



## 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 Shawn Kendall

### Incident Details

<b>Date Received</b>	<b>Date of Occurrence</b>	<b>Time of Occurrence</b>
8/5/2014	8/3/2014	00:41
<b>Record ID #</b>	<b>Incident No</b>	<b>IA No</b>
8408	14-256399	F14-072
<b>Date/Time Entered</b>		
8/5/2014 22:10		

### Incident Summary

After reading all of the documentation reference this incident I find that Officer Gorman's deployment of K-9 "Axl" was within State and Federal Law, Department Policy and met Department expectations. Further, I find that Officer Gorman's experience and expertise in the world of K-9 enabled him to read Axl's change of behavior, pause the search and give the offender more opportunities to comply. She refused.

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

In compliance with policy per Assistant Chief Dobrow 09.04.14.

### Incident Location

- 2202 Euclid ST, Direction: E, Spokane, WA 99207

### Use of Force Specific Information

<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	Dark	15 feet to 18 feet
<b>Citizen Injured</b>	<b>Citizen Taken to Hospital</b>	<b>Citizen Arrested</b>
Yes	Yes	Yes
<b>More than 1 Citizen Involved</b>		
No		
<b>Citizen's Build</b>	<b>Citizen's Height</b>	
Small	5'4" to 5'6"	
<b>Officer Assessment of Citizen Condition During Incident</b>		
None detected		
<b>Officer(s) Injured</b>	<b>Officer(s) Taken to Hospital</b>	
No	No	

### Complainant/Involved Citizen Information

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**Betsy Jo Dinwiddie**

DOB: 4/11/1967 Race: White Gender: Female

**Address**

• 1317 Cherrywood CT, Direction: W, Spokane, WA 99218

**Phone**

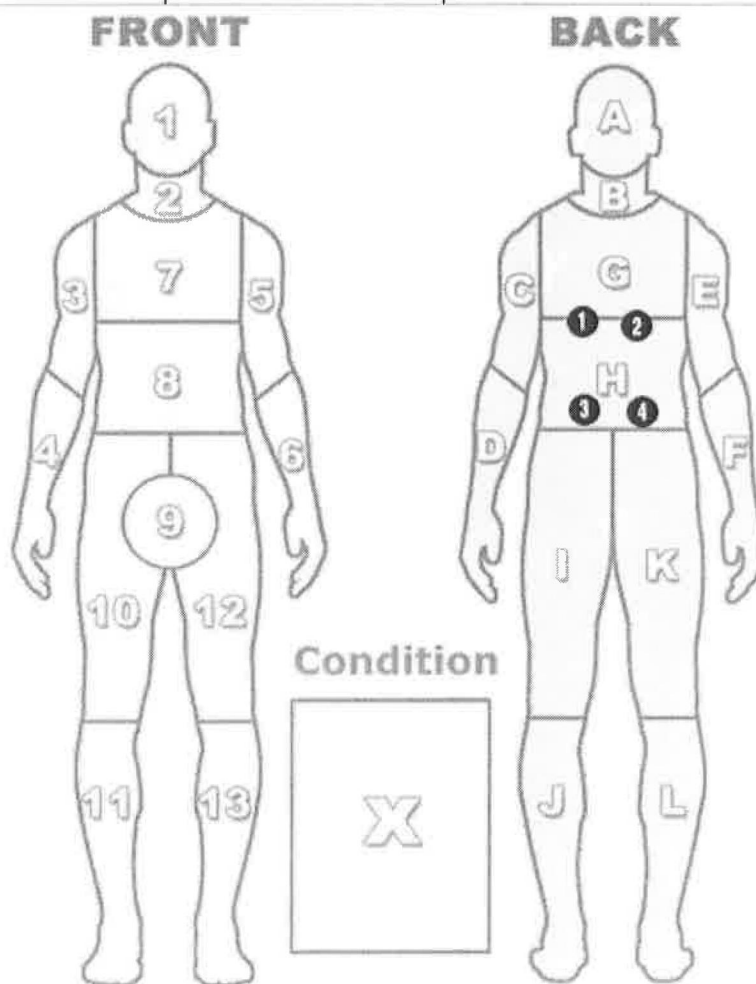
• (509) 216-4870

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

• Active Resistance

**Injuries sustained by this citizen**

Injury	Regions	Injury Locations
Minor Injury	H	1, 2, 3, 4

**Charges against this citizen**

• Felony - Property Crime

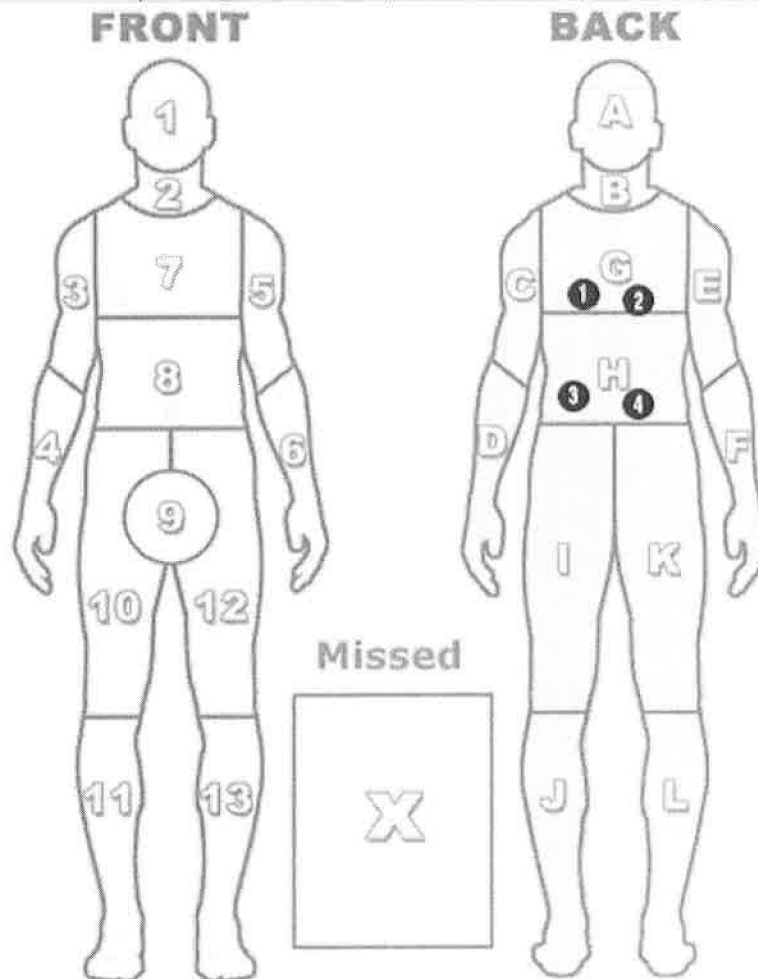
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**Involved Officers****Officer Paul Gorman - Payroll Number:** #5c

**Force used by this officer against the citizen**

- K-9 Deployment - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
K-9 Deployment	Yes	G, H	1, 2, 3, 4

**Injuries sustained by this officer**

Injury	Regions	Injury Locations
No injuries noted or visible		

**Officer Witnesses**

Officer Elina Bishop - Payroll Number: #5c

Officer Dale Harvey - Payroll Number: #5c

Officer David Stone - Payroll Number: #5c

**Attachments**

Date Attached	Attachment Description	Attachment Type
8/5/2014	K-9 Software	pdf

8/5/2014	Reports 14-256399	pdf
8/5/2014	CAD 14-256399	pdf

## Chain of Command History

Sent Dt	From	To	Cc	Sender's Instructions	Approved	Recipient's Comments/Response
8/5/2014	Sergeant Shawn Kendall	Lieutenant Kevin King	(none)	After reading all of the documentation reference this incident I find that Officer Gorman's deployment of K-9 "Axl" was within State and Federal Law, Department Policy and met Department expectations. Further, I find that Officer Gorman's experience and expertise in the world of K-9 enabled him to read Axl's change of behavior, pause the search and give the offender more opportunities to comply. She refused. Sergeant Shawn Kendall K-9 Unit Supervisor / Defensive Tactics Coordinator	<input checked="" type="checkbox"/>	I concur with Sgt. Kendall's assessment. Officer Gorman's K-9 deployment was reasonable within policy and law.
8/7/2014	Lieutenant Kevin King	Captain Daniel Torok	(none)	For your review. I concur with Sgt. Kendall's assessment. Officer Gorman's K-9 deployment was reasonable within policy and law.	<input checked="" type="checkbox"/>	I concur with Lt. King. The use of force (K-9) was consistent with policy.
8/14/2014	Captain Daniel Torok	Asst Chief Patrick Dobrow	(none)	for review	<input checked="" type="checkbox"/>	I have reviewed this incident and find the use of force (K9 contact) reasonable and within policy.

### Entering Officer Signature Line

\_\_\_\_\_  
Sergeant Shawn Kendall

### Chain of Command Signature Lines

\_\_\_\_\_  
Lieutenant Kevin King

\_\_\_\_\_  
Captain Daniel Torok

\_\_\_\_\_  
Asst Chief Patrick Dobrow



# Spokane Police Department

## K9 Use of Force Report

### General Use of Force Information

Case #	<b>14-256399</b>	Report Type	<b>Apprehension</b>
Location	<b>2202 E Euclid</b>	Handler	<b>Paul Gorman</b>
Date Occurred	<b>8/3/2014</b>	K-9	<b>Axl</b>
Date of Report	<b>8/3/2014 4:26:00 AM</b>	Imm. Supervisor	<b>Sgt Kendall</b>
Reviewed By			
Review Date			

### Subject Information

Subject's Name **Dinwiddie,Betsy J**

DOB **4/11/1967** Age **47**

SSN

Gender **F**

Address

City Zip Code

State

Phone #

### Medical Information

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

Treatment Required? **Yes** Exam/ Treatment Location **Deaconess**

Examined by Doctor? **Yes** Examining Doctor **Dr Pedersen**

Explanation of Treatment **Injuries were cleaned, antibiotic ointment applied.**

Time of Exam **1:30 AM**

### K-9 Specific Information

Verbal warning given prior to engagement? **Yes** Number of bites or engagements **1**

Subjects actions leading to the Use of Force **See Narrative**

Reason no Verbal warning given?

Off leash apprehension made? **Yes**

On leash contact made? **No**

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



K-9 Assaulted? **No**

K-9 Injured? **No**

List K-9's Injuries **None**

K-9 Treatment costs

Examining Veterinarian

## Report Narrative

On 080314 at approx 0041hrs, I responded to assist other Officers at Ron's Tire, 2202 E Euclid. While enroute, Radio advised the Complainant/Witness Brent Coy called 911 to report a burglary in progress at Ron's Tire. Coy lives next door to the store, and observed a burglar inside the fenced area and making noise. Other Officers contacted Coy for his statement. We located the RP and owner for the store. He advised he lives in a trailer inside the fenced area, and he was home with his girlfriend who was in the hot tub. When we arrived on scene, we contacted Ron, the owner. He opened the locked gate to the fenced area so we could check it. He advised nobody should be inside the fenced area, and if anyone is located he wanted to press charges.

I looked at the fenced area. The fence was a 6 foot tall chain link fence which also had another two feet of barbed wire on top of that. The 8 foot tall security fence was in excellent condition and was meant to keep burglars out. Due to the nature of the business, selling used tires, the fenced area was full of valuable inventory which consisted of tires, vehicles, tire changing machines, tools, trailers, etc...

Ofc Bishop and Ofc Stone advised they located a cut hole in the fence, right where next to the witness Coy's house. Coy reported that the burglar was last seen next to a vehicle, right next to the hole in the fence.

Ofc Stone, Ofc Bishop, Ofc Harvey and I positioned ourselves at the northern part of the yard, at the entrance gate. Ron and Rhonda were outside the fenced area and advised nobody else should be inside. I gave two very loud K9 announcements as follows; "Attention in the yard! This is the Spokane Police K9 Unit! Come out now or the area will be searched by the Police K9! Come out now or the K9 will find and bite you!" I waited over 30 seconds between and after the announcements. K9 Axl did not bark during or after the announcements. I observed no movements or sounds from the suspect.

I deployed SPD K9 Axl for the following reasons;

Crime-

Whoever cut the hole and entered the fenced yard was there for a purpose. The yard contained thousands of dollars worth of inventory, tools and other items that could easily have been stolen. Whoever entered the yard was there with the intent to burglarize the business, or worse harm Ron or his girlfriend Rhonda who lived on site. Ron advised he wanted whoever was in his yard arrested for burglary (a felony).

Threat to Public or Responding Officers-

The fenced area was full of tires, vehicles, tools, tire changing machines, etc. All those items provided very good hiding locations for the burglar. Every stack of tires in that yard also served as a ambush point for the burglar to assault searching Officers. In order to thoroughly search the yard, each stack of tires would have to be looked in for someone hiding down the middle of the stack. Getting that close to a potential threat is very dangerous for searching Officers. There was also a huge risk to Ron and Rhonda if the burglar was not located. Since they lived on site inside the fenced area, the burglar would have immediate access to ambush them if not located by the Police.

Burglars are known to carry tools and weapons. Whoever was in the yard had not been searched and was most likely armed with a weapon or a tool that could be used as such.

Suspects Resistance-

Whoever was in the fenced yard had hidden themselves. Instead of surrendering after the announcements, or even attempting to flee, the suspect continued to hide in an attempt to evade capture.

I deployed K9 Axl from the gate. Due to the hole in the chain link fence, I kept Axl on lead. Our

search led directly to two parked vehicles along the south fence line of the yard. This was directly next to the witness Coy's residence and the hole in the fence. K9 Axl showed very high interest in the vehicles. K9 Axl showed strong indications that a suspect was close by or had recently been close by due to the scent indications. Of the two parked vehicles, the one on the right was a car, the one on the left was a truck. K9 Axl showed very high interest in or immediately around the truck. Both vehicles were surrounded by long rows of tires, placed together so the tires looked like long tubes on the ground. I chose to stop the search, make more announcements and give the suspect another chance to surrender.

From the front of the truck, I announced two more times as follows; "Attention in the area! This is the Spokane Police K9 unit! I know you are in here, and you are close! You are under arrest for Burglary! Come out now or you will be contacted by the K9!" Once again, I waited over 30 seconds between and after the announcements. I saw no movement and heard no signs of a surrender. K9 Axl didn't bark during my announcements, but he barked afterwards.

I gave K9 Axl the command to search and he did so immediately. K9 Axl went to the passenger side of the truck, looked inside the cab, looked inside the bed, then started to crawl underneath the bed. Just as he started to crawl underneath, he flipped around and dug his nose in between the tires which were in one of the long rows. I heard the suspect, who was later identified as Betsy Dinwiddie, yell for me to get the dog. Dinwiddie had somehow crawled inside the long row of tires and was almost impossible to see. Since I was within 15 feet of the contact location, I immediately ran over and gave K9 Axl the command to release, which he did immediately. K9 Axl was on the contact less than 5 seconds.

Dinwiddie was removed from the stack of tires. Without K9 Axl, Dinwiddie might not have been located. Dinwiddie was handcuffed, placed under arrest and transported to Deaconess for treatment of the K9 contact. Cpl Busch responded and photographed the hiding location and the hole cut in the fence. A name check of Dinwiddie showed she was the respondent on a Anti-Harassment Order, which listed Rhonda as the petitioner. She was arrested for 2nd degree Burglary and Violation of the Court Order.

At Deaconess, I verified Dinwiddie had been read her constitutional rights and was willing to answer questions. She advised she had, and gave the following answers;

She was aware there was an order restraining her from being in proximity to Rhonda, but she just wanted to see her face and see what she looked like. She knew the Police K9 had arrived, and heard all four of my announcements. She didn't say anything or surrender because she was scared and "just kind of froze". She heard the K9 very close to her but still didn't say anything.

I observed her injuries. Due to her positioning, and the difficulty K9 Axl had getting to her inside the tires, she had very few injuries. Dinwiddie was laying on her stomach inside the tires and K9 Axl contacted her back. It looked as if K9 Axl attempted several contacts but couldn't get a grip because the contact location was the middle of her back. Dinwiddie looked as if she had 3-4 distinct contact locations, from her shoulders to her belt line, all in the middle of her back. All contacts had scratches and redness with only one slight puncture and no bleeding. The injuries were cleaned and covered with antibiotic ointment, no stitching was required.

Cpl Ennis photographed the injuries at Deaconess. Sgt Hallock was advised of the contact. See other Officer reports.

Handler's Signature (X) \_\_\_\_\_

08/04/14 21:51:49 PRINT REQUESTED BY TERMINAL PPTN10

Incident History for: #SP140256399

Entered	08/03/14	00:25:12	BY 91104	911209
Dispatched	08/03/14	00:29:12	BY A310	1136
Enroute	08/03/14	00:29:12		
Onscene	08/03/14	00:39:15		
Closed	08/03/14	03:28:26		

Initial Type: SUSPER Final Type: BURGC (BURGLARY REPORT, COMMERCIAL)

Initial Priority: 2 Final Priority: 2

Disposition: 1E Source: 9 Primary Unit: B335

Police BLK: SPB4BE

Group: P4 Beat: Map Page: 32

Loc: 2202 E EUCLID AV ,SPK btwn N LEE ST & N STONE ST <3000> (V)

Loc Info: TIRE SHOP

Name: COY, BRENT

Addr: 2940 N LEE

Phone: 5099811408

/002512	(911209)	ENTRY		3 AGO, SAW MALE WALKING AROUND THE TIRE SHOP. NO LONGER SEES SUBJS BUT CA N HEAR THING MOVIN G AROUND ON THE BUSN PROP. NO WEAPONS SEEN. WM 40S WHI SHIRT, BLU PANTS. ###
/002555	(1160 )	HOLD		
/002912	(1136 )	*DISPER	A310	#1136 HARVEY, DALE
/002919	(1085 )	*ASSTER	B335	#1085 STONE, DAVID
				#1023 BISHOP, ELINA
/003915	(1136 )	*ONSCNE	A310	
/003923	(1085 )	*ONSCNE	B335	
/003951	(911234)	SUPP		TXT: BRENT CB. MALE RETURNED TO LOC. NOW SITTI NG IN BACK PLOT NEXT TO GRY PU. NO WEAPONS. SE ES LE. OFFLINE. ###
/004101	(1160 )	ASSTER	K12	[E EUCLID AV/N LEE ST ,SPK] #691 GORMAN, PAUL
/004224		MISC	B335	,WORK ON RP
/004227		MISC	B335	,SE CORNER
/004408		MISC	B335	,COMP SAYS ANOTHER MALE LIVES INSIDE TRAILER
/004435		MISC	B335	,GOING INSIDE COMPS HOUSE TO TRY AND SEE PERSO N
/004440		MISC	B335	,OTHER ONE IS BY THE CAR
/004454		CHANGE		LOC: E EUCLID AV/N LEE ST ,SPK --> 2202 E EUC LID AV ,SPK
/004628		MISC	B335	,RON IS COMING OUT TO TALK TO THEM
/005035		ONSCNE	K12	
/005440		MISC	B335	,WILL BNE IN YARD CHECKING
/005830		MISC	B335	,CH1 RESTRICTED
/005836		MISC	B335	,ADV HOLD THE CHANNEL WE GOT ONE HERE
/005949		MISC	B335	,X1 DETAINED
/010010		MISC	A310	,CH1 BACK TO NORMAL
/010325		REMINQ	B335	
/010338		REMINQ	B335	
/010525		MISC	B335	,#####
/010600		ASSTER	P317	[2202 E EUCLID AV ,SPK] #625 BUSCH, KEVIN
/010924	(625 )	*ONSCNE	P317	
/011634	(691 )	*CHGLOC	K12	[DEAC]
/011752	(1136 )	*CLEAR	A310	,PSTAT/ASST
/011802	(1085 )	*TRANS	B335	[DEACONESS] M/0.0 ,FEMALE

/012138 (1160 ) MISC  
 /012138 MISC  
  
 /012210 (625 ) \*CHGLOC P317  
 /012211 (1160 ) REMINQ B335  
  
 /012423 REMINQ B335  
  
 /012710 \$PREMPT P317  
 /012900 (1085 ) \*TRANSC B335  
 /012906 (691 ) \*ONSCNE K12  
 /013206 (1160 ) OK B335  
 /013206 OK K12  
 /022419 (733 ) \*ASSTOS P303  
  
 /022433 \*MISC P303  
 /022503 (1179 ) OK P303  
 /022517 (733 ) \*CLEAR P303  
 /022742 (1085 ) \*TRANS B335  
 /022941 (1210 ) \$PREMPT K12  
 /023126 (1085 ) \*TRANSC B335  
 /023729 (1179 ) OK B335  
 /024452 (1085 ) \*NEWLOC B335  
 /025907 (1179 ) OK B335  
 /032455 (1085 ) \*MISC B335  
 /032826 \*CLEAR B335  
  
 /032826 CLOSE B335

,08/03/14 01:21:17 Message From: B335  
 ,BETSY IN CUSTODY FOR 2ND BURG AND DVOPV...PLE  
 ASE DO A TRIPLE III FOR PREVIOUS CONVICTIONS F  
 OR DVOPV

[DEAC]

#3a

[DEACONESS] M/5.2

[DEAC]

#733 ENNIS, GORDON  
 ,PICS OF K9 CONTACT PSTAT/ASST

[JAIL] M/0.0

[JAIL] M/1.3

[1-PAPER]

,PSTAT/CFS PSTAT/FEL PSTAT/MISD  
 TYP: SUSPER --> BURGC  
 RSP: P --> P  
 DSP: 1E

# INCIDENT REPORT

**Spokane Police/Spokane County Sheriff**

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>14-256399</b>	
INCIDENT TYPE <b>Arrest, Domestic Violence</b>		INCIDENT CLASSIFICATION #1 <b>BURGLARY-FENCED AREA</b>		INCIDENT CLASSIFICATION #2 <b>COURT ORDER VIOLATION</b>	
		ATTEMPTED <input type="checkbox"/>		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3		INCIDENT CLASSIFICATION #4	
		ATTEMPTED <input type="checkbox"/>		ATTEMPTED <input type="checkbox"/>	
RESPONDING TO (Officer Assault)				ASSIGNMENT (Officer Assault)	
REPORTED ON <b>Sun 08/03/2014 00:29</b>	DATE/TIME	OCCURRED ON <b>Sun 08/03/2014 00:25</b>	DATE/TIME	OCCURRED TO <b>Sun 08/03/2014 00:39</b>	DISTRICT
DISPATCH TIME <b>00:29</b>	ARRIVED TIME <b>00:39</b>	CLEARED TIME <b>02:10</b>	REPORT DATE <b>08/03/2014</b>	REPORT TIME <b>01:32</b>	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE <b>10.14.170 VIOL CIV ANTIHARRASS ORDER</b>					UCR/NIBRS CODE <b>/90Z</b>
ADDITIONAL CHARGES <b>9A.52.030 BURGLARY-2ND DEG</b>					
LOCATION OF INCIDENT <b>2202 E Euclid Avenue, Spokane, WA</b>				LOCATION NAME (IF APPLICABLE) <b>Rons Tire Shop</b>	
ENTRY POINT <b>Other Entry Rear</b>	METHOD <b>Other (Unique)(Crawled fence hole) Unlawful Entry</b>	WEAPON/TOOL/FORCE USED		SECURITY <b>Exterior Lights Interior Lights Security Fence</b>	EVIDENCE <b>Photographs</b>
TYPE OF PREMISE (FOR VEHICLES STATE WHERE PARKED) <b>Gas Station/Auto Repair</b>					
SOLVABILITY FACTORS <b>PC Affidavit Completed, Suspect Arrested, Witness to Crime</b>					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS <b>Elna Bishop</b>					
VICTIM/WITNESSES/OTHERS <small>A-Arrested Person, VB-Victim - Business, S-Suspect, MR-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>A-1</b>	NAME: LAST, FIRST, MIDDLE <b>Dinwiddie, Betsy Jo</b>			SEX <b>F</b>	RACE/ETHNICITY <b>W-White</b>
DATE OF BIRTH/AGE <b>04/11/1967 47</b>					
HEIGHT <b>5'05"</b>	WEIGHT <b>120</b>	BUILD <b>Light</b>	HAIR <b>Brown</b>	EYES <b>BRO - Brown</b>	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>1317 W Cherrywood Court, Spokane, WA 99218</b>			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES <b>(Cell) 216-4870</b>					
CHARGE LEVEL <b>Gross Misdemeanor</b>	DESCRIPTION <b>10.14.170 VIOL CIV ANTIHARRASS ORDER</b>				UCR/NCIC CODE <b>/90Z</b>
WARRANT #	BAIL	TYPE OF ARREST <b>On-View of Arrest</b>			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL <b>Felony Class B</b>	DESCRIPTION <b>9A.52.030 BURGLARY-2ND DEG</b>				UCR/NCIC CODE <b>/220</b>
WARRANT #	BAIL	TYPE OF ARREST <b>On-View of Arrest</b>			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>

ID NO./NAME OF REPORTING OFFICER <b>#1085 - Stone, David</b>	DISTRIBUTION	
APPROVAL <b>#367 - Hallock, Bradford</b>	DATE/TIME <b>08/03/2014 03:46</b>	

Incident Report #1

08/04/2014 21:50:41,770

# INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION <b>BURGLARY-FENCED AREA</b>				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER <b>14-256399</b>	
CITATION #		DATE	TIME	BOOKED WHERE <b>Spokane County Jail</b>		DATE <b>08/03/2014</b>	TIME <b>00:59</b>
ARREST LOCATION <b>2202 E Euclid Avenue, Spokane, WA</b>				STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input checked="" 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 <b>#4b</b>		<input type="checkbox"/> FAKE STATE	SOCIAL SECURITY NO. <b>#4a</b>		<input type="checkbox"/> FAKE OTHER ID		
CODE <b>V-1</b>	NAME: LAST, FIRST, MIDDLE <b>Carter, Rhonda J</b>			SEX <b>F</b>	RACE/ETHNICITY <b>W-White</b>	DATE OF BIRTH/AGE <b>08/21/1965 48</b>	
HEIGHT <b>5'01"</b>	WEIGHT <b>120</b>	BUILD <b>Light</b>	HAIR <b>Brown</b>	EYES <b>BRO - Brown</b>	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>2202 E Euclid Avenue, Spokane, WA</b>			RESIDENTIAL STATUS		PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE	
ADDITIONAL PHONES <b>(Cell) 327-1800</b>							
DRIVER'S LICENSE <b>#4b</b>		<input type="checkbox"/> FAKE STATE	SOCIAL SECURITY NO. <b>#4a</b>		<input type="checkbox"/> FAKE OTHER ID		
RELATIONSHIP TO SUSPECT <b>Victim was Acquaintance</b>			VICTIM OF Offns. # <b>10.14.170 VIOL CIV ANTIHARRASS ORDER</b>			OFNDR. # <b>A-1</b>	
CODE <b>V-2</b>	NAME: LAST, FIRST, MIDDLE <b>Masingale, Ronald L</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>	DATE OF BIRTH/AGE <b>09/18/1960 53</b>	
HEIGHT <b>6'00"</b>	WEIGHT <b>225</b>	BUILD <b>Medium</b>	HAIR <b>Brown</b>	EYES <b>BLU - Blue</b>	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>2202 E Euclid Avenue, Spokane, WA 99205</b>			RESIDENTIAL STATUS		PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE	
ADDITIONAL PHONES <b>(Cell) (509) 217-3606, (Work) (509) 327-1800</b>							
DRIVER'S LICENSE <b>#4b</b>		<input type="checkbox"/> FAKE STATE	SOCIAL SECURITY NO. <b>#4a</b>		<input type="checkbox"/> FAKE OTHER ID		
RELATIONSHIP TO SUSPECT <b>Victim was Girlfriend</b>			VICTIM OF Offns. # <b>9A.52.030 BURGLARY-2ND DEG</b>			OFNDR. # <b>A-1</b>	
CODE <b>C-1</b>	NAME: LAST, FIRST, MIDDLE <b>Coy, Brent A</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>	DATE OF BIRTH/AGE <b>05/14/1989 25</b>	
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>2940 N Lee Street, Spokane, WA</b>			RESIDENTIAL STATUS		PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE	



# INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION <b>BURGLARY-FENCED AREA</b>				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER <b>14-256399</b>	
ADDITIONAL PHONES (Cell) 981-1408							
CODE <b>W-1</b>	NAME: LAST, FIRST, MIDDLE <b>Carlton, Destiny H</b>				SEX <b>F</b>	RACE/ETHNICITY <b>W-White</b>	DATE OF BIRTH/AGE <b>06/17/1997 17</b>
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>2940 N Lee Street, Spokane, WA</b>				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Cell) 981-1408							
<b>NARRATIVE</b>							

On 8/3/2014 at approximately 0029 hrs, OFC Bishop and I were dispatched to 2202 E Euclid for a suspicious person call. The complainant, Brent Coy, advised that a "male" was inside the secured fence area of the tire shop.

We arrived on scene and Coy stated that the suspect was still inside the barb-wired fenced area hiding near a pickup truck. See OFC Bishop's report for Coy's statements.

The barb-wired fenced (approximately eight feet tall) area was completely secured. It was obvious that the fence was there to keep everyone out of the business area. Coy showed me a very small cut in the fence (south side) where the suspect probably crawled into the secured tire shop area. Coy said that the hole in the fence was old. I did see the small hole in the fenced area. It was big enough for someone to crawl through it. It was somewhat hidden by the bushes. I could hear some noise coming from the south side of the fence near a pickup truck, but could not see anyone. I yelled that I was the police and that the person hiding needed to come out with their hands up or else they may be bit by a police dog. I said that several times without any response.

The business owner, Ronald Masingale, lived in a mobile home in the back fenced area as well. Dispatch was attempting to contact the owner. Ronald heard the noise and came outside. I spoke to Ronald through the fence and advised him of the situation. Ronald stated that only he and his girlfriend (Rhonda Carter who was in the hot tub) were the only two people in the fenced secured area. Ronald stated that no should be back there and that he wanted to press charges on anyone who was found in the secured fence area. I spoke with Rhonda who said she was in the hot tub and did not hear anything, but did see LE flashlights going on and off and heard LE yelling at someone to come out or they will be bit by the police dog.

Ronald unlocked the fence and told us that we could search his yard. He stated again that no one was suppose to be inside the barb-wired fenced area except him and Rhonda. OFC Gorman and his K9 arrived on scene. OFC Gorman, his K9, OFC Bishop, and myself entered the fenced area from the North side. OFC Gorman made four loud K9 announcements in the fenced area. OFC Gorman stated that the suspect was also under arrest and to give up now. He made two of them

## INCIDENT REPORT CONTINUED

*Spokane Police/Spokane County Sheriff*

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INCIDENT CLASSIFICATION <b>BURGLARY-FENCED AREA</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>14-256399</b>
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within approximately 15 feet of where the suspect was later found. OFC Gorman and his K9 were working around the pickup truck (that the complainant stated the suspect was still in the area hiding) when the suspect (later identified as Betsy Dinwiddie) was located by the K9. Dinwiddie did not make any noise or attempt to give up prior to the K9 contact.

OFC Bishop and I took Dinwiddie into custody (handcuffs DL) around 0059 hrs. I read Dinwiddie her constitutional rights around 0101 hrs. She verbally that she understood them and would waive them. A showup was contacted with Coy who stated that he was 100% positive that Dinwiddie was the suspect he saw in the yard.

Dinwiddie told me the following:

Dinwiddie stated that she crawled through the open hole in the fence to spy on Ronald and his girlfriend. Ronald was her ex-boyfriend. They dated for about 1.5 years. Dinwiddie stated that she knew she was not suppose to be there. See OFC Bishop's report for further details on Dinwiddie.

I contacted Ronald and Rhonda as Dinwiddie was walked out of the fenced area past them. Ronald and Rhonda both stated that they knew Dinwiddie. Rhonda stated that she had an anti-harassment order against Dinwiddie because she was harassing her for dating Ronald.

Ronald said that Dinwiddie was his ex-girlfriend. They dated for about 1.5 years and broke up over a year ago. Since they broke up, Ronald and Rhonda had been dating. Ronald continued on by stating that this was the second time that Dinwiddie had broke into his property. Ronald said that Dinwiddie usually cut a hole in his fence to break in and would then go about slashing all of his tires. The alarm went off last time at his business and Dinwiddie answered the phone from the alarm company and pretending to be Rhonda in order to try and cancel the alarm and police from coming. Ronald did not see any damage to his tires at this time. Ronald did not know if the hole in the fence was new or old. I gave Ronald and Rhonda a crime victim card.

CPL Busch took photographs of the hole in the fence and where the suspect was located. CPL Ennis took photographs of the K9 contact marks on Dinwiddie at Deaconess ER.

Dispatch confirmed that Dinwiddie was the respondent on a served anti-harassment order protecting Rhonda. The anti-harassment protection order was #12720788. The order stated that Dinwiddie was not allowed to be within 2 blocks of any known location of Carter. The order was signed on 1/9/2013. The order expired on 1/9/2015. A triple I was conducted and no previous convictions were found on Dinwiddie for court order violations.

Dinwiddie was under arrest for Burglary 2nd DV and Anti-harassment Order Violation. Dinwiddie was transported to Deaconess ER to be medically cleared. Dinwiddie was then transported and booked into Spokane County Jail for the above charges.



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

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INCIDENT CLASSIFICATION  
**BURGLARY-FENCED AREA**

ATTEMPTED  
☐

INCIDENT NUMBER  
**14-256399**

PC Affidavit was completed.

OFC D. Stone #1085 B335

# SUPPLEMENTAL REPORT

**Spokane Police/Spokane County Sheriff**

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>14-256399</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Sun 08/03/2014</b>	TIME <b>00:25</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>BURGLARY-FENCED AREA</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <b>COURT ORDER VIOLATION</b>		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>08/03/2014</b>	REPORT TIME <b>02:55</b>
PRIMARY CHARGE					UCR/NIBRS CODE
<b>NARRATIVE</b>					

On 080314 at approx 0041hrs, I responded to assist other Officers at Ron's Tire, 2202 E Euclid. While enroute, Radio advised the Complainant/Witness Brent Coy called 911 to report a burglary in progress at Ron's Tire. Coy lives next door to the store, and observed a burglar inside the fenced area and making noise. Other Officers contacted Coy for his statement.

We located the RP and owner for the store. He advised he lives in a trailer inside the fenced area, and he was home with his girlfriend who was in the hot tub. When we arrived on scene, we contacted Ron, the owner. He opened the locked gate to the fenced area so we could check it. He advised nobody should be inside the fenced area, and if anyone is located he wanted to press charges.

I looked at the fenced area. The fence was a 6 foot tall chain link fence which also had another two feet of barbed wire on top of that. The 8 foot tall security fence was in excellent condition and was meant to keep burglars out. Due to the nature of the business, selling used tires, the fenced area was full of valuable inventory which consisted of tires, vehicles, tire changing machines, tools, trailers, etc...

Ofc Bishop and Ofc Stone advised they located a cut hole in the fence, right where next to the witness Coy's house. Coy reported that the burglar was last seen next to a vehicle, right next to the hole in the fence.

Ofc Stone, Ofc Bishop, Ofc Harvey and I positioned ourselves at the northern part of the yard, at the entrance gate. Ron and Rhonda were outside the fenced area and advised nobody else should be inside. I gave two very loud K9 announcements as follows; "Attention in the yard! This is the Spokane Police K9 Unit! Come out now or the area will be searched by the Police K9! Come out now or the K9 will find and bite you!" I waited over 30 seconds between and after the announcements. K9 Axl did not bark during or after the announcements. I observed no movements or sounds from the suspect.

I deployed SPD K9 Axl for the following reasons;

Crime-

Whoever cut the hole and entered the fenced yard was there for a purpose. The yard contained

ID NO./NAME OF REPORTING OFFICER <b>#691 - Gorman, Paul</b>		DISTRIBUTION	
APPROVAL <b>#766 - Dahle, Zachary</b>	DATE/TIME <b>08/03/2014 05:54</b>		

## SUPPLEMENTAL REPORT CONTINUED

*Spokane Police/Spokane County Sheriff*

Page 2

INCIDENT CLASSIFICATION <b>BURGLARY-FENCED AREA</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>14-256399</b>
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thousands of dollars worth of inventory, tools and other items that could easily have been stolen. Whoever entered the yard was there with the intent to burglarize the business, or worse harm Ron or his girlfriend Rhonda who lived on site. Ron advised he wanted whoever was in his yard arrested for burglary (a felony).

### Threat to Public or Responding Officers-

The fenced area was full of tires, vehicles, tools, tire changing machines, etc. All those items provided very good hiding locations for the burglar. Every stack of tires in that yard also served as a ambush point for the burglar to assault searching Officers. In order to thoroughly search the yard, each stack of tires would have to be looked in for someone hiding down the middle of the stack. Getting that close to a potential threat is very dangerous for searching Officers.

There was also a huge risk to Ron and Rhonda if the burglar was not located. Since they lived on site inside the fenced area, the burglar would have immediate access to ambush them if not located by the Police.

Burglars are known to carry tools and weapons. Whoever was in the yard had not been searched and was most likely armed with a weapon or a tool that could be used as such.

### Suspects Resistance-

Whoever was in the fenced yard had hidden themselves. Instead of surrendering after the announcements, or even attempting to flee, the suspect continued to hide in an attempt to evade capture.

I deployed K9 Axl from the gate. Due to the hole in the chain link fence, I kept Axl on lead. Our search led directly to two parked vehicles along the south fence line of the yard. This was directly next to the witness Coy's residence and the hole in the fence. K9 Axl showed very high interest in the vehicles. K9 Axl showed strong indications that a suspect was close by or had recently been close by due to the scent indications. Of the two parked vehicles, the one on the right was a car, the one on the left was a truck. K9 Axl showed very high interest in or immediately around the truck. Both vehicles were surrounded by long rows of tires, placed together so the tires looked like long tubes on the ground. I chose to stop the search, make more announcements and give the suspect another chance to surrender.

From the front of the truck, I announced two more times as follows; "Attention in the area! This is the Spokane Police K9 unit! I know you are in here, and you are close! You are under arrest for Burglary! Come out now or you will be contacted by the K9!" Once again, I waited over 30 seconds between and after the announcements. I saw no movement and heard no signs of a surrender. K9 Axl didn't bark during my announcements, but he barked afterwards.

I gave K9 Axl the command to search and he did so immediately. K9 Axl went to the passenger side

## SUPPLEMENTAL REPORT CONTINUED

*Spokane Police/Spokane County Sheriff*

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INCIDENT CLASSIFICATION

**BURGLARY-FENCED AREA**

ATTEMPTED



INCIDENT NUMBER

**14-256399**

of the truck, looked inside the cab, looked inside the bed, then started to crawl underneath the bed. Just as he started to crawl underneath, he flipped around and dug his nose in between the tires which were in one of the long rows. I heard the suspect, who was later identified as Betsy Dinwiddie, yell for me to get the dog. Dinwiddie had somehow crawled inside the long row of tires and was almost impossible to see. Since I was within 15 feet of the contact location, I immediately ran over and gave K9 Axl the command to release, which he did immediately. K9 Axl was on the contact less than 5 seconds.

Dinwiddie was removed from the stack of tires. Without K9 Axl, Dinwiddie might not have been located. Dinwiddie was handcuffed, placed under arrest and transported to Deaconess for treatment of the K9 contact. Cpl Busch responded and photographed the hiding location and the hole cut in the fence. A name check of Dinwiddie showed she was the respondent on a Anti-Harassment Order, which listed Rhonda as the petitioner. She was arrested for 2nd degree Burglary and Violation of the Court Order.

At Deaconess, I verified Dinwiddie had been read her constitutional rights and was willing to answer questions. She advised she had, and gave the following answers;

She was aware there was an order restraining her from being in proximity to Rhonda, but she just wanted to see her face and see what she looked like. She knew the Police K9 had arrived, and heard all four of my announcements. She didn't say anything or surrender because she was scared and "just kind of froze". She heard the K9 very close to her but still didn't say anything.

I observed her injuries. Due to her positioning, and the difficulty K9 Axl had getting to her inside the tires, she had very few injuries. Dinwiddie was laying on her stomach inside the tires and K9 Axl contacted her back. It looked as if K9 Axl attempted several contacts but couldn't get a grip because the contact location was the middle of her back. Dinwiddie looked as if she had 3-4 distinct contact locations, from her shoulders to her belt line, all in the middle of her back. All contacts had scratches and redness with only one slight puncture and no bleeding. The injuries were cleaned and covered with antibiotic ointment, no stitching was required.

Cpl Ennis photographed the injuries at Deaconess. Sgt Hallock was advised of the contact.

See other Officer reports.

# SUPPLEMENTAL REPORT

**Spokane Police/Spokane County Sheriff**

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AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>14-256399</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Sun 08/03/2014</b>	TIME <b>00:25</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>BURGLARY-FENCED AREA</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <b>DOMESTIC DSPT-FMLY</b>		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3 <b>COURT ORDER VIOLATION</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME		REPORT DATE <b>08/03/2014</b>	REPORT TIME <b>01:32</b>
PRIMARY CHARGE					UCR/NIBRS CODE
<b>NARRATIVE</b>					

## NARRATIVE:

On Saturday August 3, 2014 at 0039 hours I responded to 2202 E Euclid to investigate a burglary. I arrived onscene and contacted the complainant, Brent Coy. In summary he told me the following:

He lives at 2940 N Lee. His back bedroom window is directly outside of the south fenced tire lot of Ron's Tires at 2202 E Euclid. He was inside his house with his wife, Destiny Carlton. They heard a noise outside the window. They looked outside and window and observed what they thought was a white male wearing a white shirt and blue jeans standing outside of a vehicle inside the fenced lot. The suspect looked like he/she was trying to look inside vehicles in the lot, possibly prowling the vehicle. The suspect turned around and saw them, and then immediately dropped down to the ground and tried to hide from them.

Brent then called the police. He knew there was an open area in the fence by his window and the vehicle. He went outside and stood by the fence and the hole in the fence so the suspect did not try and leave. He waited there until the police arrived. He did not see the suspect leave the area.

Brent also said he knew an older, chubby male lived in a trailer inside the fenced area. This male was later identified as the owner of Ron's Tires, Ronald Masingale. Radio contacted Ronald by phone and advised him the police were at this location for a possible burglar. Ronald advised he lived inside the location and was there with his girlfriend in the hot tub. Radio asked Ronald to come talk to police in person.

I contacted Ronald. He was inside the fenced area and advised he was the male who lived in the trailer inside his business area. I asked Brent if he was sure Ronald was not the suspect he had observed earlier that he called the police about who had been around the truck outside his window. Brent looked at Ronald and confirmed it was not Ronald and was another suspect he saw inside the business.

[End of Brent's Statement]

I then spoke with Destiny Carlton. In summary she told me the following:

She was inside the residence with Brent. They heard noises coming from outside the window and

ID NO./NAME OF REPORTING OFFICER <b>#1023 - Bishop, Elina</b>		DISTRIBUTION	
APPROVAL <b>#367 - Hallock, Bradford</b>	DATE/TIME <b>08/03/2014 04:21</b>		

## SUPPLEMENTAL REPORT CONTINUED

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inside the business area of Ron's Tires. She observed a suspect who she thought to be a white male, wearing a white shirt and blue pants inside the fenced area of the business. Brent then called the police and they stayed outside until police arrived. The suspect did not leave the fenced area.

[End of Destiny's Statement]

I then spoke with Ronald. In summary he told me the following:

He was inside his trailer for the past hour or so. His girlfriend, Rhonda Carter, was in the hot tub outside their trailer and she had just got out and was heading inside.

Ronald and Rhonda both said they did not hear or see anything unusual inside the fenced lot. I advised Ronald that Brent had observed someone in his business yard and had called police. I asked Ronald if someone was in his yard what he would like have done. Ronald confirmed he wanted to pursue criminal charges against anyone who was inside his business fenced area, and that no one else was authorized or had his permission to be inside there.

[End of Ronald's Statement]

Ron's Tire has a building on the north side of location on Euclid. It then has a fenced gate and area all the way around the business area. Inside the fenced area are tires, vehicles, and other items for the business. The fence is approximately 8 feet tall with two rows of barbed wire around the top of it.

K9 Ofc Gorman arrived onscene with his dog. Ronald allowed us in through the gate up by the building on the north side. Ronald and Rhonda both exited the fenced yard and waited for us to clear the area.

Ofc Gorman, Ofc Stone, and I entered the fenced yard. Ofc Gorman gave at least 4 announcements inside the fenced yard as we were searching. Ofc Gorman and his dog located the suspect hiding in the tires back by the truck that Brent had described. See Ofc Gorman's report for further information.

Ofc Stone and I placed the suspect, later identified as Betsy Dinwiddie, in handcuffs. Ofc Stone read Betsy her constitutional rights. I then escorted Betsy to our patrol vehicle and Ofc Stone spoke with Ronald. See Ofc Stone's report for further information.

Brent confirmed Betsy was the person he observed through his window inside the yard. He said he thought Betsy was a male because of her short hair.

I then spoke with Betsy. In summary she told me the following:



## SUPPLEMENTAL REPORT CONTINUED

*Spokane Police/Spokane County Sheriff*

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Betsy dated Ronald for about a year. They were engaged at one time.

She had been at her sister's house in Spokane Valley and was on her way home. She heard yesterday that Ronald was dating someone new. She thought it was "Galina" from his church. She decided to park down the street about 3 blocks away. She walked to this location because she knew he was living here. Betsy said she came here to "stalk him", referring to Ronald, because he broke her heart.

She walked around the fenced area until she found the hole in the fence by Brent's window. She crawled in through there and tried to see Ronald. She walked around to the middle, south center part of the fenced area and set her purse down. She observed a female in the hot tub. She could not see that far away in the dark to be able to tell who it was.

She then went back to the truck outside Brent's window to try and get a better look at who the female was. She then heard Brent talking and calling someone on the phone. This scared her so she ducked down onto the ground. She could not get out of the hole in the fence because Brent came outside and was standing by it. Betsy said she then went and crawled inside a bunch of tires in an attempt to hide.

Betsy said she heard the police announcements when we entered, but she was so scared she did not know what to do. She said she could barely move and did not yell or say anything because she was so scared.

Radio advised there was an anti-harassment order with Betsy as the respondent and Rhonda (Ronald's girlfriend) as the petitioner. Ofc Stone advised there was probable cause to charge Betsy with violation of the anti-harassment order and 2nd Degree Burglary -DV. See his report for further information.

I advised Betsy she was under arrest for the above crimes. We transported Betsy to Deaconess for her injuries from the K9. Corporal Ennis responded and took photographs of her injuries. Betsy was cleared for Jail from the hospital.

[End of Betsy's Statement]

We transported Betsy to Jail and booked her in on one new count of 2nd Burglary-DV and Violation of the Anti-Harassment Order.

Ofc E. Bishop #1023 B335