



SPOKANE POLICE DEPARTMENT

FRANK STRAUB, JR.
CHIEF OF POLICE

Internal Affairs Exemption Log



Number	Material Withheld	Brief Explanation of Why Material Withheld	Legal / Statutory Basis
Witness Exemptions			
#1a	<u>Name / Identity</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1b	<u>Date of birth</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1c	<u>Personal home, work or cell phone number</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1d	<u>Residential address</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1e	<u>E-mail address</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
Juvenile Information			
#2a	Names of Juveniles who are in the Juvenile court system	Redacted to protect the personal information of a juvenile in the court system. May not be released to the public except by court order.	RCW 13.50.050 (Juvenile Courts and Juvenile Offenders) and RCW 13.50.100 (4) (a) and (b) (Keeping and Release of Records by Juvenile Justice or Care Agencies). <i>Deer v. DSHS</i> , 122 Wn.App. 84, 94 (2004)
#2b	Records relating to commission of Juvenile offenses.	Redacted to protect the personal information of a juvenile in the court system. May not be released to the public except by court order.	RCW 13.50.050 (Juvenile Courts and Juvenile Offenders) and RCW 13.50.100 (4) (a) and (b) (Keeping and Release of

			Records by Juvenile Justice or Care Agencies). <i>Deer v. DSHS</i> , 122 Wn.App. 84, 94 (2004)
#2c	Child Victim of Sexual Assault	This redaction protects information revealing the identity (name, address, location, or photograph) of child victims of sexual assault who are under age eighteen.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
#2d	Child victims or child witnesses	Information re a child witness / victim is protected to assure the rights under law: to not have name, address, nor photograph disclosed by any law enforcement agency w/o permission of the child or parents/guardians.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
ACCESS Database Info			
#3a	Information from WACIC/NCIC (ACCESS): <u>Criminal history information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3b	Information from WACIC/NCIC (ACCESS): <u>License Plate Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3c	Information from WACIC/NCIC (ACCESS): <u>Vehicle Registered owner information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3d	Information from WACIC/NCIC (ACCESS): <u>Wanted persons information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3e	Information from WACIC/NCIC (ACCESS): <u>Officer safety information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3f	Information from WACIC/NCIC (ACCESS): <u>Gun information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to

		law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3g	Information from WACIC/NCIC (ACCESS): <u>DOL Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3h	Information from WACIC/NCIC (ACCESS): <u>Stolen Vehicle Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3i	Information from WACIC/NCIC (ACCESS): <u>Missing Persons Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3j	Information from WACIC/NCIC (ACCESS): <u>Runaways or endangered persons</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3k	WACIC/NCIC (ACCESS): <u>DOC Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3L	WACIC/NCIC (ACCESS): <u>Stolen Property</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3m	WACIC/NCIC (ACCESS): <u>Court Orders</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
Personal Identifiers and Financial Info			
#4a	Social Security Number	This information constitutes personal	RCW 42.56.050 (Invasion

		identifying information unique to the holder and which, if obtained by the public could be abused or lead to identity theft.	of privacy), RCW 42.56.230 (Personal information), 42.56.250(3)(8) (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt), 42 USC § 405(c)(2)(viii)(I) (Limits on Use and Disclosure of Social Security Numbers)
#4b	Driver's License or Identicard	This information constitutes personal identifying information unique to the holder and which, if obtained by the public could be abused or lead to identity theft.	18 USC § 2721 (Prohibition On Release And Use Of Certain Personal Information From State Motor Vehicle Records); RCW 42.56.050 (Invasion of privacy), RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#4c	Credit/Debit Card Numbers	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4d	Electronic Check/Check Numbers	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4e	Card Expiration Dates	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4f	Bank Account Number	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4g	Financial Institution Account Number	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
Employees Files			
#5a	Photos of Spokane Police Department or other criminal justice employees	Photographs in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030 are protected from disclosure for their safety and privacy.	RCW 42.56.250(8) (Employment and licensing)
#5b	Birthdates of criminal justice employees	Birthdates in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030 are protected from	RCW 42.56.250(8) (Employment and licensing)

		disclosure for their safety and privacy.	
#5c	Personal Information in employee files	Personal information in files maintained for employees, appointees, or elected officials of any public agency is protected to the extent that disclosure would violate their right to privacy.	RCW 42.56.230(3) (Personal information), RCW 42.56.250(3) (Employment and licensing)
#5d	Employee training files	Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination	RCW 42.56.250(1).
Criminal History			
#6a	Criminal history <u>not</u> from ACCESS- Non-Conviction Data	Criminal history which has not led to a conviction or other adverse disposition is protected by state law and only released to Criminal Justice Agencies for law enforcement purposes.	RCW 10.97 (Criminal Procedure)
Officer Safety or Intelligence			
#7a	Intelligence, sensitive security, or tactical information	Record includes sensitive intelligence, security or tactical information the non-disclosure of which is essential to effective law enforcement.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7b	Undercover Officer identification	Contains information which could reveal the identity of an undercover officer, who undertakes ongoing dangerous / confidential undertakings to effect law enforcement purposes. Protected to preserve the life and personal safety of officer and family.	RCW 42.56.240(1) Specific intelligence information the nondisclosure of which is essential to effective law enforcement.
#7c	ID Records revealing covert law enforcement activity	Any record pertaining to a vehicle license plate, driver's license, or identicard revealing the identity of an individual performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigative activity.	RCW 42.56.230(7)(c) (Personal Information)
#7d	Law Enforcement Information Sheet	Contains confidential data used for law enforcement purposes. Disclosure has no legitimate value to the public and can endanger an individual's safety. Contains specific intelligence information the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7e	Confidential Informant information	Contains identifying information which could reveal the identity of a confidential informant. Considered intelligence information, used in a confidential manner for law enforcement purposes, protected to	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims). Ashley v. Public Disclosure <i>Comm'n</i> , 16

		preserve the life and personal safety of the informant and family. Specific intelligence information compiled by law enforcement, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	<i>Wn.App.</i> 830, 836 (1977).
Photos			
#8a	Photos showing a deceased person	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8b	Photos showing highly sensitive material	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8c	Photo Montages	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
Protected by Law			
#9	Medical Records	Medical records consist of confidential and privileged information highly personal and restricted. The disclosure of medical records is regulated by state and federal law and not public information. Right to Privacy: Disclosure would be highly offensive to a reasonable person.	RCW 42.56.360 (Health care), 70.02.005 (Findings) and HIPPA (45 CFR 164.502). RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#10a	Jail records	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as this information is only available to criminal justice agencies as defined in RCW 43.43.705.	RCW 70.48.100 (Jail register)
#10b	Jail booking photos	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as this information is only available to criminal justice agencies as defined	RCW 70.48.100 (Jail register)

		in RCW 43.43.705.	
#11	Autopsies, postmortems	Reports and records of autopsies or postmortems are confidential and exempt from public disclosure, but certain officials with authority to examine and obtain copies of such reports may access.	RCW 68.50.105 (Autopsies, postmortems – Reports and records confidential)
#12	Confidential Attorney Client Communications	This redaction protects confidential communications between an attorney and his/her client.	RCW 5.60.060(2)(a) (Privileged communications) <i>Hangartner v. Seattle</i> , 151 Wn.2d 439 (2004).
#13a	<u>Name/Identity</u> of accused police officers	This redaction protects names/identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13b	<u>Date of birth</u> of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13c	<u>Personal work, home, or cell phone number</u> of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13d	<u>Residential address</u> of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13e	<u>E-mail address</u> of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#14	Information concerning Mental Health Services	This redaction contains confidential information concerning services to either voluntary or involuntary recipients of mental health services. Such information, if disclosed, would invade an individual's privacy and possibly cause unintended consequences for that individual.	RCW 71.05.390 (Confidential information and records)



Spokane Police Department Use Of Force Report

Incident Entered By: Lieutenant David McCabe

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
8/14/2014	8/13/2014	07:54
Record ID #	Incident No	IA No
8419	14-269200	F14-073
Date/Time Entered		
8/14/2014 08:38		

Incident Summary

Ofc. Coleman and Capt. Torok responded to a vehicle prowling in progress call at the Safeway at Mission/Hamilton. They contacted the suspect, Jamel Walton, in the parking lot. Walton's name was checked and just after Dispatch came back with information that Walton was wanted, Ofc. Coleman put out a foot pursuit.

Capt. Torok chased Walton s/b across Mission into the Affordable Optics parking lot. Walton stumbled and fell to the blacktop. Capt. Torok caught up to him and attempted to take him into custody.

Walton began grabbing at Capt. Torok's leg and he began to struggle to get away, while Capt. Torok was struggling to keep Walton on the ground. During the struggle, Walton and Capt. Torok moved several feet to the east to a grassy swale on the east end of the parking lot. There, Capt. Torok used his body weight to hold Walton on the ground and was able to transition to prone handcuffing. Capt. Torok did not deliver any strikes, the only force he used was body weight without dropping or slamming himself onto Walton.

Immediately after being handcuffed, Walton began to moan about pain in his spine. It appeared that he was suffering from back spasms. Medics were called to the scene. Walton refused an ambulance or hospital treatment and was booked into jail for Vehicle Prowling, Resisting Arrest and PCS for Heroin found in his property.

In compliance with policy per Assistant Chief Dobrow 08/19/14.

Incident Location

- 933 Mission AV, Direction: E, Spokane, WA 99207

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Fleeing (Misdemeanor)	Call For Service	
Weather Condition	Lighting Condition	Distance to Citizen
Clear	Daylight	1 feet to 3 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	No	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Small	5'4" to 5'6"	

Officer Assessment of Citizen Condition During Incident

None detected

Officer(s) Injured

No

Officer(s) Taken to Hospital

No

Complainant/Involved Citizen Information**Jamel M Walton**

DOB: 5/30/1993 Race: Black Gender: Male

Address

- 4502 Oregon RD, Direction: W, Deer Park, WA 99006

Phone

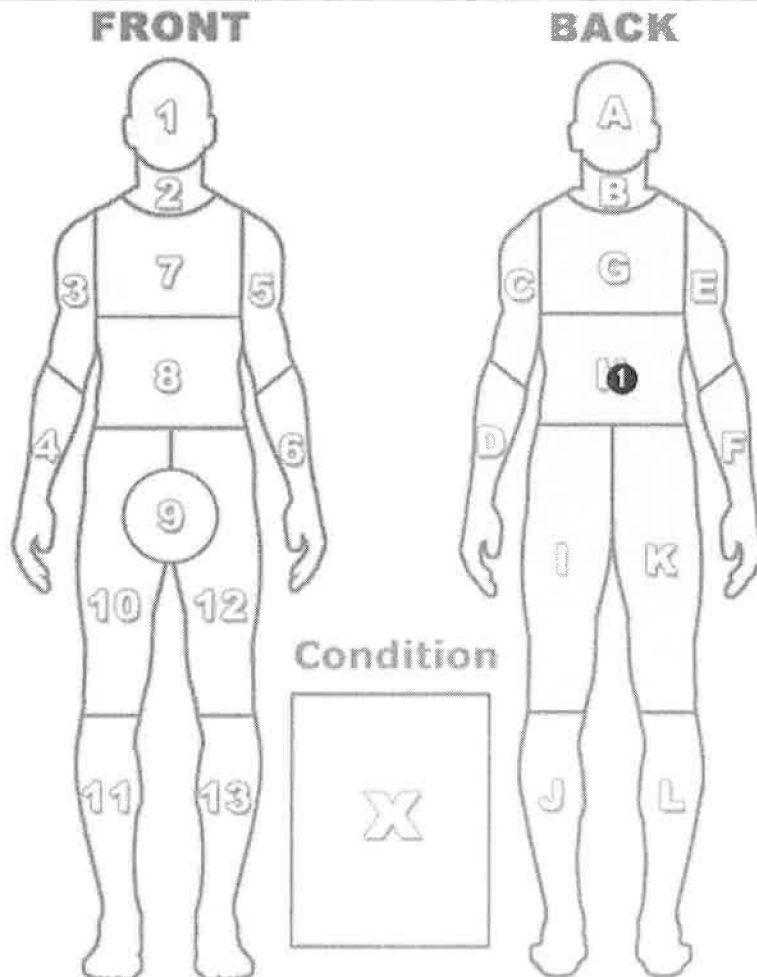
- (509) 276-4014

Types of Resistance Citizen Used Against Officer(s)

- Active Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
Complaint of Pain	H	1



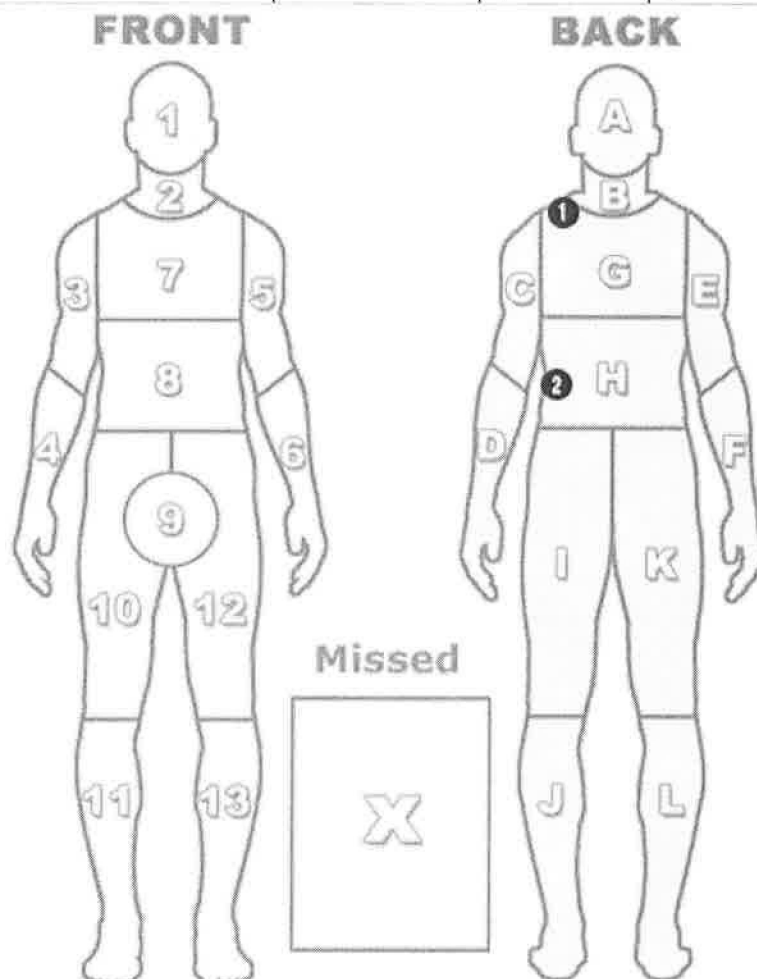
Involved Officers

Captain Daniel Torok - Payroll Number: #5c

Force used by this officer against the citizen

- Body Weight/Manual Force - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Body Weight/Manual Force	Yes	G, H	1, 2



Attachments

Date Attached	Attachment Description	Attachment Type
8/14/2014	Coleman Report	pdf
8/14/2014	Torok Additional	pdf
8/20/2014	CAD Report	pdf

Chain of Command History

Sent Dt	From	To	Cc	Sender's Instructions	Approved	Recipient's Comments/Response
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8/14/2014	Lieutenant David McCabe	Asst Chief Patrick Dobrow	Sergeant Steven Braun, Lieutenant Justin Lundgren, Sergeant David Staben	Chief, Torok took a guy into custody after a foot pursuit yesterday. No force other than prone cuffing was used, but the suspect complained of injury, hence this use of force report. Please review and forward to IA. Thanks! Dave	<input checked="" type="checkbox"/>	I have reviewed this incident and find the use of prone cuffing to have been appropriate and within policy. Prone handcuffing does not constitute a use of force.
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Entering Officer Signature Line

Lieutenant David McCabe**Chain of Command Signature Lines**

Asst Chief Patrick Dobrow

08/20/14 15:41:46 PRINT REQUESTED BY TERMINAL PADN07

Incident History for: #SP140269200

Entered 08/13/14 07:54:30 BY 91110 59
Dispatched 08/13/14 07:55:02 BY PCC01 320
Enroute 08/13/14 07:55:02
Onscene 08/13/14 07:55:31
Closed 08/13/14 15:51:05

Initial Type: VEHPRO Final Type: VEHPRO (VEHICLE PROWLER)

Initial Priority: 2 Final Priority: 2

Disposition: 1E Source: 9 Primary Unit: B145

Police BLK: SPB4LO

Group: P4 Beat: Map Page: 32

Loc: 933 E MISSION AV ,SPK -- SAFEWAY ,SPK btwn N HAMILTON ST & N COLUMBUS ST (

Name: HATFIELD, SARA Addr: SAME Phone: 3609088933

/075430 (59) ENTRY BM 20'S, BLK/YEL SHIRT, LONG JEAN SHORTS, ONE
SHOULDER BACKPACK, IS TRYIN G DOOR HANDLES ON
VEH'S IN PLOT.
/075459 SUPP TXT: BM IS NOW STANDING ON NS OF STORE. ###
/075502 (320) DISPER BC1 #BC BC
/075517 \$PREMPT BC1
/075517 \$DISPER B145 #266 COLEMAN, MYLISSA
/075517 PREDSP BC1 B145
/075531 ASSTOS L105 [933 E MISSION AV ,SPK]
#242 TOROK, DAN
/075627 (266) *ONSCNE B145
/075651 (320) ONSCNE B145
/075918 (266) *REMINQ B145
/080125 (242) *CLEAR L105
/080247 (320) ASSTOS L105 [933 E MISSION AV ,SPK]
#242 TOROK, DAN
/080511 REMINQ B145
/080601 REMINQ B145
/080721 MISC B145 ,WB B145 ACROSS MISSION
/080727 MISC B145 ,SB
/080737 MISC B145 ,LONG JEAN SHORTS
/080748 (216) *ASSTER L166 [933 E MISSION AV ,SPK]
#216 WALKER, JOEY
/080748 (492) *ASSTER A116 [933 E MISSION AV ,SPK]
#492 ZINKGRAF, DAVIDA
/080756 (416) *ASSTER B138 [933 E MISSION AV ,SPK]
#416 JOHNSON, TAMIE
/080826 (320) MISC B145 ,L105: PORTABLE OPTICS TO THE SOUTH
/080904 (210) *ASSTER L169 [933 E MISSION AV ,SPK]
#210 MCCABE, DAVE
/080914 (320) MISC B145 ,ONE DETAINED
/080914 (416) *PREMPT B138
/080925 (210) *ONSCNE L169
/080953 (492) *PREMPT A116
/081003 (320) MISC L169 ,ONE IN CUSTODY
/081007 (216) *CLEAR L166
/081033 (320) CALLBK B145 T/PCC05
/081139 EMSREQ L169 ,CONF/SEND FOR COLEMAN: JAMEL M WALTON 05-30-9
3
T/PCC05
/SE CORNER MISSION/HAMILTON FOR CONS BREATHING

/081238	(552	)	EMSREQ	L169	ADULT MALE COMPLAINING OF SPINAL INJ T/PCC01
/083104	(320	)	ASSTER	P301	,MEDICS ENR [933 E MISSION AV ,SPK] #287 HAGER, BILL
/083612	(287	)	*ONSCNE	P301	
/083700	(210	)	*CLEAR	L169	,PSTAT/ASST
/083934	(242	)	*CLEAR	L105	,1B
/084455	(266	)	*CHGLOC	B145	[JAIL MALE 6.1]
/085225			*ONSCNE	B145	
/085230			*MISC	B145	,8.3
/085311	(287	)	*CLEAR	P301	,PSTAT/ASST
/092417	(266	)	*NEWLOC	B145	[SIG 1]
/094145			*CHGLOC	B145	[PROPERTY]
/094520			*REMINQ	B145	
/094733			*REMINQ	B145	
/095033			*REMINQ	B145	
/095047			*REMINQ	B145	
/095739			*ONSCNE	B145	
/100810	(159	)	OK	B145	
/112815	(266	)	*CHGLOC	B145	[PAPER]
/113708	(159	)	\$PREMPT	B145	
/114136	(266	)	*DISPOS	B145	#266 COLEMAN, MYLISSA [PAPER BUCKI/DIV]
/114221			*CHGLOC	B145	
/114803			*REMINQ	B145	
/114819			*REMINQ	B145	
/115025			*REMINQ	B145	
/115036			*REMINQ	B145	
/115208			*ONSCNE	B145	
/115212			*ONSCNE	B145	
/120220	(159	)	OK	B145	
/134751	(266	)	*REMINQ	B145	
/142532			*REMINQ	B145	
/142541			*REMINQ	B145	
/143202			*CHGLOC	B145	[LOGAN -PAPER]
/145119	(159	)	ONSCNE	B145	
/145121			OK	B145	
/155021	(266	)	*MISC	B145	,WALTON- 2 FELS/ 1 WARRANT, PC FOR OBSTR/RESIS T ARREST, DRUG PARAPH DSP: 1E ,PSTAT/CFS PSTAT/RPT PSTAT/RPTPSTAT/FEL PSTAT/ FEL PSTAT/MISD PSTAT/MISD PSTAT/MISD
/155105			*CLEAR	B145	
/155105			CLOSE	B145	

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-269200	
INCIDENT TYPE Arrest, Drug Involved		INCIDENT CLASSIFICATION #1 RESISTING ARREST		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3 DRUGS-POSSESS		ATTEMPTED <input type="checkbox"/>	
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
INCIDENT CLASSIFICATION #2 VEH-PROWL		ATTEMPTED <input type="checkbox"/>		INCIDENT CLASSIFICATION #4 DRUGS-POSSESS	
ATTEMPTED <input type="checkbox"/>		ATTEMPTED <input type="checkbox"/>		ATTEMPTED <input type="checkbox"/>	
REPORTED ON Wed 08/13/2014 07:54	DATE/TIME	OCCURRED ON Wed 08/13/2014 07:52	DATE/TIME	OCCURRED TO Wed 08/13/2014 08:09	DISTRICT
DISPATCH TIME 07:55	ARRIVED TIME 07:55	CLEARED TIME	REPORT DATE 08/13/2014	REPORT TIME 11:59	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE 69.50.4013(1) CNTL SUB(POSS-FEL)					UCR/NIBRS CODE / 35A
ADDITIONAL CHARGES 69.50.4013(1) CNTL SUB(POSS-FEL)					
LOCATION OF INCIDENT 933 E MISSION, Spokane, WA 99207				LOCATION NAME (IF APPLICABLE) SAFEWAY	
SOLVABILITY FACTORS PC Affidavit Completed, Suspect Arrested, Witness to Crime					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS TOROK					
VICTIM/WITNESSES/OTHERS <small>V-Victim - Individual, IH-Institutional, OW-Owner of Property, A-Arrested Person, CV-Complainant is Victim, D-Driver, V-Deceased, G-Legal Guardian, C-Complainant, VB-Victim - Business, M-Missing, PC-Pedestrian - Cyclist, CON-Contact, MR-Person Mentioned, W-Witness, O-Other, S-Suspect, PE-Pedestrian, PS-Passenger, RO-Registered Owner, RU-Runaway</small>					
CODE C-1	NAME: LAST, FIRST, MIDDLE HATFIELD, SARA			SEX F	RACE/ETHNICITY W-White/Unknown
DATE OF BIRTH/AGE					
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 7607 7TH AVE SW, Seattle, WA 98106			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS	OCCUPATION			EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) (360) 908-8933					
CODE A-1	NAME: LAST, FIRST, MIDDLE Walton, Jamel M			SEX M	RACE/ETHNICITY B-Black
DATE OF BIRTH/AGE 05/30/1993 21					
HEIGHT 5'06"	WEIGHT 155	BUILD Medium	HAIR Brown	EYES BRO - Brown	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 4502 W Oregon Road, Deer Park, WA 99006			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS	OCCUPATION			EMPLOYER PHONE	
ADDITIONAL ADDRESSES 1717 E Mallon, Spokane, WA 99202					ADDRESS TYPE Other Addresses
ADDITIONAL PHONES (Cell) (509) 276-4014					
ALIAS NAMES (MONIKERS) WALTONN, JAMAL				GANG AFFILIATIONS/HOW KNOWN	
ID NO./NAME OF REPORTING OFFICER #266 - Coleman, Mylissa				DISTRIBUTION NRO	
APPROVAL #404 - Griffin, John		DATE/TIME 08/13/2014 17:48			

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION RESISTING ARREST		ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 14-269200	
CHARGE LEVEL Felony Class C	DESCRIPTION 69.50.4013(1) CNTL SUB(POSS-FEL)			UCR/NCIC CODE /35A	
WARRANT #	BAIL	TYPE OF ARREST Taken Into Custody		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CHARGE LEVEL Felony Class C	DESCRIPTION 69.50.4013(1) CNTL SUB(POSS-FEL)			UCR/NCIC CODE /35A	
WARRANT #	BAIL	TYPE OF ARREST Taken Into Custody		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CITATION #	DATE	TIME	BOOKED WHERE Spokane County Jail		DATE 08/13/2014 TIME 08:10
ARREST LOCATION MISSION/HAMILTON- S/E CORNER, Spokane, WA 99207			STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED	SUSPECT ARMED WITH
JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED		NOTIFIED BY
DISPOSITION OF JUVENILE					
HAIR LENGTH Short	HAIR TYPE	HAIR STYLE Curly	FACIAL HAIR Clean Shaven	FACIAL SHAPE	TEETH
APPEARANCE Casual	COMPLEXION Medium	FACIAL FEATURES	DISTINCTIVE FEATURES	GLASSES None	R/L HANDED
SPEECH					
CLOTHING LONG JEAN SHORTS, BLK ZIP UP W/YELLOW STRIPE ALONG BOTTOM, BLK BACK PACK					
NARRATIVE					

On 081314 I responded to 933 E Mission, Safeway, regarding a male trying door handles on several cars in the parking lot. He was described as a black male, 20's, long jean shorts with a blk/yellow shirt carrying a one shoulder backpack. The call came in at approx 0754, I was dispatched at 0755 and on scene 30 seconds later. Capt Torok checked on scene at the same time. We drove through the parking lot and I checked the north side of the building and could not locate the male. Torok called the witness back and advised the shirt only had a small narrow stripe on it and he was bi-racial not black. I looked back into the parking and saw a male matching this description. I advised dispatch and contacted the male in the center of the parking lot. Torok was present as well.

When I first contacted the male, he spit in my direction and missed my feet by about a foot. I told him not to spit at me again and to sit on my front bumper which he did. I asked what he was doing and he said he was waiting for his mother to pick him up, that she was supposed to get him at 0630 this morning. He did not have a veh there. I asked Torok to call the witness to see if this was the same person she saw pulling on door handles and looking suspicious.

I asked the male if he had any ID and he said he did not. He verbally provided his name/dob. He stated his name was, "Jamal M Waltonn, dob 05301992". I confirmed that he has 2 N'S on Walton and he said yes. Torok returned and said this was the correct person the witness saw. I checked the susp's name via dispatch and was advised there was a, "Jamel Walton, 05/30/93" that had a misd warrant for his arrest. This person had a tattoo on his wrist. Walton started looking around nervously

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Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION RESISTING ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-269200
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as if he was going to run. I asked the susp to show me his wrists and he took off running west bound through the Safeway parking lot. Torok and I ran after him. I heard Torok yell to him, "You're under arrest!" and Walton continued running. He crossed Mission street in traffic and a car had to stop to avoid hitting him. While chasing him, I heard dispatch advising the warrant had been confirmed. My lower back started having major muscle spasms that stopped me from continuing to chase the susp on foot. I went back to my patrol car and contacted Torok and the def at the s/e corner of Mission and Hamilton in the parking lot on the east end. I saw Torok handcuffing the def in a prone cuffing position when I arrived. The def was on a grassy area next to a small ditch when taken into custody.

I contacted the def and advised him he was under arrest in case he didn't already know that. I searched the def incident to arrest. I did locate a black wallet in the def's back right pocket that did contain a paper WA State ID card and his social Security card. I could not remove the nylon strap from the plastic piece on his backpack and had to cut the strap to remove it from the def. Lt McCabe was present at this time. McCabe stood by with the def as I searched the def's backpack. Inside the pack I found 15 syringes. Only 2 of the syringes were capped. The remaining had no caps, had bent needles, needles missing and some were stuck in fabric in a small pink colored bag in his pack. One of the syringes had the tiniest amount of brown liquid in it but not enough to test. There were numerous small rolled up pieces of cotton in the bag that were all stained brown. Based on my training and experience with drugs and paraphernalia, I know that people that use drugs often use these small pieces of cotton to collect the small amounts of liquid drugs to be able to get the drug out and re-use it. The cotton gets saturated with the drug. Based on the brown color of the cotton and liquid in the syringe, I believed there was heroin in the cotton pieces. I did place a piece of stained brown cotton ball found in the def's property into a field test kit. Cpl Hager was present and did confirm a positive test for Heroin, a controlled substance. In the def's possession I found a white, round pill with the name "Watson" on one side and the #'s 3369" on the other side. I looked up the pill and it was identified by the name and # to be a combination of Acetaminophen, caffeine and Butalbital. Butalbital is in the Barbiturate category commonly used for muscle spasms. This is a controlled substance.

The def complained his back hurt while being handcuffed. SFD was called and did check the def for injury. The def was not found to have any debilitating condition. I was advised the def refused an ambulance or to be transported to the Hospital for any possible injury. Lt McCabe told me the def told him he uses Heroin.

The compl contacted me and advised she saw the male pull on 4- 5 veh handles, trying to open the doors. One time he acted as though he was looking for something in his pants pocket and then moved to another car.

I did transport the def to jail where the medical staff did clear him medically to be booked into jail. I did book the def into jail for Possession of a Controlled substance, [Heroin] and PCS, Butalbital.

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INCIDENT CLASSIFICATION
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Probable cause does exist for the misdemeanor crimes of 1- Attempted veh prowling, [4 counts], as the def did try 4-5 veh door handles in an attempt to enter the veh's according to witness Hatfield. 2. Obstructing, as the def did wilfully hinder, delayed and obstructed me in the discharge of my official duties by providing false information to me in an attempt to hide his true identity and the fact he had a warrant for his arrest. 3. Resisting Arrest, as the def did intentionally prevent or attempted to prevent 2 police officer's from lawfully arresting him. The def was advised immediately he was under arrest and continued running away. 4. Possession of drug paraphernalia, as the def was in possession of numerous syringes, [15], used to inject controlled substances, [heroin], a portable scale commonly used to weigh controlled substances, a large silver type spoon that was blackened on the bottom which is commonly used to heat up heroin into liquid form for injection.

I did place items on police property for evidence.

OFFICER/NUMBER/CALL SIGN

PFC M COLEMAN #266/ B145/ T4

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-269200	
REPORT PURPOSE			REPORTED ON DATE Wed 08/13/2014		TIME 07:54
INCIDENT CLASSIFICATION #1 VEH-PROWL		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 08/13/2014	REPORT TIME 10:21
PRIMARY CHARGE					UCR/NIBRS CODE
VICTIM/WITNESSES/OTHERS <small>V-Victim - Individual, IN-Institutional, OW-Owner of Property, A-Arrested Person, CV-Complainant is Victim, D-Driver, V-Deceased, G-Legal Guardian, C-Complainant, VB-Victim - Business, M-Missing, PC-Pedestrian - Cyclist, CON-Contact, MIR-Person Mentioned, W-Witness, O-Other, S-Suspect, PE-Pedestrian, PS-Passenger, RO-Registered Owner, RU-Runaway</small>					
CODE W-1	NAME LAST, FIRST, MIDDLE Bennett, Tracy O			SEX M	RACE/ETHNICITY W-White/Non-Hispanic
DATE OF BIRTH/AGE 06/29/1975 39					
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 2511 E Rich Street, Spokane, WA 99207			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (509) 385-5368					
NARRATIVE					

I was in the area of Mission Park and preparing to do a walk through to assess some ongoing issues that the park has been having when Police Radio broadcast a vehicle prowler call at 933 E. Mission. I was wearing a full SPD Patrol Jumpsuit along with a gun belt, etc. The park is approximately 2 blocks away from the Safeway located at 933 E. Mission. I immediately responded to the location and began to look for the suspect based on the description that had been broadcast, as well as contained in CAD.

From the time of the broadcast until the time I was entering the parking lot from the South was approximately 30 seconds. However, I did not see a suspect matching the provided description. I saw Ofc. Coleman entering the parking lot from the North. She too had not seen the suspect. I called the complainant back at the phone number in the call. Sara advised that the female officer had driven past the suspect. She described his shirt to me as the type baseball players would wear and said he was mixed race.

Several minutes later Ofc. Coleman advised over the air that she would be out with a potential suspect in the parking lot. As I got to her location, in the middle of the large parking lot, I saw that the subject she was talking to was a mixed race male and was carrying a "one shoulder" backpack. In addition, he was wearing a wind shirt type garment.

Ofc. Coleman requested that I call the complainant and have her respond to ID the suspect. I returned to

ID NO /NAME OF REPORTING OFFICER #242 - Torok, Dan		DISTRIBUTION	
APPROVAL #242 - Torok, Dan	DATE/TIME 08/13/2014 10:28		

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INCIDENT CLASSIFICATION VEH-PROWL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-269200
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my car to make the phone call as Ofc. Coleman continued to talk to the male.

I called Sara and she agreed to return to the parking lot as she was only a short distance away. I walked back over towards Ofc. Coleman. At about that time I heard Police Radio advising her that a male with a similar name had a warrant for his arrest. Radio went onto to say that the wanted suspect had a tattoo on his hand. The tattoo was the word "Gorilla".

The male was standing facing W/B. Ofc. Coleman was standing in front of him and her police car was directly behind him. I moved a little closer to him in order to assist Ofc. Coleman in effecting an arrest. I was just to the North of him approximately 4 feet.

Ofc. Coleman asked him if he had any tattoos. Almost immediately the male bolted to his left (South) and began running. I immediately began to pursue him on foot. The suspect was approximately 15 feet ahead of me as we ran Southbound at a full sprint. I believe Ofc. Coleman was somewhere behind me. As we reached the South side of the parking lot I was already feeling an intense burning in my thighs and chest. I yelled at the defendant to get on the ground, but he ignored my request.

I estimated the suspect to be approximately 25 years younger than me and about 80lbs lighter than my bodyweight plus equipment.

The suspect did not slow down as he ran slightly SW across the two W/B lanes of Mission. Traffic was moderate and I was able to cross without concern of getting hit by a car. As we neared the median I had gained a little ground on the male, but was concerned that I would not be able to chase him much longer. In an effort to convince the male to surrender I told him that he had better stop running or that I would tase him. He did not believe my bluff and continued to run. It should be noted that I do not carry a taser.

As we entered the E/B lanes cars were honking at us. I slowed momentarily to assure that I was not going to be hit. The male appeared to be slowing down his pace; obviously he too was getting tired. As he ran S/B through the blacktop parking lot of Portable Optics he lost his balance and began to stumble. I saw him fall to the ground. His backpack had slid up his back and his shirt was bunched up around the base of his neck and under his ears.

As I reached him he was trying to get up. He was on his knees and his head/face was on the ground. I grabbed his shirt and pulled it further up his head in an effort keep him pinned down until help arrived. I did now notice that Ofc. Coleman was no longer with me.

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The male's right hand/arm was under his body and he was still on his knees. He reached up and grabbed my left knee/thigh with his left hand as he struggled to get to his feet. I grabbed his hand and leaned my bodyweight on his left shoulder with my left knee. I told him not to grab me. During this struggle we moved several feet to the East and ended up in some grass next to the blacktop. During this time I was telling him to lay flat on the ground and trying to pull him flat to the ground so that he would lack the leverage to resist by having his knees underneath him.

I was breathing hard and did not want wrestle with the male. However, where my additional 80lbs was a disadvantage while running, it was now an advantage. My plan was to keep his garment over his head and keep him pinned to the ground with my weight. At that time I was able to get on the radio and broadcast my location.

While waiting for units to arrive the male yelled that he could not breathe and said to uncover his head. I uncovered his head and removed the pressure I was applying with my left knee to his left shoulder to his lower left latissimus dorsi. At this time he was not actively struggling and as a result the transfer of weight from one point to the other was smooth and did not involve needing to drop my bodyweight on him.

The males left arm was bent at a 90 degree angle and near his head. His right arm remained under his body. I was able to straighten out his left arm into an appropriate prone handcuffing technique. I transitioned my left knee back up to the base of his neck and removed my right knee from his lower latissimus dorsi. I applied a handcuff to his left wrist and then was able to pull his right arm behind his back and complete the handcuffing procedure. At that point I stood up. At the same time Ofc. Coleman and Lt. McCabe were arriving.

As they dealt with the male I attempted to catch my breath and walked back to retrieve my police vehicle from the Safeway parking lot.

While retrieving my car I was contacted by Tracy Bennett. He was in his car and had observed the male try two car handles in an effort to get inside of them. When the male saw Tracy looking at him he began to dig in his pockets as if he were looking for his keys.

Tracy observed us contact the defendant and did see the defendant run from us in the parking lot.

I returned to the Portable Optics parking lot. I saw that Lt. Joe Walker was also onscene. The male was complaining about his spine and was moaning, whining and acting as if he was in pain. Other officers

SUPPLEMENTAL REPORT CONTINUED

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INCIDENT CLASSIFICATION

VEH-PROWL

ATTEMPTED



INCIDENT NUMBER

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summoned fire to evaluate him.

I observed that other officers had allowed the male to have his handcuffs in front of him in an effort to reduce whatever pain he was in.

I saw that Ofc. Coleman was searching the defendant's back pack and was carefully sorting through needles. I asked the defendant what he was "slamming" and he replied, heroin.

I gave Lt. McCabe a short briefing on the call.

Capt. Dan Torok #242

Patrol Captain