



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

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

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

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

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

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

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



Spokane Police Department Use Of Force Report

Incident Entered By: Sergeant Thomas Lee
Assigned Investigator: Sergeant Thomas Lee

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
9/20/2014	9/19/2014	17:20
Record ID #	Incident No	IA No
8474	14-317064	F14-081
Date/Time Entered		
9/20/2014 00:04		

Incident Summary

I responded to the scene of this incident upon hearing that a Taser had been deployed.

On arrival I consulted with Sgt. Hartman who explained how the incident took place and why he deployed his Taser. The suspect was under the influence of alcohol and/or drugs, had broken a window in his mother's home, had possibly assaulted his mother after threatening to do so, claimed to have a gun and was presently armed with a large rock. The suspect was told he was under arrest, then advanced on Sgt. Hartman. Hartman's report mirrors what he told me on scene.

The suspect was under arrest for DV Malicious Mischief.

Hartman said the suspect's injuries were minor, consisting of cuts on his hand from breaking a window, a cut over his eyebrow from an unknown source and two superficial cuts from the Taser probes. Hartman was not hurt; he received assistance from fire fighters in washing the suspect's blood off his (Hartman's) arms and hands.

I spoke with Cpl. Denton who said he took photos of the suspect, his injuries, the overall scene and the broken window as well as Sgt. Hartman. Denton also assured me that the Taser cartridge had been secured and was being put on property.

Officers on scene said all known witnesses had been interviewed.

I then contacted arrestee Mark Kintgen who was being treated in an ambulance. He complained only of a sore hip and quickly said, "It happened before." I asked him, "You mean before your encounter with Sgt. Hartman?" He replied, "Yeah."

Kintgen was made numerous non-sensical comments and had no reply when I asked if he had any questions about what happened.

Firefighters and paramedics confirmed that Kintgen's injuries were minor. He was evaluated at Deaconess before being booked into jail.

A download of Hartman's Taser showed a single trigger activation at 17:19 hours lasting for five-seconds.

Dispatch provided a copy of the radio traffic at this call which I will attempt to attach to this report.

Sgt. Hartman's Taser deployment was reasonable and within policy.

Sgt. T. Lee / 244

In compliance with policy per Assistant Chief Dobrow 10.28.14.

Incident Location

- 1710 Boone AV, Direction: E, Spokane, WA 99202 - : South Central

Use of Force Specific Information

Reason for Use of Force

Threat to harm others

Service Being Rendered

Call For Service

Weather Condition

Clear

Lighting Condition

Daylight

Distance to Citizen

11 feet to 14 feet

Citizen Injured

Yes

Citizen Taken to Hospital

Yes

Citizen Arrested

Yes

More than 1 Citizen Involved

No

Citizen's Build

Small

Citizen's Height

5'7" to 5'9"

Officer Assessment of Citizen Condition During Incident

Alcohol and unknown drugs

Officer(s) Injured

No

Officer(s) Taken to Hospital

No

Complainant/Involved Citizen Information

Mark A Kintgen

DOB: 6/23/1989 Race: White Gender: Male

Address

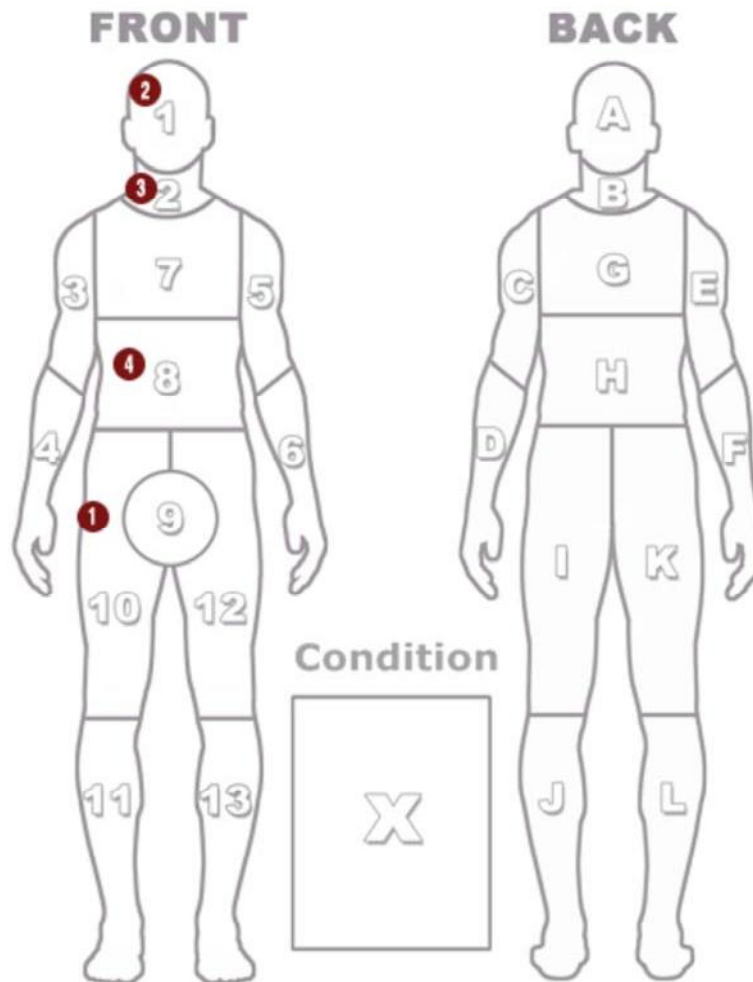
- 1710 Boone AV, Direction: E, Spokane, WA 99202

Types of Resistance Citizen Used Against Officer(s)

- Assaultive

Injuries sustained by this citizen

Injury	Regions	Injury Locations
Complaint of Pain	10	1
Minor Injury	1, 2, 8	2, 3, 4



Charges against this citizen

- Misdemeanor - Property Crime

Involved Officers

Sergeant Jason Hartman - Payroll Number: #5c

Less Lethal Force used by this officer against the citizen

- Taser - Was Less Lethal Force Used Effective? Yes
Serial # - unknown
Cartridge # - C4101CA86

Was this a projectile/probe contact? Yes

of air cartridges used - 1

Number of cycles through probes - 1

Number of probe hits - 2

Total number of probes deployed - 2

Did the probe(s) penetrate subjects skin? Yes

Was an additional cartridge deployed? No

Was a follow up drive stun conducted? No

Duration of cycles - Automated

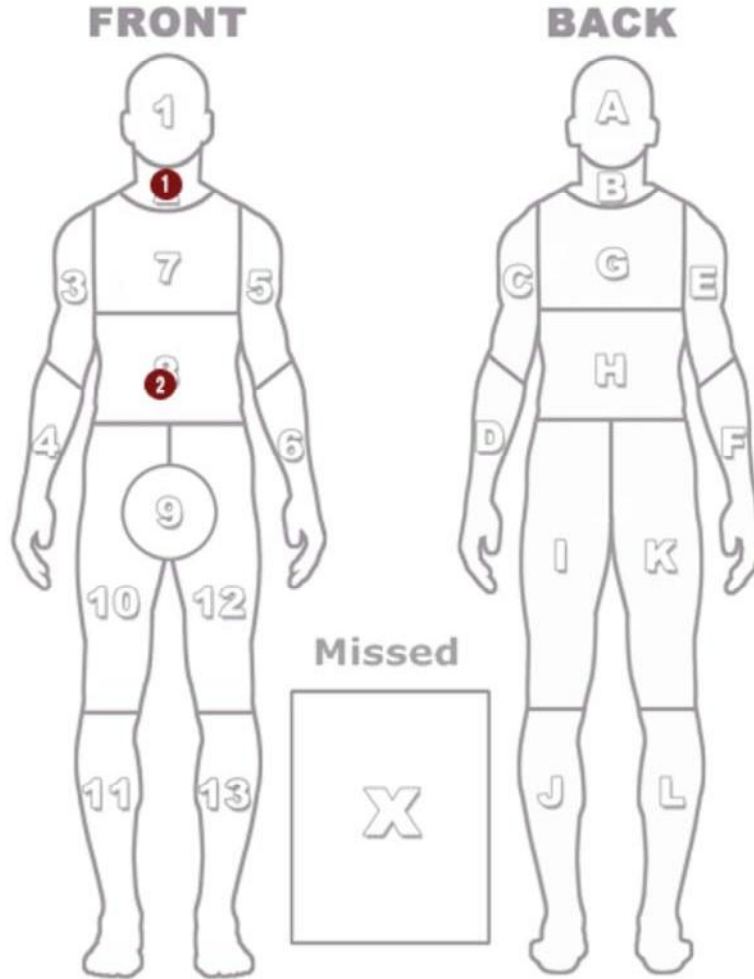
Was this an accidental (unauthorized) discharge? No

Statistical Information

Was this an Arc display? No

Was citizen painted with laser / red dot? Yes

Force Used	Effective?	Regions	Points of contact
Taser	Yes	2, 8	1, 2



Citizen Witnesses

Jenny Benson
DOB: 12/17/1981 - Race: White - Gender: Female

Address
 • 1716 Boone AV, Direction: E, Spokane, WA 99202

Phone
 • (509) 496-1283

Vicky Boots
DOB: 11/27/1968 - Race: White - Gender: Female

Address
 • 1710 Boone AV, Direction: E, Spokane, WA 99202

Phone
 • (509) 342-6178

Joseph Marcial**DOB: 3/7/1987 - Race: Black - Gender: Male****Address**

- 1720 Boone AV, Direction: E, Spokane, WA 99202

Phone

- (509) 251-1700

Joni Martin**DOB: 5/14/1980 - Race: White - Gender: Female****Address**

- 1728 Boone AV, Direction: E, Spokane, WA 99202

Attachments

Date Attached	Attachment Description	Attachment Type
9/20/2014	Radio traffic part 2	wav
9/20/2014	Reports, Photo Log, Taser printout.	pdf
9/20/2014	Radio traffic part 1	wav
9/30/2014	14-317064P1	wma
9/30/2014	14-317064P2	wma
10/26/2014	CAD report for incident	pdf

Chain of Command History

Sent Dt	From	To	Cc	Sender's Instructions	Approved	Recipient's Comments/Response
9/20/2014	Sergeant Thomas Lee	Lieutenant Rex Olson	(none)	Lt. Olson, Please review this UOF. Thank you. Sgt. Lee	<input checked="" type="checkbox"/>	Forward to Lt. Cowles for his review of his subordinate.
9/20/2014	Lieutenant Rex Olson	Lieutenant Matthew Cowles	(none)	This incident involved one of your subordinates, Sgt. Hartman, therefore I forwarded it to you for your review.	<input type="checkbox"/>	Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Ms Michelle Reiner
9/22/2014	Ms Michelle Reiner	Sergeant Thomas Lee	Lieutenant Matthew Cowles	Please add the type of force used to this report.	<input checked="" type="checkbox"/>	Completion notes: I've completed this by adding type of force used. I don't have Sgt. Hartman's Taser serial number. T. Lee
10/19/2014	Sergeant Thomas Lee	Lieutenant Rex Olson	(none)	This is now complete.	<input checked="" type="checkbox"/>	Lt. Cowles is Sgt. Hartman's supervisor, therefore I am forwarding this to Lt. Cowles.
10/22/2014	Lieutenant Rex Olson	Lieutenant Matthew Cowles	(none)	This was sent to me in error. I forwarded it to Lt. Cowles, who is Sgt. Hartman's supervisor.	<input checked="" type="checkbox"/>	Use of Force appears to be within Policy, objectively reasonable and necessary. Unable to view files 14-317064P1(P2).
10/26/2014	Lieutenant Matthew Cowles	Captain Daniel Torok	(none)	Use of Force Review: Force appears within Policy: Objectively	<input checked="" type="checkbox"/>	I concur with Lt. Cowles the force used was within policy.

				reasonable and necessary.		
10/27/2014	Captain Daniel Torok	Asst Chief Patrick Dobrow	(none)	AC Dobrow, for your review. Lt. Meidl, please determine why it took Sgt. Lee close to 4 weeks to add the type of force used as requested by Michelle Reiner.	<input checked="" type="checkbox"/>	I have reviewed this use of force and find it to be reasonable and within policy.

Assigned Investigator Signature Line

Sergeant Thomas Lee

Chain of Command Signature Lines

Lieutenant Rex Olson

Lieutenant Matthew Cowles

Sergeant Thomas Lee

Captain Daniel Torok

Asst Chief Patrick Dobrow

10/26/14 12:24:22 PRINT REQUESTED BY TERMINAL PDXN10
Incident History for: #SP140317064 Xref: #SP140317082

Entered 09/19/14 17:16:44 BY 91113 911184
Dispatched 09/19/14 17:18:53 BY PCC03 802
Enroute 09/19/14 17:18:53
Onscene 09/19/14 17:20:33
Closed 09/19/14 20:09:33

Initial Type: DV Final Type: DV (DOMESTIC VIOLENCE)
Initial Priority: 2 Final Priority: 2
Disposition: 1E Source: 9 Primary Unit: E282
Police BLK: SPC5GP
Group: P5 Beat: Map Page: 32
Loc: 1716 E BOONE AV ,SPK btwn N MADELIA ST & N PITTSBURG ST <1200> (V)
Loc Info: ACROSS STREET
Name: BENSON, JENNY M 120781 Addr: SAME Phone: 5094961283

/171644 (911184) ENTRY NEIGHB SON IS HIGH ON METH, HITTING HIS MOTHER
, SAID HE HAS A GUN IN A BAG, NO GUN SEEN, NO
MEDICS NEEDED,
/171644 \$FCSEND ,Incident data pushed to folder
/171645 (*****) \$FCACK ,Processed Successfully
/171655 (911184) SUPP TXT: SON IS KICKING IN THE DOOR.
/171737 SUPP TXT: SON: UNK, MARK, WF, 25YO, 511/THIN, BLK S
HIRT, PLAID SHORTS.
/171742 SUPP TXT: MARK THREATENING TO KILL HIS MOTHER
/171800 (802) HOLD
/171812 (911184) SUPP TXT: MOTHER: UNK, VICKI WF, 45YO, 509/THIN, WH
I SHIRT.
/171817 SUPP TXT: 911 CAN HEAR THEM YELLING IN BG.
/171837 SUPP TXT: MARK BREAKING WINDOWS TO THE HOUSE.
/171848 SUPP TXT: MARK USING HIS FIST TO BREAK WINDOWS
/171853 (802) DISPER C352 #1212 RODRIGUEZ, JUAN
/171853 ASSTER P316 #463 DENTON, JOSEPH
/171905 (911184) SUPP TXT: DAUGHTER INSIDE HOUSE, 4YO
/171919 SUPP TXT: ANOTHER WINDOW BREAKING, 911 CAN HEAR IT
/171929 SUPP TXT: MARK NOW USING ROCKS TO BREAK WINDOWS
/171934 SUPP TXT: UNK WHERE CHILD IS
/171953 SUPP TXT: MARK ARRIVED ON FOOT.
/172004 SUPP TXT: MARK WEARING BLK BB HAT.
/172011 (802) ASSTER L208 #309 HARTMAN, JASON
/172029 (911184) CHANGE NAM: BENSON, JENNY --> BENSON, JENNY M 120781
/172033 (802) ONSCNE L208 , AREA
/172045 (911184) SUPP TXT: MARK IS KICKING VICKI
/172048 (802) MISC L208 ,HAVE THE OTHER UNITS STEP IT UP
/172052 (911184) SUPP TXT: STILL NO MEDICS NEEDED.
/172130 SUPP TXT: LE ON SCENE. RELEASED LINE. ###
/172136 (1206) *ASSTER E282 [1716 E BOONE AV ,SPK]
#1206 BROWNELL, MARK
#701 STEWART, JAMES

/172311 *ONSCNE E282
/172401 (1212) *ONSCNE C352
/172414 (802) CALLBK E282 T/PCC02
,START MEDICS FOR SUBJ THAT'S BEEN TAZED...UNK
WHERE AT THIS POINT

/172445 (318) CALLBK E282 T/PCC03
,MEDICS ADVISED
/172454 (802) \$CROSS #SP140317082
/172454 DUP #SP140317082

/172454		DUP		NAM: CHRISTINA ADR: SAME PHO: 5092906091
/172707		CALLBK	E282	T/PCC02 ,HAVE MEDICS COME TO THE ALLEY BEHIND 1716
/172731	(318)	CALLBK	E282	T/PCC03 ,MEDICS ADVISED
/172850	(802)	ASSTER	L244	[1716 E BOONE AV ,SPK] #244 LEE, TOM
/172938	(318)	REMINQ	E282	#3a
/172953	(463)	*ONSCNE	P316	
/172954		*ONSCNE	P316	
/173021	(318)	REMINQ	E282	#3a
/173608	(802)	MISC	E282	
/174154	(1096)	*ASSTER	L164	[1716 E BOONE AV ,SPK] #1096 OLSON, REX
/174155		*ONSCNE	L164	
/174545	(1212)	*CHGLOC	C352	[PROP]
/174604	(244)	*ONSCNE	L244	
/175224	(1212)	*ONSCNE	C352	
/175617		*MISC	C352	,TASER SERIAL NUMBER C4101CA86 EXIPRES 11/20/1 6 25FT
/180726	(463)	*MISC	P316	,PAPER-CAR
/181006	(1212)	*REMINQ	C352	#3a
/181043		*REMINQ	C352	#3a
/181131		*MISC	C352	,INTERVIEW WITH TWO WITNESSES, MARCIAL AND MAR TIN. ALSO PLACED LARGE ROCK AND TASER PROBES O NTO PROPERTY
/181229		*CLEAR	C352	DSP: 1B ,PSTAT/ASST PSTAT/RPT. I ARRIVED AFTER USE OF TASER.
/181552	(244)	*CLEAR	L244	,PSTAT/ASST UOF REPORT.
/181654	(309)	*MISC	L208	,CLEAR WITH AN ADDTL REPORT
/181715		*MISC	L208	,PSTAT/CFS PSTAT/RPT PSTAT/VIDY
/181719		*CLEAR	L208	
/181857	(1206)	*NEWLOC	E282	[DEAC]
/181902	(463)	*MISC	P316	,09/19/14 17:56:41 MESSAGE TO: P316 FROM: C352 ,TASER SERIAL NUMBER C4101CA86 EXIPRES 11/20/ 1 6 25FT
/182240	(1160)	OK	E282	
/183208	(1096)	*CLEAR	L164	
/184141	(463)	*MISC	P316	,PICS
/184147		*MISC	P316	,PSTAT/ASST
/184157		*CLEAR	P316	
/193105	(1206)	*TRANS	E282	[JAIL] M/O
/193320		*MISC	E282	,PSTAT/CFS PSTAT/RPT PSTAT/MISD
/193541		*TRANSC	E282	M/1.2
/194723	(1160)	OK	E282	
/200540	(1206)	*REMINQ	E282	#3b
/200933		*CLEAR	E282	DSP: 1B --> 1E
/200933		CLOSE	E282	

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-317064	
INCIDENT TYPE Arrest, Domestic Violence, Information		INCIDENT CLASSIFICATION #1 MALICIOUS MISCHIEF		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 DOMESTIC DSPT-FMLY
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Fri 09/19/2014 17:20	DATE/TIME	OCURRED ON Fri 09/19/2014 17:00	DATE/TIME	OCURRED TO Fri 09/19/2014 17:20	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 09/19/2014	REPORT TIME 18:27	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE M-10.12.020(A)(1) MALICIOUS MISCHIEF PERSONAL PROPERTY					UCR/NIBRS CODE 290 / 290
LOCATION OF INCIDENT 1710 E Boone, Spokane, WA 99202				LOCATION NAME (IF APPLICABLE)	
ENTRY POINT	METHOD	WEAPON/TOOL/FORCE USED	SECURITY	EVIDENCE Photographs	
TYPE OF PREMISE (FOR VEHICLES STATE WHERE PARKED) Residence/Home					
SOLVABILITY FACTORS Crime Scene Processed, PC Affidavit Completed, Suspect Arrested, Useful Physical Evidence					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS Hartman, Brownell					
VICTIM/WITNESSES/OTHERS					
CODE A-1	NAME: LAST, FIRST, MIDDLE Kintgen, Mark A			SEX M	RACE/ETHNICITY W-White/Non-Hispanic
HEIGHT 5'07"	WEIGHT 130	BUILD Medium	HAIR Brown	EYES HAZ - Hazel	DATE OF BIRTH/AGE 06/23/1989 25
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1710 E Boone, Spokane, WA 99202			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES NONE					
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION M-10.12.020(A)(1) MALICIOUS MISCHIEF PERSONAL PROPERTY				UCR/NCIC CODE 290/290
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION # 4z0735069	DATE 09/19/2014	TIME 20:00	BOOKED WHERE Spokane County Jail		DATE 09/19/2014
ARREST LOCATION 1710 E Boone, Spokane, WA 99202			STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input checked="" type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED	SUSPECT ARMED WITH Blunt Objects (Clubs, Bats,
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	

ID NO./NAME OF REPORTING OFFICER #701 - Stewart, James	DISTRIBUTION
APPROVAL #482 - Hendren, Tom	DATE/TIME 09/19/2014 20:58

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION MALICIOUS MISCHIEF				ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-317064
DRIVER'S LICENSE <input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE	OTHER ID (SPRS) 368503		
CODE CV-1	NAME: LAST, FIRST, MIDDLE Boots, Vicky L			SEX F	RACE/ETHNICITY W-White/Non-Hispanic
DATE OF BIRTH/AGE 11/27/1968 45		HEIGHT	WEIGHT	BUILD	HAIR
EYES		DESCRIPTORS			
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1710 E Boone Avenue, Spokane, WA			RESIDENTIAL STATUS	PHONE (509) 342-6178
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Home) (509) 342-6178					
REALTHSHIP TO SUSPECT Victim was Mother		VICTIM OF Offns. # M-10.12.020(A)(1) MALICIOUS MISCHIEF PERSONAL		OFNDR. # A-1	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES			TYPE OF VICTIM Individual		MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO
HOSPITAL TAKEN TO	TAKEN BY	<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN	SUICIDE NOTE FOUND? <input type="checkbox"/>	HOLD PLACED BY
CODE W-1	NAME: LAST, FIRST, MIDDLE Benson, Jenny M			SEX F	RACE/ETHNICITY W-White/Non-Hispanic
DATE OF BIRTH/AGE 12/17/1981 32		HEIGHT	WEIGHT	BUILD	HAIR
EYES		DESCRIPTORS			
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1716 E Boone, Spokane, WA 99207			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) (509) 496-1283					
PROPERTY					
ITEM # 1	STATUS Destroyed/Damaged/Vandalized		QUANTITY 2	UNITS	TOTAL VALUE \$ 600.00
DESCRIPTION/COMMENTS Windows		ITEM/CATEGORY Miscellaneous not otherwise Classified		TYPE Miscellaneous	
BRAND		MODEL	SERIAL NUMBER		OWNER ASSIGNED NUMBER
OWNER Boots, Vicky L			RECEIVED FROM		
COMMENTS					
NARRATIVE					

On 09-19-14 at 1720 hours Officer Brownell and I responded to 1710 E. Boone to assist Sgt. Hartman who was on scene with a possible domestic dispute.

Upon arrival, Sgt. Hartman had Mark Kintgen detained. I contacted the victim Vicky Boots.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION MALICIOUS MISCHIEF	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-317064
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She told me the following: Her son, Mark Kintgen has been temporarily staying with her for the past several weeks. Today Kintgen came home and was very intoxicated. She would not open the door for him because of his intoxication and she did not want him around her 4 year old daughter while he was so intoxicated.

Kintgen continued to bang on her front door to be let in. He then threw a large rock through her approximate 2' by 3' window breaking it. Kintgen then punched another 2' by 3' window breaking it. The total value of both broken windows is less than \$750.00.

Boots said she was not assaulted. While talking to her, I observed the two broken windows.

I later contacted witness Jenny Benson, who lives next door to Boots. She said that she heard Kintgen outside yelling to be let in. She observed Kintgen break the two windows. She said that she did not observe Boots being assaulted, but said she observed a scratch on her chest, but did not know how it was caused.

Kintgen was transported to Deaconess Hospital to be treated. Once released, I booked him into the Spokane County Jail for malicious mischief (DV). Kintgen made the unsolicited statement to me that he "didn't give a fuck that he broke his mom's windows".

A charging request was completed and Cpl. Denton responded and took photos. See other Officer's reports for more information.

Spo. J. Stewart #701 E286.

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 14-317604 14-317064	
REPORT PURPOSE			REPORTED ON DATE Fri 09/19/2014	TIME 17:18
INCIDENT CLASSIFICATION #1 DOMESTIC DSPT-FMLY		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2	
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 09/19/2014	REPORT TIME 22:16
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 9/19/14 I cleared the police academy. For the previous six hours I was working with other department instructors on preparations for our department's upcoming in service training. This was part of my normal duty shift and I was in full patrol uniform. Prior to leaving the police academy I became aware that my portable radio battery was dead and my radio was not functioning at all. An officers' portable radio is an essential piece of safety equipment. I began to drive straight to the police station to change out my battery.

When I was at about Mission and Napa at about 1718 hours I heard Radio dispatching a domestic violence incident at or around 1716 E Boone (a few blocks away). The information they put out included:

Neighbor's son (adult) is high on meth and kicking in the door

The son is hitting his mother

The son said he had a gun in a bag, no gun seen

The witness or 911 was hearing threats from the son to "kill" the mother

Mark (son) breaking windows to the house

Mark using his fist to break windows

Multiple accounts of son breaking windows and using a rock to break into the house

A four year old child was in the home

For my own personal safety I wanted a working portable radio. If circumstances would have allowed I would have preferred to wait for a back officer or two.

I told Radio that I was a few blocks away from this call. I also advised them I had a dead portable radio. The two other officers responding on the call said they were coming from Mallon/Monroe and the south hill (both a significant

ID NO./NAME OF REPORTING OFFICER #309 - Hartman, Jason	DISTRIBUTION	
APPROVAL #244 - Lee, Thomas	DATE/TIME 09/19/2014 23:23	

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION DOMESTIC DSPT-FMLY	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 44-317604 14-317064 
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distance away to back me up).

The continual updates that Radio provided described a very violent and chaotic situation. There was an assault in progress of a female. A four year old child was in potential danger. The suspect was trying to break into the home. The suspect was claiming to have a gun. In order to protect innocents/the victim I pulled up to the location and exited my patrol car to immediately address the problem. I asked Radio to have my back up "step it up" before I exited the car. After I exited my car I was the only officer on scene and without radio communication.

Citizens were frantically flagging me down and pointing to the south between several triplexes. I went up some stairs to the level of the yard. I saw the suspect picking up a large rock from the ground. It seemed a little smaller than a volleyball. The suspect looked directly at me, dropped the rock, and began to flee to the south. I gave chase as I identified myself as the police and told him to get down on the ground. Instead of going to the ground, he spun around and turned towards me. The gap between us was rapidly closing.

At this point I had a tense, uncertain, and rapidly evolving situation before me. I was confronted with a suspect in violent DV crime, that included an assault on a female (his mother), serious property damage, and threats to kill. The suspect was claiming to have a gun. The suspect's behavior, punching through windows/using rocks to smash into a house, was consistent with a subject who was drunk, drugged, and/or deranged. The brief information available as this call unfolded indicated the suspect was under the influence of meth. Based on almost 23 years law enforcement experience I have found subjects under the influence of methamphetamine can be very unpredictable and sometimes violent. The suspect was approximately half my age. He was fleeing and I had no way of notifying radio or my back up my location if it changed. The suspect was refusing to comply with my verbal commands to get on the ground and instead spun towards me. I believed he was not going to cooperate and was likely going to assault or struggle with me. Based on all these factors I elected to immediately deploy my TASER, using the darts. My intended target was his lower torso area. Both of us were on the move when the TASER was deployed. The TASER had an immediate effect and the suspect fell to the ground. I believe I applied one 5 second use of the device.

I told the suspect that he'd been TASERed and tried to reassure him that he'd be ok. When I got him onto his stomach I noticed the suspect's hands were bleeding. I surmised this was from him punching the glass windows. I did get blood on my skin and uniform before I was able to put on rubber gloves.

Several times the suspect acted like he was going to get up. I told him he was under arrest and not to do this. I told him we'd get him medical personnel to check on him. The suspect maintained strange and erratic behavior with multiple mood swings during our contact. As back up officers arrived I requested another supervisor respond to the scene and that officers start medics and an ambulance. I told officers that I wanted an ambulance to transport the suspect to the hospital due to his bleeding injuries and his likely drug induced behavior.

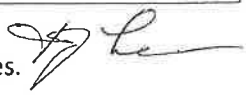
Medics arrived on scene and removed the TASER probes. One was in the throat area of the suspect and the other was

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION DOMESTIC DSPT-FMLY	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-317604 14-517064
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to his torso. The initial indications from medics was that the probe strikes caused superficial injuries.



Lt. Olson and later Sgt. Lee responded to the scene. I briefed both of them. I cleared the scene, leaving officers and medics in charge of the suspect Mark Kintgen.

It should be noted I was carrying my newly issued body camera and it was turned on for this incident.

Sgt. J.M. Hartman #309

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 14-317064	
REPORT PURPOSE		REPORTED ON DATE Fri 09/19/2014	TIME 17:24	INCIDENT XREF
INCIDENT CLASSIFICATION #1 MALICIOUS MISCHIEF	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 DOMESTIC DSPT-FMLY		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 09/19/2014	REPORT TIME 22:00
PRIMARY CHARGE				UCR/NIBRS CODE

VICTIM/WITNESSES/OTHERS S-Suspect, V-Victim - Individual, RU-Runaway, RO-Registered Owner, PS-Passenger, VB-Victim - Business, OW-Owner of Property, CON-Contact, W-Witness, V-Deceased, MIR-Person Mentioned, G-Legal Guardian, A-Arrested Person, C-Complainant, CV-Complainant is Victim, D-Driver, PE-Pedestrian, IN-Institutional, M-Missing, O-Other, PC-Pedestrian - Cyclist

CODE W-1	NAME: LAST, FIRST, MIDDLE Marcial, Joseph D			SEX M	RACE/ETHNICITY B-Black	DATE OF BIRTH/AGE 03/07/1987 27
HEIGHT 6'00"	WEIGHT 190	BUILD Medium	HAIR Black	EYES BRO - Brown	DESCRIPTORS	
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1720 E Boone Avenue, Spokane, WA 99202			RESIDENTIAL STATUS	PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) 251-1700						
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE		OTHER ID	
#4e						

CODE W-2	NAME: LAST, FIRST, MIDDLE Martin, Joni Rea			SEX F	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE 05/14/1980 34
HEIGHT 5'01"	WEIGHT 130	BUILD Medium	HAIR Brown	EYES HAZ - Hazel	DESCRIPTORS	
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1728 E Boone Avenue, Spokane, WA 99202			RESIDENTIAL STATUS	PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) 216-5853						

NARRATIVE

On 9/19/14 at about 1724 hrs I responded to assist on a domestic violence report from 1716 E. Boone. While enroute Sgt. Hartman advised that he had just pulled up to the incident location. Prior to arriving onscene Radio already relayed that a male was high and was hitting his mother. He was kicking in the door and threatening to kill his mother, also said he had a gun in his bag. I overheard Sgt. Hartman over the radio asking for responding units to step it up. Within moments the suspect male had been tased by Sgt. Hartman. I arrived onscene just after Officer Brownell and Stewart had already arrived. I noticed two large windows broken and blood in various areas. I noticed the male sitting down and being tended by Officer Brownell and Sgt. Hartman. Officer Stewart was interviewing witnesses. I contacted Joni R. Martin who witnessed the incident. She advised she saw the male, Mark

ID NO./NAME OF REPORTING OFFICER #1212 - Rodriguez, Juan	DISTRIBUTION	
APPROVAL #244 - Lee, Thomas	DATE/TIME 09/20/2014 00:31	

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION
MALICIOUS MISCHIEF

ATTEMPTED

INCIDENT NUMBER
14-317064

A. Kintgen, kicking the front door to the home and arguing with the female. At one point Kintgen noticed she was watching and told her, "I'll take out my Glock and shoot you." I asked her how she felt about it she advised, "He's gone, high I didn't think much of it." She elaborated she didn't feel threaten by what Kintgen said. I asked her if she witnessed when law enforcement showed up and she responded that she didn't as she walked away from the incident location prior to law enforcement arrival.

I contacted Joseph D. Marcial, who advised that he witnessed the whole incident. He stated that he noticed Kintgen throwing the rock at the window breaking it and punching it. He stated, "I saw him throw that big rock [as he pointed] at the door." He stated, "I saw the officer show up and say Spokane Police Department." He elaborated, "The male walked to him aggressive like." He stated, "The cop told him I'm going to tase you." He noticed Sgt. Hartman announce his authority saw the male walk towards him aggressively and announce he was going to use a taser prior to the application of the taser.

I relayed this information to Sgt. Hartman. After the Taser probes were removed from Kintgen I took custody of them and the taser cartridge with serial number of C4101CA86. I also took custody of the large rock which Marcial advised was used to break the window and also thrown at the door. This rock had blood on it. I later placed the probes, cartridge and large rock onto property as evidence.

Officer J. Rodriguez
#1212

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 14-317064	
REPORT PURPOSE			REPORTED ON DATE Fri 09/19/2014	TIME 17:00
INCIDENT CLASSIFICATION #1 MALICIOUS MISCHIEF		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 DOMESTIC DSPT-FMLY	
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 09/19/2014	REPORT TIME 23:29
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

I responded to assist officers on a DV call at 1710 E. Boone.

On arrival I spoke with Sgt. Hartman and Cpl. Denton. I saw that the arrestee, Mark Kintgen, was handcuffed and lying on his side on the lawn nearby. He was being monitored by Ofcs. Stewart and Brownell. Shortly afterward he was placed on a gurney and put inside an ambulance.

A woman approached and identified herself as the arrestee's mother. I saw that she had a large scratch and redness on her upper chest just below the neck. She told me and Cpl. Denton that she didn't know how the scratch occurred. She denied being assaulted.

I then tried to speak with Kintgen inside the ambulance. He was heavily intoxicated from either alcohol, some type of drug, or both. He spoke in a voice that was at times slurred and was hard to understand.

When asked what happened he said, "I don't care anymore." I asked if he recalled his contact with Sgt. Hartman and he replied, "Yeah and I don't give a fuck." He said several times that he'd been in prison and wanted to go back.

Kintgen's first medical attention came from fire fighters aboard SFD E-7, Ventress, Schoenfeld and Anderson. FF Anderson told me Kintgen had the two minor Taser contacts - one in the neck and the second on the torso, two lacerations on his right hand, a bruise on his right hip and a cut over his right eyebrow.

When I asked Kintgen if he was hurt, he only complained of pain coming from the hip injury and said it occurred before he came to his mother's house.

Sgt. T. Lee / SPD 244

ID NO./NAME OF REPORTING OFFICER #244 - Lee, Thomas		DISTRIBUTION	
APPROVAL #529 - Carpenter, Paul	DATE/TIME 09/19/2014 23:54		

PHOTOLOG

AGENCY NAME SPOKANE PD		CROSS REFERENCE NUMBER(S) 140317082		INCIDENT NUMBER 140317064			
D A T A	INCIDENT CLASSIFICATION MUR. MIS. DV		LOCATION OF INCIDENT 1716 E. BOONE AVE.		MONTH 09	DAY 19	YEAR 14
	INVESTIGATOR DFC. J. RODRIGUEZ #1212		PHOTOGRAPHED BY CPL. J. DENTON #463 P316				
	NAME (LAST, FIRST, MIDDLE) KINGTON, MARK A.		RACE W	SEX M	DOB 062389		
		PHOTO #	1		THROUGH #	78 79	
P H O T O G R A P H S	NUMBER	DESCRIPTION					
	78	VICTIM: BOOTS, VICKY L. 11-27-68					
	1	STREET SIGN					
	2	HOUSE NUMBERS					
	3	OVERALL OF KINGTON					
	4-6	KINGTON'S HANDS					
	7-10	SCENE OVERALL					
	11-13	ROCK WITH BLOOD					
	14	SGT. HARTMAN OVERALL					
	15+16	SGT. HARTMAN WITH BLOOD ON ARM					
	17-20	SGT. HARTMAN'S UNIFORM					
	21+22	BLOOD ON DOOR OF 1710					
	23-25	BROKEN WINDOW OF 1710					
	26+27	BLOOD NEAR DOOR OF 1710					
	28-30	BLOOD ON FLOOR INSIDE 1710					
	31+32	KINGTON'S RIGHT HIP - ABRASION					
	33	KINGTON'S NECK + HEAD					
	34	FRONT OF KINGTON'S NECK -					
	35+36	KINGTON'S STOMACH - RIGHT SIDE					
	37-39	BROKEN WINDOW OF 1710 WITH BROKEN GLASS UNDERNEATH					
	40-45	SECOND BROKEN WINDOW OF 1710					
	46-77	BLOOD ON WALKWAY THROUGHOUT COMPLEX					
	78	PHOTO LOG					
	79	* ALL PHOTOS TAKEN AT OR NEAR 1710 E. BOONE AVE. CORRECTED PHOTO LOG: KINGTON, MARK A. 062389					



Taser Information

Dept. SPOKANE CITY POLICE
DEPARTMENT
Serial X12000MYC
Model TASER X26P
Firmware Version Rev. 04.010
Device Name X12000MYC
Health Active

Report Generated by

Name Meyer, Richard
Badge ID 607
Local Timezone Pacific Standard Time (UTC -07:00)
Generated On 19 Sep 2014 21:29:26

Device (X26P)

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
1	20 Nov 2013 09:27:15	Power Magazine Change	0xFF S/N:	Battery capacity: 0%	
2	20 Nov 2013 09:27:15	Firmware Update	FW Bundle, Rev. 03.041, 4/15/2013		
3	20 Nov 2013 09:27:15	Firmware Update	MC, Rev. 03.041, 4/15/2013		
4	20 Nov 2013 09:27:15	Firmware Update	LDR, Rev. 03.041, 4/15/2013		
5	20 Nov 2013 09:27:15	Firmware Update	CAM, Rev. 01.020, 3/14/2013		
6	20 Nov 2013 09:27:15	Armed		30	0
7	20 Nov 2013 09:27:50	Armed		29	0
8	20 Nov 2013 09:28:11	Armed		30	0
9	20 Nov 2013 09:30:21	Power Magazine Change	Manufacturing S/N: DPM000 Battery capacity: 75%		
10	20 Nov 2013 09:30:21	Armed		29	75
11	20 Nov 2013 09:30:23	Trigger	5		75
12	20 Nov 2013 09:30:30	Trigger	5		75
13	20 Nov 2013 09:30:36	Trigger	5		75
14	20 Nov 2013 09:30:42	Trigger	5		75
15	20 Nov 2013 09:30:48	Trigger	5		75
16	20 Nov 2013 09:30:54	Trigger	5		75
17	20 Nov 2013 09:30:59	Trigger	5		75
18	20 Nov 2013 09:31:05	Trigger	5		75
19	20 Nov 2013 09:31:11	Trigger	5		75
20	20 Nov 2013 09:31:20	Trigger	5		74
21	20 Nov 2013 09:31:26	Trigger	5		74
22	20 Nov 2013 09:31:31	Trigger	5		74
23	20 Nov 2013 09:31:37	Trigger	5		74
24	20 Nov 2013 09:31:43	Trigger	5		74
25	20 Nov 2013 09:31:49	Trigger	5		74
26	20 Nov 2013 09:31:55	Trigger	5		74

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
27	20 Nov 2013 09:34:39	Power Magazine Change	0xFF S/N:	Battery capacity: 92%	
28	20 Nov 2013 09:34:39	Armed		33	92
29	20 Nov 2013 09:34:39	Trigger	5		92
30	20 Nov 2013 09:34:45	Safe	6	33	92
31	20 Nov 2013 09:34:50	Armed		33	92
32	20 Nov 2013 09:34:52	Trigger	5		92
33	20 Nov 2013 09:35:02	Safe	12	33	92
34	20 Nov 2013 09:39:57	USB			Unknown
35	20 Nov 2013 09:40:13	Firmware Update	MC, Rev. 03.041, 4/15/2013		
36	20 Nov 2013 09:40:13	Firmware Update	LDR, Rev. 03.041, 4/15/2013		
37	20 Nov 2013 09:40:13	Firmware Update	CAM, Rev. 01.020, 3/14/2013		
38	20 Nov 2013 09:40:14	Time Sync	From '20 Nov 2013 09:40:14' to '20 Nov 2013 09:40:13'		
39	12 Feb 2014 17:40:20	Power Magazine Change	Standard S/N: 135408	Battery capacity: 100%	
40	12 Feb 2014 17:40:20	Armed		28	100
41	12 Feb 2014 17:40:26	Safe	6	29	99
42	12 Feb 2014 17:42:07	Armed		33	99
43	12 Feb 2014 17:42:09	Safe	2	33	99
44	12 Feb 2014 17:51:26	Armed		30	99
45	12 Feb 2014 17:51:29	Safe	3	30	99
46	12 Feb 2014 17:51:33	Armed		31	99
47	12 Feb 2014 17:51:36	Safe	3	30	99
48	12 Feb 2014 17:51:38	Armed		30	99
49	12 Feb 2014 17:51:39	Safe	1	30	99
50	12 Feb 2014 17:51:42	Armed		30	99
51	12 Feb 2014 17:51:44	Safe	2	30	99
52	12 Feb 2014 17:51:45	Armed		30	99
53	12 Feb 2014 17:51:47	Safe	2	30	99
54	12 Feb 2014 19:07:33	Armed		28	99
55	12 Feb 2014 19:07:37	Trigger	5		99
56	12 Feb 2014 19:07:50	Safe	17	29	99
57	12 Feb 2014 19:08:34	Armed		29	99
58	12 Feb 2014 19:08:37	Trigger	5		99
59	12 Feb 2014 19:08:52	Safe	16	31	99
60	12 Feb 2014 19:18:50	Armed		27	99
61	12 Feb 2014 19:18:52	Trigger	5		99
62	12 Feb 2014 19:18:58	Safe	8	28	99
63	12 Feb 2014 19:19:04	Armed		28	99
64	12 Feb 2014 19:19:06	Trigger	5		99

Seq #	Local Time [dd:mm::yyyy Hr:mn:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
65	12 Feb 2014 19:19:12	Safe	8	29	99
66	12 Feb 2014 19:19:44	Armed		28	99
67	12 Feb 2014 19:19:45	Trigger	5		99
68	12 Feb 2014 19:19:51	Safe	7	29	98
69	12 Feb 2014 19:19:54	Armed		29	98
70	12 Feb 2014 19:19:55	Trigger	5		98
71	12 Feb 2014 19:20:01	Safe	7	29	98
72	12 Feb 2014 19:20:37	Armed		29	98
73	12 Feb 2014 19:20:38	Trigger	1		98
74	12 Feb 2014 19:20:39	Safe	2	28	98
75	12 Feb 2014 19:20:45	Armed		29	98
76	12 Feb 2014 19:20:46	Trigger	5		98
77	12 Feb 2014 19:20:53	Safe	8	30	98
78	12 Feb 2014 19:21:22	Armed		28	98
79	12 Feb 2014 19:21:23	Trigger	2		98
80	12 Feb 2014 19:21:24	Safe	2	29	98
81	12 Feb 2014 19:21:28	Armed		29	98
82	12 Feb 2014 19:21:28	Trigger	5		98
83	12 Feb 2014 19:21:36	Safe	8	29	98
84	12 Feb 2014 19:21:58	Armed		28	98
85	12 Feb 2014 19:21:59	Trigger	1		98
86	12 Feb 2014 19:22:00	Safe	2	29	98
87	12 Feb 2014 19:22:04	Armed		29	98
88	12 Feb 2014 19:22:04	Trigger	5		98
89	12 Feb 2014 19:22:12	Safe	8	29	98
90	12 Feb 2014 19:27:02	Armed		28	98
91	12 Feb 2014 19:27:03	Trigger	5		98
92	12 Feb 2014 19:27:13	Safe	11	28	97
93	12 Feb 2014 19:36:03	Armed		27	97
94	12 Feb 2014 19:36:04	Safe	1	27	97
95	13 Feb 2014 16:21:16	Armed		30	97
96	13 Feb 2014 16:21:17	Safe	1	30	97
97	13 Feb 2014 16:21:19	Armed		30	97
98	13 Feb 2014 16:21:20	Safe	1	30	97
99	13 Feb 2014 16:21:40	Armed		30	97
100	13 Feb 2014 16:22:17	Safe	37	31	97
101	12 Mar 2014 11:08:10	Armed		24	97
102	12 Mar 2014 11:08:14	Trigger	1		97
103	12 Mar 2014 11:08:14	Safe	4	24	97

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
104	16 May 2014 11:18:47	Armed		29	97
105	16 May 2014 11:18:48	Safe	1	30	97
106	16 May 2014 18:54:20	USB			Unknown
107	16 May 2014 18:54:48	Time Sync	From '16 May 2014 18:54:48' to '16 May 2014 19:02:39'		
108	16 May 2014 19:09:25	Time Sync	From '16 May 2014 19:09:25' to '16 May 2014 19:09:24'		
109	19 May 2014 13:07:17	Armed		31	97
110	19 May 2014 13:07:20	Safe	3	30	97
111	23 May 2014 01:07:49	Armed		28	97
112	23 May 2014 01:07:49	Safe	0	28	97
113	26 May 2014 11:01:18	Armed		26	97
114	26 May 2014 11:01:19	Safe	1	25	97
115	26 May 2014 11:01:23	Armed		25	97
116	26 May 2014 11:01:26	Trigger	1		97
117	26 May 2014 11:01:26	Safe	3	26	97
118	27 May 2014 18:32:21	Armed		28	97
119	27 May 2014 18:32:21	Safe	0	28	97
120	27 May 2014 18:32:23	Armed		28	97
121	27 May 2014 18:32:24	Safe	1	28	97
122	28 May 2014 18:41:31	Armed		29	97
123	28 May 2014 18:41:35	Safe	4	28	97
124	05 Jun 2014 11:28:07	Armed		25	97
125	05 Jun 2014 11:28:07	Safe	0	25	97
126	15 Jun 2014 16:07:40	Armed		30	97
127	15 Jun 2014 16:07:41	Safe	1	29	97
128	03 Jul 2014 09:54:57	Armed		26	97
129	03 Jul 2014 09:54:59	Safe	2	26	97
130	24 Jul 2014 09:42:50	Armed		24	97
131	24 Jul 2014 09:42:54	Trigger	1		97
132	24 Jul 2014 09:42:55	Safe	5	25	97
133	05 Aug 2014 19:21:23	Armed		30	97
134	05 Aug 2014 19:21:24	Safe	1	30	97
135	10 Aug 2014 13:14:13	Armed		29	97
136	10 Aug 2014 13:14:15	Safe	2	29	97
137	18 Aug 2014 12:45:03	USB			Unknown
138	18 Aug 2014 12:45:19	Time Sync	From '18 Aug 2014 12:45:19' to '18 Aug 2014 12:49:12'		
139	18 Aug 2014 12:49:29	Firmware Update	CAM, Rev. 01.022, 6/6/2014		
140	18 Aug 2014 12:49:35	Firmware Update	FW Bundle, Rev. 04.010, 7/23/2014		
141	18 Aug 2014 12:49:35	Firmware Update	MC, Rev. 04.010, 7/23/2014		
142	18 Aug 2014 12:49:35	Firmware Update	LDR, Rev. 04.009, 7/22/2014		

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
143	18 Aug 2014 12:49:35	USB			Unknown
144	18 Aug 2014 12:49:41	Time Sync	From '18 Aug 2014 12:49:41' to '18 Aug 2014 12:49:41'		
145	18 Aug 2014 12:50:43	Time Sync	From '18 Aug 2014 12:50:43' to '18 Aug 2014 12:50:43'		
146	18 Aug 2014 12:51:08	Time Sync	From '18 Aug 2014 12:51:08' to '18 Aug 2014 12:51:08'		
147	07 Sep 2014 11:48:36	Armed		30	97
148	07 Sep 2014 11:48:40	Safe	4	29	97
149	07 Sep 2014 11:48:42	Armed		29	97
150	07 Sep 2014 11:48:45	Trigger	1		97
151	07 Sep 2014 11:48:46	Safe	4	29	97
152	13 Sep 2014 19:50:09	Armed		26	97
153	13 Sep 2014 19:50:11	Trigger	1		97
154	13 Sep 2014 19:50:12	Safe	3	26	97
155	19 Sep 2014 17:19:38	Armed		30	97
156	19 Sep 2014 17:19:43	Trigger	5		97
157	19 Sep 2014 17:22:55	Safe	197	36	96
158	19 Sep 2014 21:25:42	USB			Unknown

Pulse Log Graph

