufficient justification for my use of force against Antonio Martinez. The "use of force" was the fact that I pointed my firearm at Martinez and nearly shot him. That application of force was applied primarily due to the obvious nature of the immediate lethal threat that he presented to me at that very moment.

What I failed to mention in my original report was the surrounding environment. As it was approx 0212hrs, the downtown bars had recently closed, and as usual there were crowds of people still lingering on the sidewalks. Due to the fact that most of my attention was focused on the man with the knife, I am unable to know exactly what the surroundings looked like with specificity. I was aware that there were about six to eight people standing on the northeast corner of the intersection. There was another larger group on the sidewalk outside of Borracho where the original complainant had called from. When I first contacted Martinez, he was standing roughly in the middle of the north/south crosswalk on the east side of the intersection. In other words, the man with the knife was almost directly between the civilians on the corner and me. As I exited my patrol car I positioned myself to the left in order to improve my angle, and to keep the civilians out of my backdrop in case I had to shoot.

At the time of my interaction with Martinez I was not aware of the details related to what had happened prior to my arrival. Dispatch advised that the male with the knife had threatened people. That was all the information I had. Given the nature of Martinez' behaviors, I could only interpret them as threatening. I interjected myself into the situation while Martinez was still roughly thirty to forty feet away from the people on the corner. Though I didn't articulate it in my initial report, I did this in order to redirect his attention toward me and away from the people standing nearby. Martinez clearly posed a significant threat to the people standing on the corner.

There was a period of time where I was the only officer on scene. In my opinion, the situation required immediate action on my part. There were crowds of people nearby and an apparently homicidal man with a knife in close proximity to them. I handled the situation in the quickest, safest, most effective manner that occurred to me. No reasonable effective alternative to my course of action appeared to exist, and I stand by my actions.

It should be noted that Martinez later acknowledged that he was there for the purpose of "killing black people." Thus, my perception of the lethal threat was valid.

ID NO./NAME OF REPORTING OFFICER #1106 - Conrath, Chris		DISTRIBUTION	
APPROVAL #271 - Kannberg, Eric	DATE/TIME 06/27/2014 22:28		

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION WPN-UNLAW POSS	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-183365
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C. Conrath 1106

CRIMINAL

TRAFFIC NON-TRAFFIC LEA ORI#: WA0320400 COURT ORI #: WA032051J CITATION #: 4Z0255211 REPORT #: 14-183365

IN THE DISTRICT MUNICIPAL COURT OF **SPOKANE MUNICIPAL COURT**
 STATE OF WASHINGTON COUNTY OF CITY/TOWN OF **SPOKANE**, PLAINTIFF VS. NAMED DEFENDANT

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON
 DRIVER'S LICENSE NO. (ID ONLY) #4b STATE #... EXPIRES 11-08-15 PHOTO I.D. MATCHED YES NO NAME: LAST **MARTINEZ** FIRST **ANTONIO** MIDDLE SFX CDL YES NO
 ADDRESS **1515 E ILLINOIS AVE** IF NEW ADDRESS CITY **SPOKANE** STATE **WA** ZIP CODE **99207**

EMPLOYER EMPLOYER LOCATION
 DATE OF BIRTH **11-08-61** RACE **H** SEX **M** HEIGHT **5'08"** WEIGHT **220** EYES **BRO** HAIR **GRY** RESIDENTIAL PHONE NO. CELL/PAGER PHONE NO. WORK PHONE NO.
 VIOLATION DATE **06/09/2014 02:10** ON OR ABOUT INTERPRETER NEEDED AT LOCATION **MAIN AVE DIVISION ST** M.P. BLOCK # CITY/COUNTY OF **SPOKANE/SPOKANE**

DID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE ON A PUBLIC HIGHWAY AND
 VEH LIC NO STATE EXPIRES VEH YR MAKE MODEL STYLE COLOR
 TR #1 LIC NO STATE EXPIRES TR YR TR #2 LIC NO STATE EXPIRES TR YR
 OWNER/COMPANY IF OTHER THAN DRIVER

ADDRESS CITY STATE ZIP CODE
 ACCIDENT BAC COMMERCIAL VEHICLE YES NO 16+ PASS YES NO HAZMAT YES NO EXEMPT VEHICLE FIRE LEA

DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES
 1. VIOLATION/STATUTE CODE **9.41.270** D V **DISPLAYING WEAPON**
 2. VIOLATION/STATUTE CODE D V
 3. VIOLATION/STATUTE CODE D V
 4. VIOLATION/STATUTE CODE D V
 5. VIOLATION/STATUTE CODE D V

MANDATORY COURT APPEARANCE APPEARANCE DATE TIME RELATED # DATE ISSUED **06-09-14**
 TICKET SERVED ON VIOLATOR TICKET REFERRED TO PROSECUTOR
 TICKET SENT TO COURT FOR MAILING BOOKED
 I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE ISSUED THIS ON THE DATE AND AT THE LOCATION ABOVE, THAT I HAVE PROBABLE CAUSE TO BELIEVE THE ABOVE NAMED PERSON COMMITTED THE ABOVE OFFENSE(S), AND I AM ENTERING MY AUTHORIZED USER ID AND PASSWORD TO AUTHENTICATE IT.
 OFFICER **C. CONRATH** # **1106**

COMPLAINT/ CITATION ABSTRACT OF JUDGMENT	CHG #	RESPONSE	CHG	DISPOSITION	FINES	SUSPENDED	SUB-TOTAL	FINDING/JUDGMENT DATE	TO SERVE	DAYS
	1	G NG		G NG D	\$	\$	\$		W	DAYS SUSP
	2	G NG		G NG D	\$	\$	\$	ABSTRACT MLD TO OLYMPIA		CREDIT/TIME SVD Y/N
	3	G NG		G NG D	\$	\$	\$			LIC SRRR DT
	4	G NG		G NG D	\$	\$	\$	TOTAL COSTS		REC. NONEXTENSION OF SUSP Y/N
	5	G NG		G NG D	\$	\$	\$			

See Expediter Report 14-183365

C. Conrath 1106

Officer's Report for Citation/Notice of Infraction # 4Z0255211.
The information contained in and attached to this citation/notice of infraction is incorporated by reference into this report.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT ALL STATEMENTS MADE HEREIN ARE TRUE AND ACCURATE AND THAT I AM ENTERING MY AUTHORIZED USER ID AND PASSWORD TO AUTHENTICATE IT.

Signature: C. CONRATH #: 1106

Date and Place: 6/9/2014 City/Town of Spokane, County of SPOKANE

TRAFFIC		WEATHER		STREET		LIGHT	
WITNESS NAME (LAST, FIRST, M.I.)		PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE	ZIP	ADDRESS	CITY	STATE	ZIP
WITNESS NAME (LAST, FIRST, M.I.)		PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE	ZIP	ADDRESS	CITY	STATE	ZIP
WITNESS NAME (LAST, FIRST, M.I.)		PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE	ZIP	ADDRESS	CITY	STATE	ZIP
WITNESS NAME (LAST, FIRST, M.I.)		PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE	ZIP	ADDRESS	CITY	STATE	ZIP



MARTINEZ, ANTONIO 110861