



## 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
<b>Witness Exemptions</b>			
#1a	<b><u>Name / Identity</u></b> 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	<b><u>Date of birth</u></b> 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	<b><u>Personal home, work or cell phone number</u></b> 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	<b><u>Residential address</u></b> 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	<b><u>E-mail address</u></b> 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)
<b>Juvenile Information</b>			
#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)
<b>ACCESS Database Info</b>			
#3a	Information from WACIC/NCIC (ACCESS): <b><u>Criminal history information</u></b>	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): <b><u>License Plate Information</u></b>	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): <b><u>Vehicle Registered owner information</u></b>	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): <b><u>Wanted persons information</u></b>	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): <b><u>Officer safety information</u></b>	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): <b><u>Gun information</u></b>	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): <b><u>DOL Information</u></b>	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): <b><u>Stolen Vehicle Information</u></b>	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): <b><u>Missing Persons Information</u></b>	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): <b><u>Runaways or endangered persons</u></b>	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): <b><u>DOC Information</u></b>	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): <b><u>Stolen Property</u></b>	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): <b><u>Court Orders</u></b>	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.
<b>Personal Identifiers and Financial Info</b>			
#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)
<b>Employees Files</b>			
#5a	<b>Photos</b> 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	<b>Birthdates</b> 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).
<b>Criminal History</b>			
#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)
<b>Officer Safety or Intelligence</b>			
#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).
<b>Photos</b>			
#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)
<b>Protected by Law</b>			
#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	<b><u>Name/Identity</u></b> 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	<b><u>Date of birth</u></b> 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	<b><u>Personal work, home, or cell phone number</u></b> 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	<b><u>Residential address</u></b> 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	<b><u>E-mail address</u></b> 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 Daniel Waters

### Incident Details

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<b>Date Received</b>	<b>Date of Occurrence</b>	<b>Time of Occurrence</b>
7/29/2014	7/29/2014	15:03
<b>Record ID #</b>	<b>Incident No</b>	<b>IA No</b>
8402	14-249954	F14-070
<b>Date/Time Entered</b>		
7/31/2014 13:28		

### Incident Summary

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This is a use of force review stemming from a robbery arrest.

In compliance with policy per Assistant Chief Dobrow 09.15.14.

### Incident Location

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- 1616 Northwest Blvd AV, Direction: W, Spokane, WA 99026

### Use of Force Specific Information

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<b>Reason for Use of Force</b>	<b>Service Being Rendered</b>	
Fleeing (Felony)	Call For Service	
<b>Weather Condition</b>	<b>Lighting Condition</b>	<b>Distance to Citizen</b>
Clear	Daylight	4 feet to 6 feet
<b>Citizen Injured</b>	<b>Citizen Taken to Hospital</b>	<b>Citizen Arrested</b>
No	No	Yes
<b>More than 1 Citizen Involved</b>		
No		
<b>Citizen's Build</b>	<b>Citizen's Height</b>	
Medium	5'10" to 6'0"	
<b>Officer Assessment of Citizen Condition During Incident</b>		
Unknown Drugs		
<b>Officer(s) Injured</b>	<b>Officer(s) Taken to Hospital</b>	
No	No	

### Complainant/Involved Citizen Information

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**Shane F Martinez**

DOB: 2/25/1987 Race: White Gender: Male

**Address**

- 5110 Hwy 2 East, Minot, WA 58701

**Phone**

- (701) 330-1416

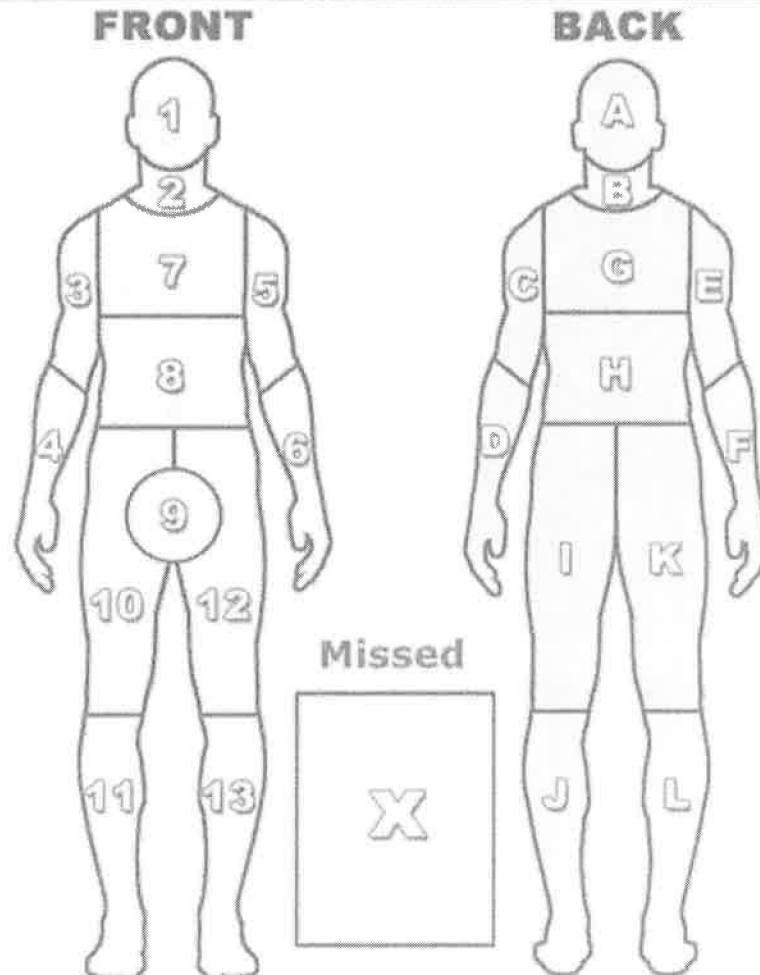
**Types of Resistance Citizen Used Against Officer(s)**

- Active Resistance

**Involved Officers****Officer Joseph Dotson - Payroll Number:** #5c**Force used by this officer against the citizen**

- Pointed Firearm - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Pointed Firearm	Yes		

**Attachments**

Date Attached	Attachment Description	Attachment Type
7/31/2014	Dostson report	tif
7/31/2014	Christensen rpt	tif
7/31/2014	Sgt Review	docx
9/16/2014	Charging Document	pdf
9/16/2014	CAD Report	pdf

## Chain of Command History

Sent Dt	From	To	Cc	Sender's Instructions	Approved	Recipient's Comments/Response
7/31/2014	Sergeant Daniel Waters	Lieutenant Barton Stevens	(none)	For your review	<input checked="" type="checkbox"/>	I concur with Sgt. Waters' assessment. The force used appears to be reasonable given the totality of circumstances.
8/11/2014	Lieutenant Barton Stevens	Captain Bradley Arleth	Sergeant Steven Braun, Lieutenant Justin Lundgren, Sergeant David Staben	UOF involving pointing of firearm.	<input checked="" type="checkbox"/>	We will be reviewing the SPD Foot Pursuit Policy at roll call this week in order to address concerns of officers being alone with felony suspects, which did legitimately lead to the UoF Pointing a Firearm. The officer used proper force, but a review of tactics would be appropriate if the officer feels the suspect may continue to escape versus fear of assault by suspect.
8/26/2014	Captain Bradley Arleth	Internal Affairs	(none)	completed.	<input checked="" type="checkbox"/>	Re-routing to AC Dobrow
8/27/2014	Lieutenant Justin Lundgren	Asst Chief Patrick Dobrow	(none)	A/C, This is a Use of Force routed to me in error. Justin	<input checked="" type="checkbox"/>	I have reviewed this use of force and find it to be reasonable and within policy. I agree with Capt. Arleth that pursuing this felony suspect on foot alone, may have been a factor in the UOF. It is much preferred to have the suspect out numbered by the police by a two to one ratio, the standard many police agencies use.

### Entering Officer Signature Line

Sergeant Daniel Waters

### Chain of Command Signature Lines

Lieutenant Barton Stevens

Captain Bradley Arleth

Lieutenant Justin Lundgren

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Asst Chief Patrick Dobrow



Spokane Police Department  
Internal Investigation



CONFIDENTIAL

I.A. #:  
Additional

This incident concerns Officer Dotson pointing his firearm at a theft or robbery suspect. This started when Officers Dotson and Christensen witness what they believed to be a theft or robbery in progress at Safeway, 1616 W NW Blvd. The suspect had a confrontation with an employee outside the store where it appeared the employee was assaulted. The suspect, Martinez, fled on foot when he saw officers. Officer Dotson pursued Martinez on foot and ended up confronting him in an alley. While doing this, Dotson heard a person with a weapon broadcast from the Safeway. The caller said the suspect was armed with pepper spray.

When Dotson confronted Martinez, he had pepper spray attached to the top of his pants. Dotson drew his firearm and brought it to the low ready. Dotson issued Martinez commands and Martinez did not immediately comply. Dotson said he told Martinez to "get on the fucking ground" after Martinez did not comply with his first commands without the profanity. Martinez started to go down to his knees after this. As officer Dotson approached him, he still had he weapon drawn. Dotson believed he ended up pointing his gun directly at Martinez as he moved in to handcuff him. When he got closer to Martinez, he holstered his weapon and placed Martinez in handcuffs.

This was a justified use of force for the following reasons:

- Martinez was suspected of robbery for which he was fleeing the police.
- He was reportedly armed with pepper spray which Officer Dotson could see on his belt.
- Martinez had not been searched to see whether he had additional weapons.
- Officer Dotson was alone with the felony suspect.
- Martinez is the same approximant size of Dotson
- Officer Dotson feared that he could be sprayed with pepper spray and Martinez would be able to assault him or continue to flee.

Officer Christensen arrived as Dotson was taking Martinez into custody and did not observe the pointing of the firearm.

D. Waters #582



09/16/14 09:48:47 PRINT REQUESTED BY TERMINAL PADN07  
Incident History for: #SP140249954 Xref: #SP140249955

Entered 07/29/14 14:58:40 BY 91110 59  
Dispatched 07/29/14 14:59:48 BY PCC01 318  
Enroute 07/29/14 14:59:48  
Onscene 07/29/14 14:59:48  
Closed 07/29/14 19:19:40

Initial Type: PERW Final Type: PERW (PERSON WITH A WEAPON)  
Initial Priority: 2 Final Priority: 2  
Disposition: 1E Source: 9 Primary Unit: N42  
Police BLK: SPA2EG  
Group: P2 Beat: Map Page: 25  
Loc: 1616 W NORTHWEST BL ,SPK -- SAFEWAY btwn N MAPLE ST & N ASH ST (NV)  
Name: MALE Addr: SECURITY Phone: 5099391530

/145840 (59 ) ENTRY LAST SEEN GOING NB, COMP SAID PERSON W/PEPPER  
SPRAY STOLE FROM STORE, SAI D OFFICER WAS IN A  
REA, HUNG UP. SAID HE WAS GOING TO TALK TO OFF  
ICER. ###  
/145948 (318 ) DISPOS N42 [MAPLE/CHELAN ]  
#671 CHRISTENSEN, JAMES A  
#1107 DOTSON, JOSEPH  
, LOST HIM IN S/ALLEY  
/150012 MISC N42 , UNRESTRICT FOR NOW  
/150039 (455 ) ASSTOS E287 [MAPLE/CHELAN ]  
#1182 ECKERSLEY, DAVID  
/150043 \$CROSS #SP140249955  
/150043 DUP #SP140249955  
/150052 ASSTER B132 [MAPLE/CHELAN ]  
#1197 PHILLIPS, SHANE  
/150053 (318 ) MISC N42 , HM BLU TANK TOP, TAN SHORTS, SHAVED HEAD  
/150122 MISC N42 , LAST SEEN NB BTW MAPLE & ASH FROM CHELAN  
/150135 MISC N42 , EARLY 20'S  
/150227 (1169 ) \*ASSTER E277 [MAPLE/CHELAN ]  
#1169 YEN, JOHN  
/150244 (318 ) MISC , GOING BACK SB FROM CHELAN, IVE GOT HIM HERE  
/150245 MISC , N42 UH  
/150254 (405 ) \*ASSTER N36 [MAPLE/CHELAN ]  
#405 PONTO, TRACI  
/150300 (318 ) NEWLOC B132 [S/ALLEY MAPLE/CHELAN]  
/150300 NEWLOC E277 [S/ALLEY MAPLE/CHELAN]  
/150300 NEWLOC E287 [S/ALLEY MAPLE/CHELAN]  
/150300 NEWLOC N36 [S/ALLEY MAPLE/CHELAN]  
/150300 NEWLOC N42 [S/ALLEY MAPLE/CHELAN]  
/150324 (405 ) \*CLEAR N36  
/150326 (318 ) MISC N42 , ONE IN CUSTODY, UNRESTRICT, C4  
/150339 (1169 ) \*PREMPT E277  
/150424 (1182 ) \*PREMPT E287  
/150617 (318 ) REMINQ N42  
#3a  
/151422 MISC N42 , 1614 W YORK IS WHERE EVID WAS LOCATED  
/151513 \$CROSS #SP140249975  
/151522 ASST P308 [1614 W YORK-ALLEY]  
#401 BARTLETT, GLENN  
/151523 \$CROSS #SP140249975  
/151523 DUP #SP140249975  
/151523 DUP NAM: MALE  
ADR: SECURITY

/151525	(401	)	*ENROUT	P308	PHO: 5099391530
/151758	(552	)	CALLBK	N42	T/PCC01
					,C/S MARTINEZ
/152107	(401	)	*ONSCNE	P308	
/152927	(1197	)	*TRANS	B132	[JAIL] M/0
/153137	(671	)	*NEWLOC	N42	[SAFEWAY]
/153407	(1197	)	*TRANSC	B132	M/1.5
/153837	(318	)	MISC	N42	,#####
/155138	(671	)	*CHGLOC	N42	[PROPERTY]
/155311	(401	)	*CLEAR	P308	,PSTAT/ASST 10 PICS
/160257	(671	)	*ONSCNE	N42	
/160407	(318	)	OK	B132	
/160407			OK	N42	
/161150	(1197	)	*CLEAR	B132	,PSTAT/ASST
/164229	(671	)	*CHGLOC	N42	[DTP PAPER]
/164744			*ONSCNE	N42	
/175024	(1069	)	OK	N42	
/191940	(671	)	*CLEAR	N42	DSP: 1E
					,PSTAT/CFS PSTAT/FEL PSTAT/RPT PSTAT/RPT
/191940			CLOSE	N42	
/195407	(1107	)	*MISC		,MARTINEZ BOOKED FOR ROBBERY 2ND

09/16/14 09:48:56 PRINT REQUESTED BY TERMINAL PADN07  
Incident History for: #SP140249955 Xref: #SP140249954

Entered	07/29/14	14:59:07	BY PCC01	318
Dispatched	07/29/14	14:59:07	BY PCC01	318
Enroute	07/29/14	14:59:07		
Onscene	07/29/14	14:59:07		
Closed	07/29/14	15:00:43		

Initial Type: SUSPER Final Type: SUSPER (SUSPICIOUS PERSON)

Initial Priority: 2 Final Priority: 2

Disposition: DUP Source: R Primary Unit: E287

Police BLK:

Group: P8 Beat: Map Page:

Loc: MAPLE/CHELAN (NV)

Name: Addr: Phone:

/145907	(318	)	\$OUTSRV		,NO MORE INFORMATION
/145907			DISPOS	N42	#671 CHRISTENSEN, JAMES A
					#1107 DOTSON, JOSEPH
					,NO MORE INFORMATION
/145932	(1182	)	*ASSTER	E287	[MAPLE/CHELAN]
					#1182 ECKERSLEY, DAVID
/145934	(318	)	MISC	N42	,HM BLU TANK TOP, TAN SHORTS, SHAVED HEAD
/145948			\$PREMPT	N42	
/150039	(455	)	\$PREMPT	E287	
/150043			\$CROSS		#SP140249954
/150043			DUP		#SP140249954
/150043			CANCEL		
/150043			CLOSE	E287	

# INCIDENT REPORT

**Spokane Police/Spokane County Sheriff**

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>14-249954</b>	
INCIDENT TYPE <b>Arrest</b>		INCIDENT CLASSIFICATION #1 <b>ROBBERY-COMMERCIAL</b>		INCIDENT CLASSIFICATION #2 <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3 <input type="checkbox"/>		INCIDENT CLASSIFICATION #4 <input type="checkbox"/>	
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON <b>Tue 07/29/2014 14:58</b>	DATE/TIME	OCCURRED ON <b>Tue 07/29/2014 14:58</b>	DATE/TIME	OCCURRED TO <b>Tue 07/29/2014 15:03</b>	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>07/29/2014</b>	REPORT TIME <b>17:12</b>	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE <b>9A.56.210 ROBBERY-2ND DEG</b>					UCR/NIBRS CODE <b>/ 120</b>
LOCATION OF INCIDENT <b>1616 W Northwest Blvd, Spokane, WA 99205</b>				LOCATION NAME (IF APPLICABLE) <b>Safeway</b>	
SOLVABILITY FACTORS <b>PC Affidavit Completed, Suspect Arrested, Useful Physical Evidence, Witness to Crime</b>					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS <b>Christensen</b>					
<b>VICTIM/WITNESSES/OTHERS</b> <small>A-Arrested Person, VB-Victim - Business, S-Suspect, MIR-Person Mentioned, O-Other, V-Deceased, RU-Runaway, RO-Registered Owner, PS-Passenger, PE-Pedestrian, PD-Pedestrian - Cyclist, C-Complainant, M-Missing, IN-Institutional, G-Legal Guardian, W-Witness, D-Driver, CON-Contact, CV-Complainant is Victim, V-Victim - Individual, OW-Owner of Property</small>					
CODE <b>A-1</b>	NAME: LAST, FIRST, MIDDLE <b>Martinez, Shane Fitzgerald</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>
HEIGHT <b>5'10"</b>	WEIGHT <b>155</b>	BUILD <b>Light</b>	HAIR <b>Black</b>	EYES <b>BRO - Brown</b>	DATE OF BIRTH/AGE <b>02/25/1987 27</b>
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>5110 Hwy 2 East, Minot, ND 58701</b>			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES <b>(Cell) (701) 330-1416</b>					
CHARGE LEVEL <b>Felony Class B</b>		DESCRIPTION <b>9A.56.210 ROBBERY-2ND DEG</b>			UCR/NCIC CODE <b>/120</b>
WARRANT #	BAIL	TYPE OF ARREST <b>On-View of Arrest</b>			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION #	DATE	TIME	BOOKED WHERE <b>Spokane County Jail</b>		DATE <b>07/29/2014</b>
					TIME <b>15:03</b>
ARREST LOCATION				STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED
JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				SUSPECT ARMED WITH	
NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED		DISPOSITION OF JUVENILE	
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <b>#4a</b>	OTHER ID <b>(ID Card) #4b</b>	

ID NO./NAME OF REPORTING OFFICER <b>#1107 - Dotson, Joseph</b>		DISTRIBUTION <b>Crime Analysis</b>	
APPROVAL <b>#417 - Kendall, Shawn</b>		DATE/TIME <b>07/29/2014 19:55</b>	

Incident Report #1

07/29/2014 19:59:16 698

# INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION <b>ROBBERY-COMMERCIAL</b>					ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>14-249954</b>	
CODE <b>W-1</b>	NAME: LAST, FIRST, MIDDLE <b>Borg, Madison T</b>				SEX <b>F</b>	RACE/ETHNICITY <b>W-White</b>	DATE OF BIRTH/AGE <b>04/20/1995 19</b>
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>10100 N Newport High Way, Spokane, WA 99208</b>				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL ADDRESSES <b>2507 W WELLESLEY Avenue, Spokane, WA 99208</b>						ADDRESS TYPE <b>Work</b>	
ADDITIONAL ADDRESSES <b>1616 W Northwest Blvd, Spokane, WA 99205</b>						ADDRESS TYPE <b>Business</b>	
ADDITIONAL PHONES <b>(Cell) (509) 389-4630</b>							
CODE <b>C-1</b>	NAME: LAST, FIRST, MIDDLE <b>Wicks, Aaron A</b>				SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>	DATE OF BIRTH/AGE <b>11/03/1994 19</b>
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>1616 W Northwest Blvd, Spokane, WA 99205</b>				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES <b>(Cell) (509) 939-1530</b>							
CODE <b>VB-1</b>	NAME: LAST, FIRST, MIDDLE <b>Safeway</b>				SEX <b>-</b>	RACE/ETHNICITY <b>-</b>	DATE OF BIRTH/AGE
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>1616 W Northwest Blvd, Spokane, WA 99205</b>				RESIDENTIAL STATUS		PHONE <b>(509) 327-4974</b>
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES <b>(Business) (509) 327-4974</b>							
REALTIONSHIP TO SUSPECT			VICTIM OF Offns. # <b>9A.56.210 ROBBERY-2ND DEG</b>			OFNDR. # <b>A-1</b>	
<b>NARRATIVE</b>							

On 072914 at about 1458 hours Officer Christensen and I were on patrol as a two officer unit in the area of the Safeway Grocery store at 1616 W. Northwest Boulevard in Spokane.

As we pulled into the parking lot at that location, we saw a male in a dark t-shirt and shorts sprinting out of the east side doors of the Safeway with another male following behind. The male who ran out the door was

# INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION <b>ROBBERY-COMMERCIAL</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>14-249954</b>
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carrying something blue in his hand. The first male turned toward the second and they appeared to exchange words. It looked like the first male saw our marked car. He then turned and began to run behind the store, heading west.

We thought this behavior was very suspicious and warranted further investigation. I suspected the first male had stolen something from the store and was running to avoid being caught.

We drove to the west side of the building and watched to see if the male ran out from York Avenue onto Ash. When we did not see the male come out, we drove onto York. We saw the male on the south side of the street still carrying the blue item in his hand. When the male saw us in our marked patrol car he began sprinting again to the north. He leapt over the chain-link fence at 1614 W. York in a single bound and ran north through the yard before jumping the rear fence.

Based on the manner in which the male left the store and the way he ran when he saw us in the area, I thought it was reasonable to suspect he had committed a crime at the store, such as robbery or theft, and was running to avoid being apprehended.

I exited the patrol car and followed the male on foot. I yelled "Stop police!" as I entered the yard and could still see the male. Officer Christensen announced our location over the radio and advised we were pursuing the male. Ofc. Christensen then drove around the block to Chelan Avenue to try and cut off the male's avenue of escape.

We were told by radio that a Person with a Weapon call had just come out at the Safeway where a male had threatened to peppers pray someone.

I lost sight of the male in the alley between York and Chelan. Since Officer Christensen had made it to the next block so quickly, we suspected the male was hiding in one of the yards.

While we were checking the area, we were approached by the second male we had seen exiting the store. He identified himself as Aaron Wicks and said he worked as loss prevention for Safeway. He said the male who ran had stolen food from the store and threatened to pepper spray him to avoid being detained.

Based on the fact the male had threatened the use of physical force in order to retain possession of property stolen from the Safeway, he was at that point considered a robbery suspect.

We continued to check yards and I worked my way back south toward York on foot. I then heard Wicks yelling that he had found the suspect.

I looked and saw the male suspect was running through a yard, back toward my location behind 1614 W. York. The male entered the alley headed south. I could see he had a carabineer connected to the top of his pants that had a black container connector to it that looked like a canister of pepper spray. I drew my firearm and held it at a low ready position. I yelled, "Police get down on the ground." The male stopped running and

**INCIDENT REPORT CONTINUED**  
**Spokane Police/Spokane County Sheriff**

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INCIDENT CLASSIFICATION  
**ROBBERY-COMMERCIAL**

ATTEMPTED  
☐

INCIDENT NUMBER  
**14-249954**

said something like, "Ok, ok," but made no attempt to get down like I told him. He was looking around and appeared to be formulating a plan of escape.

1. The male was suspected of robbery, a violent felony crime.
2. He was armed with pepper spray and had reportedly already threatened another person with it. I was carrying a pistol. If I were to be sprayed in the eyes with the pepper spray I could lose sight of the suspect and he may have been able to gain the advantage and access my weapon. I had not yet searched the male and had no way to determine if he was carrying other weapons in addition to the pepper spray. If he continued to evade capture it was possible he could continue to victimize other businesses and citizens in the area. I was also alone with the suspect because the other officers had not yet caught up.
3. The male had tried to evade being detained at the store by running and then threatening to use pepper spray against a loss prevention employee. He had also continued to run after seeing our police car and being told to stop.

I yelled again for the male to get down on the ground. I tried to yell loud enough for other officers in the area to hear me. The male still failed to follow commands. The male's hands were at his waist near the pepper spray canister. I then yelled in a loud voice, "Get down on the fucking ground now!" and began walking toward the male with my gun still at low ready. I used this language as an attempt to get the male's attention and gain compliance because I was in fear he was considering using the pepper spray against me.

As I got close to the male I continued giving commands and he lowered himself to his knees. There was a point as I approached the male that my gun was pointed directly at him. This was mostly due to our proximity after he got to his knees and the fact he still had access to the pepper spray on his waist. Before I got close enough to be within reach of the suspect, I holstered my weapon and grabbed the males left arm. I directed him into the prone cuffing position and placed him in handcuffs (dl).

I was then joined on scene by Officers Phillips and Christensen. They found the blue bag the male had been carrying in some weeds behind 1614 W. York. It turned out to be a bag of chips. The male suspect was identified as Shane Martinez. A name checked showed he had a local misdemeanor warrant for theft. Corporal Bartlett arrived on scene and took photos of Martinez and the bag of chips.

Wicks was also on scene. He asked Martinez why he had stolen from the store. Martinez said it was because he was hungry.

Martinez was placed in the back of Phillips' patrol car and transported to Spokane County Jail where he was booked.

Ofc. Christensen and I then went back to the store. Wicks gave us a receipt which contained the items Martinez had taken from the store. The items amounted to \$10.51. An itemized receipt was included with

**INCIDENT REPORT CONTINUED**  
**Spokane Police/Spokane County Sheriff**

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INCIDENT CLASSIFICATION <b>ROBBERY-COMMERCIAL</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>14-249954</b>
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this report. Officer Christensen took a statement from Wicks. See his report for details.

I then spoke with loss prevention employee Madison Borg. She told me she and Wicks saw Martinez selecting items from the shelf. Martinez then walked toward the west doors, but turned around when he saw some employees. He then walked toward the east doors with the food items, bypassing all points of sale before exiting the doors into the foyer. Borg confronted Martinez at the east exterior doors and identified herself as loss prevention. She said Martinez then pushed past her with his arms, dropping several of the items as he fled. Martinez then ran around the east side of the store, still carrying a bag of chips. Wicks then ran after Martinez. Borg then saw Martinez reach and grab something at his waist and point it toward Wicks. Wicks told her Martinez had pepper spray and told her to get back which she did. She said Wicks then began to follow Martinez after she ran and she followed Wicks to make sure he didn't get hurt.

This statement is consistent with what we saw when we arrived on scene.

Based on the fact that Martinez had threatened to use pepper spray against Wicks in order to retain the property from the store, there was probable cause to charge him with Robbery 2<sup>nd</sup> Degree.

Jail was advised to add the charge of Robbery 2<sup>nd</sup> Degree for Martinez. We collected the pepper spray bag of chips and store receipts as evidence. We placed these items on property as evidence.

I advised Sgt. Waters of this call via telephone.

See Officer Christensen's report for additional details.

Dotson/1107/N45



# SUPPLEMENTAL REPORT

## Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>14-249954</b>	
REPORT PURPOSE				REPORTED ON DATE <b>Tue 07/29/2014 14:59</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>ROBBERY</b>		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 <b>07/29/2014</b>	REPORT TIME <b>17:32</b>
PRIMARY CHARGE					UCR/NIBRS CODE
<b>VICTIM/WITNESSES/OTHERS</b> <small>A-Arrested Person, VB-Victim - Business, S-Suspect, MIR-Person Mentioned, O-Other, V-Deceased, RU-Runaway, RO-Registered Owner, PS-Passenger, PE-Pedestrian, PC-Pedestrian - Cyclist, C-Complainant, M-Missing, IN-Institutional, G-Legal Guardian, W-Witness, D-Driver, CON-Contact, CV-Complainant is Victim, V-Victim - Individual, OW-Owner of Property</small>					
CODE <b>V-1</b>	NAME: LAST, FIRST, MIDDLE <b>Wicks, Aaron A</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE <b>11/03/1994 19</b>
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>1616 W Northwest Blvd, Spokane, WA 99205</b>			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS <b>Safeway 1616 W Northwest Blvd, Spokane, WA 99205</b>				OCCUPATION <b>Employed</b>	EMPLOYER PHONE <b>(509) 327-4974</b>
ADDITIONAL PHONES <b>(Cell) (509) 939-1530</b>					
<b>NARRATIVE</b>					

On 07/29/2014, at about 1459 hours, Officer Dotson and I were sitting at the traffic light at Northwest Blvd and Maple. I was looking North and saw a H/M in a blue shirt come running from the Safeway [1616 W NW Blvd]. I could also see another male running after him and this male was wearing an orange stocking hat. As the two males got to the east side of the store. I could see that the first male who was holding a blue bag stop running and turn around. I saw this male arm go up in the air. The second male with the orange hat stopped and spun to his right. I thought the first male punched him. The first male then took off running N/B on Maple and then W/B in the south alley of York.

Officer Dotson and I went to Ash and up to the alley. I could see the male look at us and run N/B through the houses. I went up to York and dropped Officer Dotson off in front of 1614 W York where the male jumped the fence and continued N/B. I went up to Maple and Chelan to head the male off. At about this time Radio advised they had gotten a person with a weapon call from Safeway. They stated a male had tried to pepper spray and loss prevention officer.

We were able to contain the male into this area. The male got up and ran back S/B towards Officer Dotson who took him into custody. See Officer Dotson's report for more detail.

I did locate a bag of Vinegar chips laying behind 1614 W York. These were the chips I saw in the males hand. Cpl Bartlett photographed them. They were placed on property as evidence.

I then spoke to Aaron Wicks the male in the orange hat. He advised he was Loss Prevention for

ID NO./NAME OF REPORTING OFFICER <b>#671 - Christensen, James</b>		DISTRIBUTION
APPROVAL <b>#417 - Kendall, Shawn</b>	DATE/TIME <b>07/29/2014 19:50</b>	

## SUPPLEMENTAL REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

Page 2

INCIDENT CLASSIFICATION

**ROBBERY**

ATTEMPTED



INCIDENT NUMBER

**14-249954**

Safeway. He told me he was working with Madison Borg at Safeway. They watched a male who was later identified as Martinez select a sandwich, chips, doughnuts and a soda. Martinez then walked out of the store without paying for the items. Borg was in front of Martinez at the foyer. Wicks heard her identify herself as Loss Prevention. Martinez then shoved her in the chest and started to run as he dropped items. He said he followed him to the east side of the store. Martinez turned and said, "Back up Hommie!" Martinez then pulled up a can of pepper spray that was attached to his pants and pointed at Wicks. This is when Wicks closed his eyes and spun around. He thought he was going to be sprayed with the pepper spray. Wicks told Borg to stay back. Martinez then ran down the alley.

We did collect the can of pepper spray on Martinez's pants and placed it on property.

Martinez was booked for Second Degree Robbery.

Officer J. Christensen #671, N42.

SPOKANE POLICE DEPARTMENT

2014 JUL 29 PM 10 52

**SPOKANE POLICE DEPARTMENT  
CHARGING REQUEST AND WITNESS LIST  
Superior Court State of Washington**

DATE: 07/29/2014

REPORT NUMBER: 14-249954

CHARGES REQUESTED: Second Degree Robbery

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DEFENDANT: Martinez, Shane F [2-25-87]

STATUS: In Custody

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VICTIM(S): Safeway

DATE/TIME OF CRIME: 07/29/14, 1458 hours.

LOCATION OF CRIME: 1616 W Northwest Blvd, Spokane WA

INVESTIGATOR: J. Dotson #1107

APPROVED BY: *WATERS #582*

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WITNESSES	ADDRESS	PHONE #
Wicks, Aaron A	1616 W Northwest Blvd	509-939-1530
Borg, Madison T	1616 W Northwest Blvd	509-939-1530
Ofc Dotson #1107	1100 W Mallon	242-8400-21107
Ofc Christensen #671	1100 W Mallon	242-8400-20671
Cpl Bartlett #401	1100 W Mallon	242-8400-20401

---

EVIDENCE CONSISTS OF: Bag of chips, and pepper spray

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SUBMITTED TO PROSECUTORS OFFICE

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

**STATEMENT OF INVESTIGATING OFFICER  
AFFIDAVIT OF FACTS**

STATE OF WASHINGTON  
COUNTY OF SPOKANE

REPORT NUMBER: 14-249954

DEFENDANT: Martinez, Shane F [2-25-87]

---

The undersigned, a law enforcement officer, competent to testify, states as follows: That he/she believes a crime was committed by the above named defendant/defendants in the City and County of Spokane, State of Washington, because:

The victim Wicks can testify to the following:

1. He is employed by Safeway as a Loss prevention officer.
2. He was working at Safeway at 1616 W Northwest Blvd on 07/29/14, at about 1458 hours.
3. To watching the defendant select doughnuts, sandwich, chips and a soda, valued at \$10.51.
4. To the defendant walking out of the store without paying for items.
5. To watching Loss Prevention Officer Borg standing in front of the defendant and verbally identifying herself as loss prevention.
6. To seeing the defendant shove Borg in the chest and run.
7. To chasing the defendant outside of the store.
8. To the defendant turning and yelling "Get back hommie!"
9. To pointing a can of pepper spray at him.
10. To spinning away from the defendant so he was not sprayed with pepper spray.

11. To the defendant running off.

Witness Borg can testify to the following:

1. She is employed by Safeway as a Loss prevention officer.
2. She was working at Safeway at 1616 W Northwest Blvd on 07/29/14, at about 1458 hours.
3. To watching the defendant select doughnuts, sandwich, chips and a soda, valued at \$10.51.
4. To the defendant walking out of the store without paying for items.
5. To stopping the defendant in the foyer and identifying herself as loss prevention.
6. To the defendant pushing her in the chest and running out of the store.
7. To seeing the defendant lifting up a can of pepper spray and pointing at Wicks.

Cpl Bartlett can testify to the following:

1. Taking photos of the chips, pepper spray and defendant.

Officer Christensen can testify to the following:

1. To being at Maple and Northwest Blvd, Spokane WA on 072914 at about 1458 hours, with Officer Dotson.
2. To seeing the defendant run out of the Safeway store and seeing the victim Wicks chasing him.
3. To seeing the defendant turn and lift his hands up as if he was going to hit Wicks.
4. To seeing the defendant having a blue bag in his hand when he ran away.
5. To chasing the defendant through some yards.
6. To locating the blue bag of chips the defendant had behind 1614 W York.
7. To taking the victim Wicks statement.

Officer Dotson can testify to the following:

1. He works as a police officer in the city of Spokane, WA.
2. On 072914 at about 1158 hours he was on patrol with Officer Christensen in the area of Maple and Northwest Boulevard in Spokane.
3. He saw the defendant run from the store with a blue bag in his hand and suspected the defendant had just stolen something from the store.
4. He saw another male follow the defendant out of the store who was later identified as Wicks.
5. He and Christensen drove around the store and saw the defendant on the south side of York Street with the blue bag still in his hand.
6. The defendant ran to the north when he saw the patrol car.
7. He was approached by Wicks who told him the defendant had stolen food from the store and had threatened to pepper spray him to avoid apprehension.
8. He saw the defendant running in the south alley of 1600 W. Chelan and took him into custody.
9. He took a statement from loss prevention employee Borg.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (9A.72.085)

DATE: 7-29-14 PLACE: SPOKANE, WASHINGTON SIGNATURE:  #1107