



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: Sergeant Thomas Lee

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
11/4/2014	11/3/2014	19:30
Record ID #	Incident No	IA No
8525	14-372388	F14-093
Date/Time Entered		
11/4/2014 16:51		

Incident Summary

Ofc. Wilkinson responded to the Cathedral Plaza apartments on a complaint of a trespasser. Wilkinson found the trespasser, later identified as Courtney Spinks, asleep under a tarp outside the northwest door to the building. Wilkinson removed the tarp and discovered Spinks to be asleep. He refused Wilkinson's request to remove his hands from his pockets; instead jamming his left hand further into the pocket of his sweatshirt.

Wilkinson was concerned that Spinks could access a weapon and there were items within reach that Spinks could use as a weapon. Those items included a large barbecue fork and three wire cages for tomato plants. Wilkinson drew his pistol and held it at low ready for his safety. Spinks continued to ignore all commands given by Wilkinson including a warning that he would be arrested for trespassing if he didn't leave.

Wilkinson called for backup and elected to try and remove Spinks' left hand from the sweatshirt. Spinks resisted and drew both arms underneath him. As he did this, Spinks bit Wilkinson on his right hand. I later observed a red bite mark on Wilkinson's hand.

Officers Bennett and Conrath arrived; Bennett taking control of Spinks' legs and Conrath joining Wilkinson in an unsuccessful effort to pull Spinks arms from beneath him. Wilkinson said Spinks used a fist to hit him on an arm several times. Conrath told me that he saw Spinks reach behind himself with one fist and strike Wilkinson in the head several times. During this time Spinks pulled one of Conrath's hands to his mouth and bit Conrath on his left thumb.

The officers all expressed concern that Spinks had not been searched and could be accessing a weapon.

Wilkinson attempted to administer a lateral neck restraint but Spinks was able to defeat it. Conrath then administered a single knee strike to Spinks front mid-section. This resulted in him lifting his head just enough for Wilkinson to administer a level 2 neck restraint. Once unconscious, Conrath and Bennett safely applied handcuffs.

I arrived to find Spinks had gone to sleep and was snoring loudly. SFD medics arrived and checked Spinks vital signs. Spinks would not wake up to answer their questions; eventually they placed an ammonia stick under Spinks nose. This woke him up just long enough to give his name and tell them he wasn't hurt. Spinks vital signs showed normal and he was taken to Deaconess by AMR.

I went to Deaconess where Spinks was now on a gurney in a treatment room. He remained mostly sleeping and appeared to be intoxicated. He occasionally responded when nursing staff and security applied four-point restraints. He did not wake up to speak with me.

Spinks later told Ofc. Conrath that he mistrusts police and has fought with officers in the past.

I observed fresh blood and a cut on one of Spinks thumbs. Ofc /Wilkinson said Spinks was treated for that cut and some bruises that I hadn't seen.

Spinks was booked in jail for two counts of THIRD-DEGREE ASSAULT.

This use of force was justified and within policy.

Sgt. T. Lee

In compliance with policy per Assistant Chief Dobrow 11.21.14.

Incident Location

- 1120 Sprague AV, Direction: W - : Downtown

Use of Force Specific Information

Reason for Use of Force

Assaulting Officer

Service Being Rendered

Call For Service

Weather Condition

Rain

Lighting Condition

Dark

Distance to Citizen

Contact

Citizen Injured

Yes

Citizen Taken to Hospital

Yes

Citizen Arrested

Yes

More than 1 Citizen Involved

No

Citizen's Build

Medium

Citizen's Height

> 6'3"

Officer Assessment of Citizen Condition During Incident

Alcohol Unknown Drugs

Officer(s) Injured

Yes

Officer(s) Taken to Hospital

No

Complainant/Involved Citizen Information

Courtney D Spinks

DOB: 5/23/1980 Race: Black Gender: Male

Address

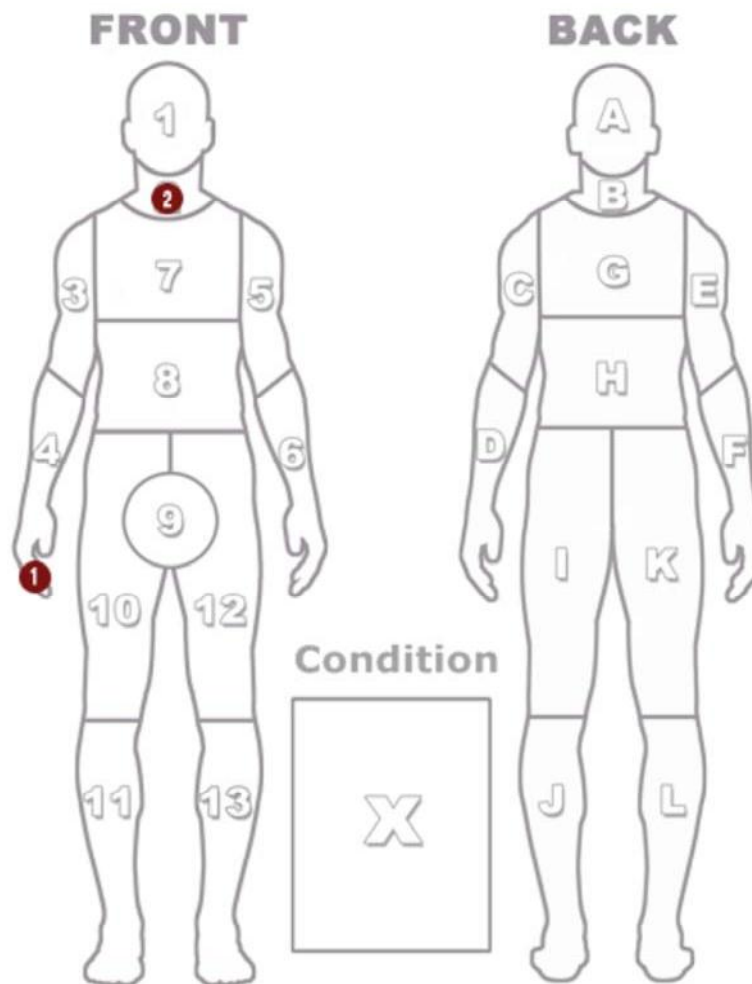
- transient, transient, WA

Types of Resistance Citizen Used Against Officer(s)

- Assaultive

Injuries sustained by this citizen

Injury	Regions	Injury Locations
Minor Injury	4	1
No visible injury	2	2

**Charges against this citizen**

- Felony - Person Crime

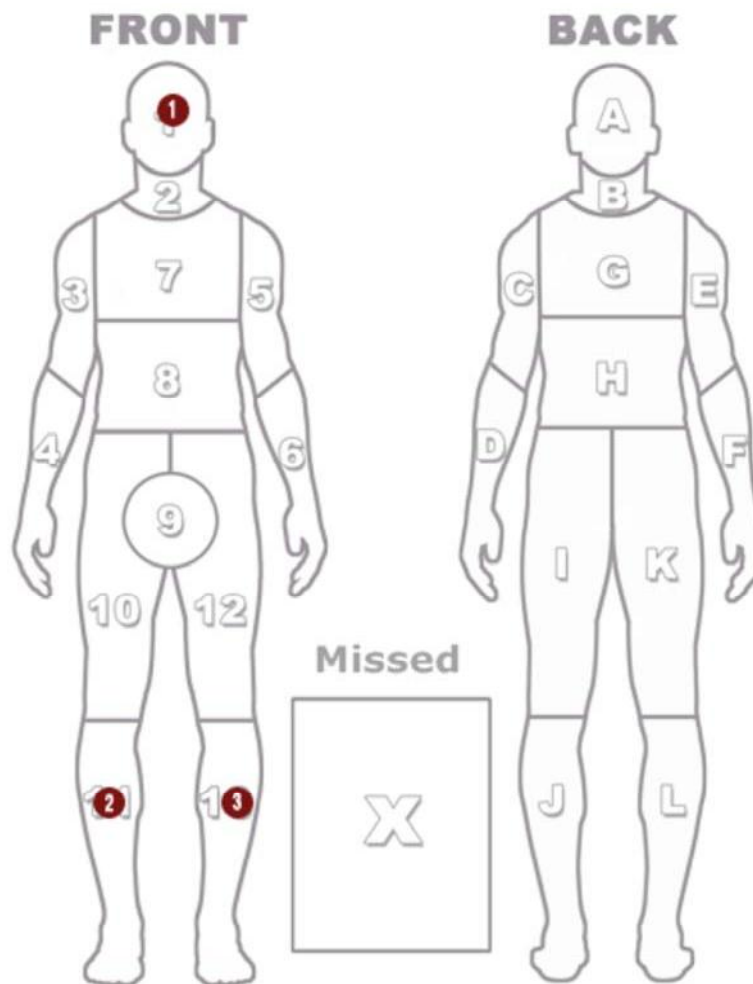
Involved Officers

Officer Anthony Bennett - Payroll Number: #5c

Force used by this officer against the citizen

- Verbal/Other - Was force effective: No
- Body Weight/Manual Force - Was force effective: No

Force Used	Effective?	Regions	Points of contact
Verbal/Other	No	1	1
Body Weight/Manual Force	No	11, 13	2, 3

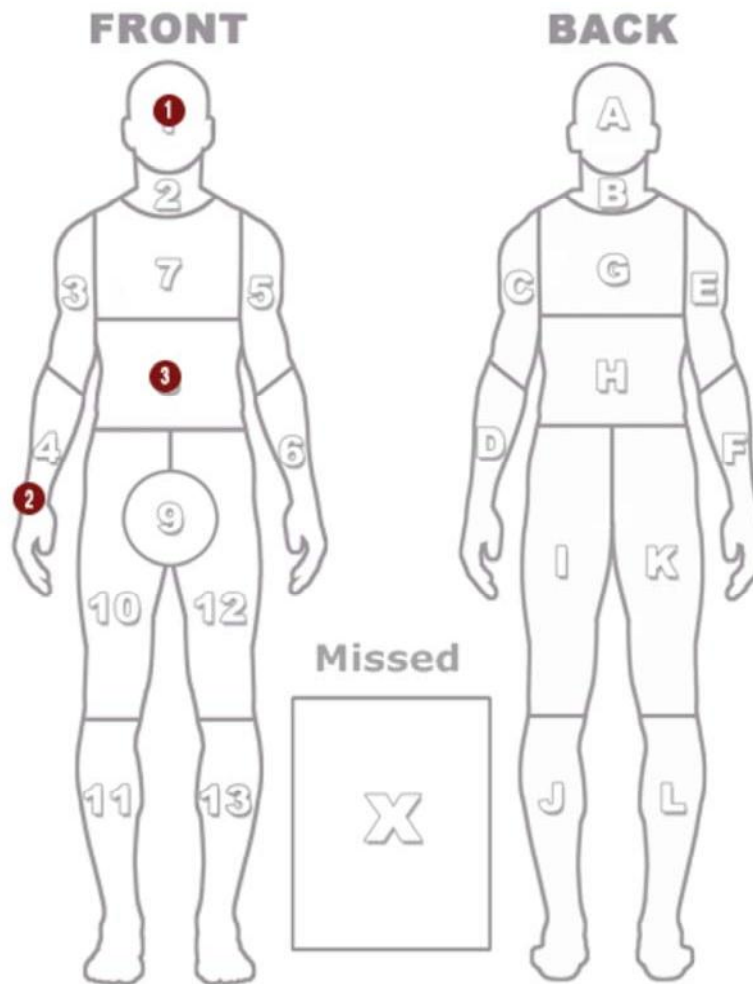


Officer Christopher Conrath - Payroll Number: #5c

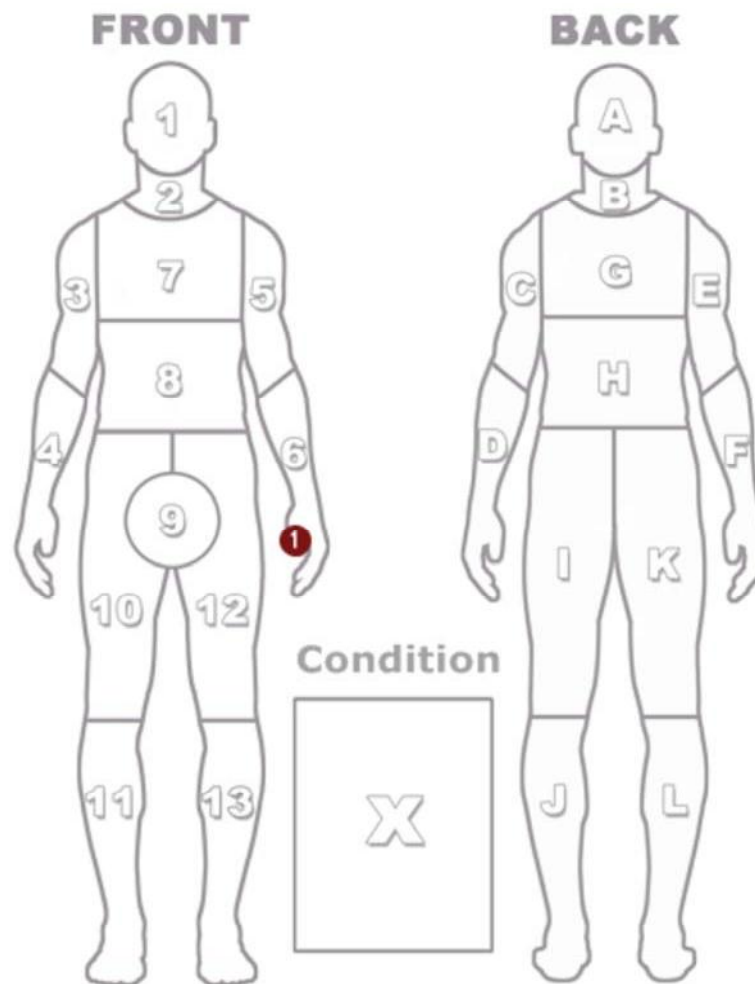
Force used by this officer against the citizen

- Verbal/Other - Was force effective: No
- Body Weight/Manual Force - Was force effective: No
- Personal Impact Tools - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Verbal/Other	No	1	1
Body Weight/Manual Force	No	4	2
Personal Impact Tools	Yes	8	3

**Injuries sustained by this officer**

Injury	Regions	Injury Locations
Complaint of Pain	6	1

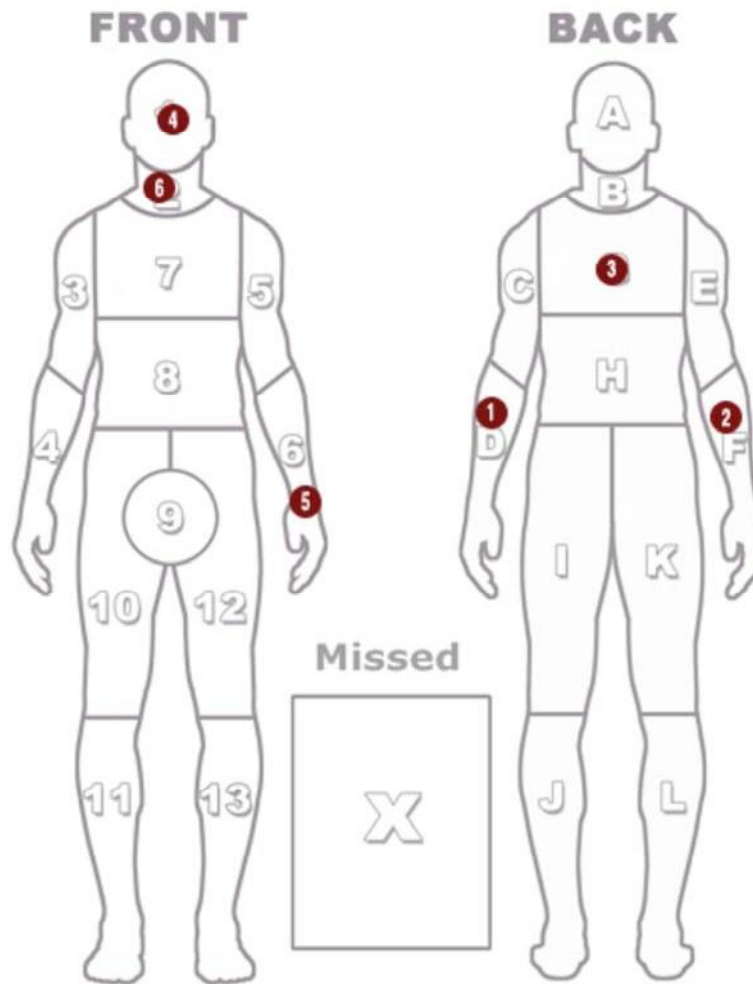


Officer Rhian Wilkinson - Payroll Number: #5c

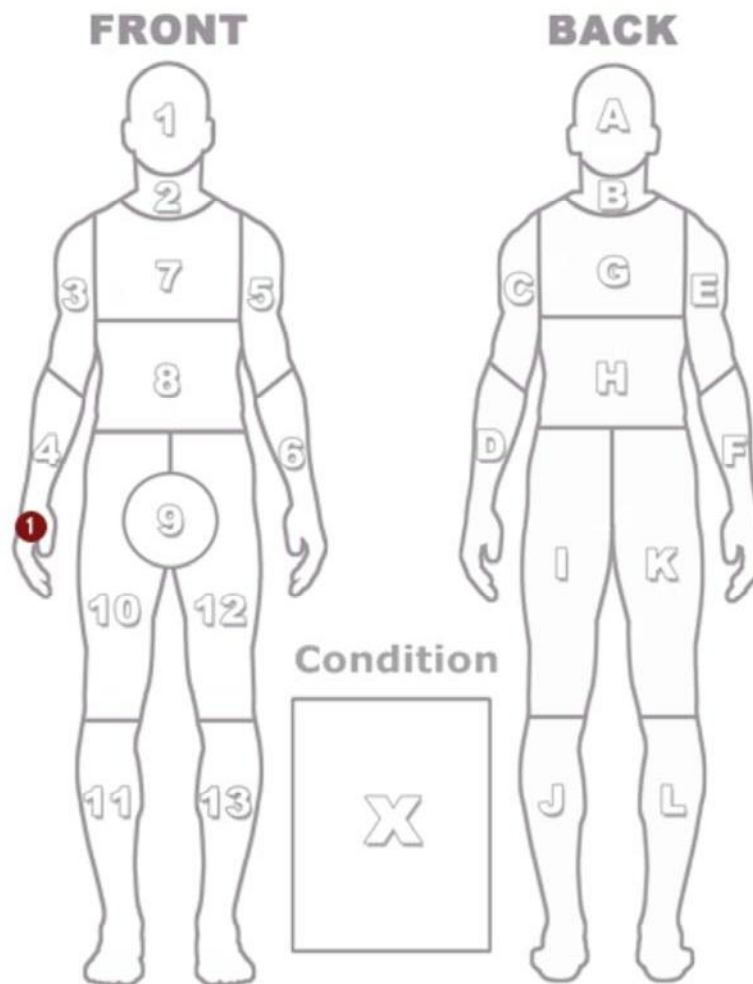
Force used by this officer against the citizen

- Body Weight/Manual Force - Was force effective: No
- Verbal/Other - Was force effective: No
- Body Weight/Manual Force - Was force effective: No
- Level 2 LNR - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Body Weight/Manual Force	No	D, F, G	1, 2, 3
Verbal/Other	No	1	4
Body Weight/Manual Force	No	6	5
Level 2 LNR	Yes	2	6

**Injuries sustained by this officer**

Injury	Regions	Injury Locations
Minor Injury	4	1



Citizen Witnesses

Randy Darst
- Gender: Male

Address

- 1120 Sprague AV, Direction: W, Spokane, WA

Phone

- (509) 747-6777

Attachments

Date Attached	Attachment Description	Attachment Type
11/4/2014	UOF CAD & reports	pdf

Chain of Command History

Sent Dt	From	To	Cc	Sender's Instructions	Approved	Recipient's Comments/Response
11/4/2014	Sergeant	Lieutenant	Sergeant	Lt. MEIDL:		[Forwarded by Lieutenant Craig

	Thomas Lee	Craig Meidl	Steven Braun, Lieutenant Justin Lundgren, Sergeant David Staben	Please review this UOF and let me know if there's anything else needed. Thanks you. Sgt. Lee	<input checked="" type="checkbox"/>	Meidl]
11/4/2014	Lieutenant Craig Meidl	Captain Daniel Torok	(none)	Within policy.	<input checked="" type="checkbox"/>	I agree that the force used was within policy. However, I had concerns reference to the necessity to engage prior to the arrival of a back up unit. I relayed these concerns to Lt. Meidl in a phone conversation. As a result of that concern he spoke to Ofc. Wilkinson and memorialized that conversation in this email. "I spoke with Wilkinson about disengaging until backup arrives if a similar situation presents itself and he can do so safely. He was very receptive and appreciated the effort to help him expand his paradigms."
11/14/2014	Captain Daniel Torok	Asst Chief Patrick Dobrow	(none)	For review	<input checked="" type="checkbox"/>	I find the UOF to be within policy. I did note Capt. Torok's comments and agree.

Entering Officer Signature Line

 Sergeant Thomas Lee
Chain of Command Signature Lines

 Lieutenant Craig Meidl

 Captain Daniel Torok

 Asst Chief Patrick Dobrow

Incident History for: #SP140372388

Entered 11/03/14 20:02:20 BY 91118 911172
 Dispatched 11/03/14 20:28:26 BY D377 1016
 Enroute 11/03/14 20:28:26
 Onscene 11/03/14 20:36:47
 Closed 11/04/14 03:35:11

Initial Type: TRESP Final Type: TRESP (TRESPASSING)

Initial Priority: 3 Final Priority: 3

Disposition: 1E Source: A Primary Unit: D377

Police BLK: SPD8RS

Group: P8 Beat: Map Page: 33

Loc: 1120 W SPRAGUE AV ,SPK -- CATHEDRAL PLAZA btwn N MADISON ST & N JEFFERSON ST (V)

Loc Info: RAMP ON WEST OF BLDG

Name: DARST, RANDY

Addr: SAME

Phone: 5095521088

/200220 (911172) ENTRY SUBJ SLEEPING ON COVERED PART OF RAMP LEADING
 TO THE CATHEDRAL. COMP HAS NOT SEEN THE PERSON
 WELL, BELEIVES IT IS A MALE BASED ON SNORING
 ###

/200228 (1160) HOLD
 /202826 (1016) *DISPER D377 #1016 WILKINSON, RHIAN
 /203128 *REMINQ D377 MVEH,B91082T,,,,,,,,,,,,,,,,,,,,,
 /203647 *ONSCNE D377
 /204202 (1160) ASSTER C462 [1120 W SPRAGUE AV ,SPK]
 #1106 CONRATH, CHRIS
 #1195 BENNETT, ANTHONY
 ,REQUEST ANOTHER UNIT

/204300 MISC D377
 /204454 (1106) *ONSCNE C462
 /204458 (1160) MISC D377 ,NORTH SIDE OF THE BUILDING AT THE RAMP
 /204558 (1106) *ONSCNE C462
 /204841 (1160) CALLBK C462 T/PCC06
 ,STAGE MEDICS

/204903 ASSTER L204 [1120 W SPRAGUE AV ,SPK]
 #150 REISENAUER, CHUCK
 /204905 (388) *ASSTER L142 [1120 W SPRAGUE AV ,SPK]
 #388 MEIDL, CRAIG
 /204907 (1160) MISC C462 ,CH3 RESTRICTED
 /204908 (931) *ASSTER C367 [1120 W SPRAGUE AV ,SPK]
 #931 KESTER, ALEXIS
 #1004 IVERSON, TIFFANY

/204920 (244) *ASSTOS L244 [1120 W SPRAGUE AV ,SPK]
 #244 LEE, TOM
 /204928 (1144) CALLBK C462 T/PCC03
 ,MEDICS STAGING
 ,REQUEST A SUPERVISOR

/204928 (1160) MISC C462
 /204936 (931) *PREMPT C367
 /204940 (1160) MISC C462 ,X1 DETAINED
 /204946 MISC C462 ,CH3 BACK TO NORMAL
 /205024 CALLBK C462 T/PCC06
 ,MEDICS CAN COME IN ENTRANCE ON THE NORTH CONS
 /BREATHING MALE LATERAL NECK RESTRAINT APPLIED

/205052 (1012) *ASSTER D376 [1120 W SPRAGUE AV ,SPK]
 #1012 REESE, KURTIS
 #1218 CEDENO, JULIAN

/205102 (1144) CALLBK C462 T/PCC03
 ,MEDS ADVISED

/205527 (150) *ONSCNE L204

/205635 (1234) MISC D377 ,TATTOO SEARCH- BM MID 20'S "F* THE POLICE" ON
 CHEST
 /210044 (388) *ONSCNE L142
 /210132 (1234) MISC D377 , "JOLEE" ON RIGHT SIDE OF NECK
 /210150 (1160) MISC D376 ,#####
 /210154 ONSCNE D376
 /210605 (271) *ASSTER L220 #271 KANNBERG, ERIC M
 /210615 (1234) REMINQ D377 WANT,D377,,,,,,SPINKS,COURTNEY,D,1980,05,23,,
 ,,,,,,5
 /210810 (271) *ONSCNE L220
 /210828 (388) *MISC L142 ,PSTAT/ASST
 /210830 *CLEAR L142
 /211645 (244) *CHGLOC L244 [DEAC]
 /211701 (271) *MISC L220 ,PSTAT/ASST
 /211705 *CLEAR L220
 /211759 (1012) *CLEAR D376 ,PSTAT/ASST
 /211833 (150) *CLEAR L204
 /212148 (1106) *CHGLOC C462 [DEAC]
 /212150 *ONSCNE C462
 /212611 (1016) *CHGLOC D377 [LOGAN]
 /212618 *ONSCNE D377
 /213719 (244) *ONSCNE L244
 /213816 *CHGLOC L244 [LOGAN]
 /214615 *ONSCNE L244
 /215041 (733) *ASSTER P303 [LOGAN]
 #733 ENNIS, GORDON
 /215058 *CHGLOC P303 [PROPERTY]
 /215130 (1016) *CHGLOC D377 [PROPERTY]
 /215408 (1160) OK C462
 /215648 (733) *ONSCNE P303
 /215815 (1016) *ONSCNE D377
 /215927 (244) *CLEAR L244 ,PSTAT/ASST UOF RPT
 /222407 (1016) *CHGLOC D377 [DEAC]
 /223250 (733) *MISC P303 ,PSTAT/ASST
 /223306 *MISC P303 ,PICS OF OFC WILKINSON'S HAND
 /223308 *CLEAR P303
 /223711 (1016) *ONSCNE D377
 /225027 (1144) OK D377
 /230121 (1106) *NEWLOC C462 [LOGAN]
 /231108 (1016) *TRANS D377 [JAIL] M/0.0
 /231657 *TRANSC D377 [JAIL] M/1.4
 /233724 \$PREMPT D377
 *** New Date: 11/04/14 ***
 /001701 (1069) OK C462
 /005539 (1106) *REMINQ C462 MWANT,,,,,,EMERSON,NICOLEM,1993,08,30,,,,,,
 ,,,,,,
 /005555 *REMINQ C462 MWANT,,,,,,#4b,,,,,,
 /010116 *PREMPT C462 ,PSTAT/ASST PSTAT/RPT
 /010200 (1069) CLOSE C462
 /013457 (761) REOPEN
 /013502 DISPOS D377 ,NO MORE INFORMATION
 /013725 (1016) *CHGLOC D377 #1016 WILKINSON, RHIAN
 /014628 *ONSCNE D377 [PAPER CAR]
 /033511 *CLEAR D377 DSP: 1E --> 1E
 ,PSTAT/CFS PSTAT/FEL PSTAT/FEL
 /033511 CLOSE D377

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-372388	
INCIDENT TYPE Arrest, Information		INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 TRESPASS
		INCIDENT CLASSIFICATION #3 OBSTRUCT OFFICER		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Mon 11/03/2014 20:02	DATE/TIME	OCURRED ON Mon 11/03/2014 19:30	DATE/TIME	OCURRED TO Mon 11/03/2014 20:45	DISTRICT
DISPATCH TIME 20:28	ARRIVED TIME 20:36	CLEARED TIME	REPORT DATE 11/04/2014	REPORT TIME 02:31	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)					UCR/NIBRS CODE /13A
ADDITIONAL CHARGES 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)					
LOCATION OF INCIDENT 1120 W Sprague Avenue, Spokane, WA 99201				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS PC Affidavit Completed, Suspect Arrested					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS OFC Conrath #1106					
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim - Individual, RU-Runaway, RO-Registered Owner, PS-Passenger, VB-Victim - Business, OW-Owner of Property, COM-Contact, W-Witness, V-Deceased, MIR-Person Mentioned, G-Legal Guardian, A-Arrested Person, C-Complainant, CV-Complainant to Victim, D-Driver, PE-Pedestrian, IN-Individual, M-Missing, O-Other, PC-Pedestrian - Cyclist</small>					
CODE A-1	NAME: LAST, FIRST, MIDDLE Spinks, Courtney D			SEX M	RACE/ETHNICITY B-Black
HEIGHT 6'04"	WEIGHT 180	BUILD Medium	HAIR Black	EYES BRO - Brown	DATE OF BIRTH/AGE 05/23/1980 34
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP Transient, Spokane, WA 99201			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
CHARGE LEVEL Felony Class C	DESCRIPTION 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)				UCR/NCIC CODE /13A
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Felony Class C	DESCRIPTION 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)				UCR/NCIC CODE /13A
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION #	DATE	TIME	BOOKED WHERE Spokane County Jail		DATE 11/03/2014
ARREST LOCATION 1120 W Sprague Avenue, Spokane, WA 99201			STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED	SUSPECT ARMED WITH
JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED	NOTIFIED BY	DISPOSITION OF JUVENILE
DRIVER'S LICENSE	<input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO.	<input type="checkbox"/> FAKE	OTHER ID (ID Card) #4b

ID NO./NAME OF REPORTING OFFICER #1016 - Wilkinson, Rhian		DISTRIBUTION	
APPROVAL #244 - Lee, Thomas	DATE/TIME 11/04/2014 03:47		

Incident Report #1

11/04/2014 16:15:23.888

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 14-372388	
CODE V-1	NAME: LAST, FIRST, MIDDLE Rhian Wilkinson, S				SEX M	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE #5b 33
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1100 W MALLON, Spokane, WA 99201				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES #5c							
RELATIONSHIP TO SUSPECT			VICTIM OF Offns. # 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)			OFNDR. # A-1	
CODE V-2	NAME: LAST, FIRST, MIDDLE Christopher Conrath, S Ofc				SEX M	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE #5c 37
HEIGHT 6'03"	WEIGHT 200	BUILD Medium	HAIR Blonde or	EYES BLU - Blue	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1100 W Mallon Avenue, Spokane, WA 99201				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Work-Message Phone) (509) 242-8400							
DRIVER'S LICENSE #4b		<input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE		OTHER ID	
RELATIONSHIP TO SUSPECT			VICTIM OF Offns. # 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)			OFNDR. # A-1	
NARRATIVE							

On Monday November 3, 2014 at 2028 hours I responded to the report of a Trespasser at 1120 W. Sprague Ave, The Cathedral Plaza. The complainant, Randy Darst, reported that there was a male sleeping under an awning, outside the building.

When I arrived on scene I observed a Blue Tarp spread out under an awning near the northwest corner of the building. I could not see what was under the tarp, but heard what I recognized as the sound of a man snoring. The area around the tarp was Dark and there was several items of clutter around the tarp. I immediately grabbed the tarp and pulled it off the man sleeping under it. I observed a single male laying on his side. The male immediately shoved his left hand into the front pouch pocket of his hoody sweatshirt. I immediately identified myself as a Spokane Police officer and told the male, later identified as Courtney Spinks, to remove his hand from his pocket. The male did not respond to my command. At this time I drew my firearm and requested an additional unit. I determined it was necessary because his sweatshirt was baggy and could easily conceal a firearm, or a knife. I was also concerned that if Courtney had a firearm in his sweatshirt he could have fired the pistol through his sweatshirt, shooting me before I was able to see the firearm. I kept my firearm pointed in a low ready position, never actually pointing the firearm at Courtney. I again requested that Courtney remove his hand from his pocket and show me both of his hands. Again Courtney did not respond verbally or physically. At this time I informed Courtney that if he pulled a weapon out of his pocket I would be forced

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-372388
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to shot him and I told him a third time to Show me his hands. Again there was no response from the subject.

I then told Courtney that he was trespassing and if he did not leave the area he would be arrested. Again Courtney did not make any effort to respond to my commands. At this point I determined that it was necessary to remove Courtney's hand from his front pocket. The longer I allowed Courtney to leave his hand in his pocket, the longer Courtney could be formulating a plan to attack me. I grabbed Courtney by the left sleeve of his sweatshirt and tried to pull it out of his pocket. Courtney jammed his hand back into his pocket. This behavior further convinced me that Courtney was attempting to access a Weapon. I then used my body weight, by placing my knees on Courtney's back, to force Courtney onto his stomach. Courtney immediately sucked his arms under his chest. I then shifted my weight to the area above Courtney's shoulders and used a knee to pin Courtney to the ground. I used my knees to hold Courtney down while I tried to pry his arms out from under his chest. I grabbed Courtney's right arm and tried to force it out from under his body. Courtney was able to roll onto his side and began punching my right arm with a closed fist. His punches had no effect on my ability to maintain a grasp on his right arm. Then Courtney bit my right hand. He bite the area of my right hand just below the thumb where it connects to the wrist. This forced me to release my hold of his arm. He then pulled the arm back under his body. I then forced him back on his stomach. During this struggle I repeatedly advised him to "stop resisting."

At this point during the altercation OFC Conrath arrived on scene. I told OFC Conrath to take control of Courtney's left arm. I again attempted to pull his right arm from under his body. OFC Conrath and I could not make any further progress in pulling his arms out from under his body.

At this point I determined it was necessary to apply a Lateral Neck Restraint. I made this determination because Courtney had already committed the violent felony crime of 3rd degree assault against a Law Enforcement Officer, when he punched me in the arm and bit my hand. I was also concerned because Courtney had been jamming his hands into the front pouch of his hoody and persisted to keep his hand in that pocket after I gave him the verbal command to show his hands and attempted to force his hand out of the pocket. He continued to hide his hands under his body. His baggy clothing also had several pockets and areas where weapons could be hidden and Courtney had not been PAT Frisk. The area where the altercation took place was not well lite and visibility was limited. I also observed the odor of Alcohol coming from Courtney and I know through my training and experience that subjects under the influence of Alcohol are less predictable. There were also several Item in the area that could be used as impact weapons. There was a milk crate full of items that could be used to strike myself or OFC Conrath. Courtney was actively resisting me by pulling his arms under his body, punching my arm, and by biting my hand. Based on all these factors I determined it was essential to get his hand out from under his body and secured in handcuffs.

I secured my right arm under his chin, positioning the front of his throat in the crook of my elbow. At no point did the elbow stop the air flow, and I could hear Courtney breathing throughout the entire altercation. Courtney then slid his chin down trying to defeat the Lateral Neck Restraint. This concerned me because it demonstrated that Courtney had some combat training. I advised OFC Conrath that I was struggling to set the Lateral Neck Restraint. OFC Conrath then delivered a Knee Strike to Courtney's torso. This caused Courtney to raise his chin and allowed me to use a level two Lateral Neck Restraint. Within seconds after the knee strike Courtney went limp and stopped struggling. OFC Conrath and OFC Bennett were then able to secure Courtney in handcuffs. Courtney then regained consciousness after a time

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-372388
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less than five seconds. We rolled him on his side and conducted a PAT Frisk. I immediately requested a Supervisor and Medics respond to the scene. A Barbeque Fork was discovered in the area where Courtney was laying when I first contacted him. I also observed that Courtney had the words "Fuck the Police" tattooed on his chest.

Courtney was transported to the Deaconess E.R. where he was treated for several cuts and bruises that he received during the altercation. I then transported the Barbeque Fork to the Spokane Property Facility and it was placed on property as evidence. I then contacted CPL Ennis who photographed an injury to my right hand. There was a small bite mark on my right thumb.

I then went to the Deaconess E.R. where Courtney had received treatment for his injuries. I then transported Courtney to the Spokane County Jail where he was booked for two counts of 3rd degree assault. I also had probable cause to arrest him for Trespassing.

OFFICER/NUMBER/CALL SIGN

Wilkinson/1016/D377

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-372388	
REPORT PURPOSE			REPORTED ON DATE Mon 11/03/2014	TIME 20:02	INCIDENT XREF
INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 TRESPASS		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 11/03/2014	REPORT TIME 21:30	
PRIMARY CHARGE					UCR/NIBRS CODE
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim, I-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, O-Driver, PE-Pedestrian, IN-Instautional, M-Missing, O-Other, PG-Pedestrian, Cyclist</small>					
CODE W-1	NAME: LAST, FIRST, MIDDLE Darst, Randy J			SEX M	RACE/ETHNICITY W-White
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1120 W Sprague Avenue, Spokane, WA 99201			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS Catholic Housing Communities 1120 W Sprague Avenue, Spokane,			OCCUPATION	EMPLOYER PHONE (509) 747-6777	
ADDITIONAL PHONES (Business) (509) 747-6777					
CODE MIR-1	NAME: LAST, FIRST, MIDDLE Byrd, Dan			SEX M	RACE/ETHNICITY -
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1120 W Sprague Avenue, Spokane, WA 99201			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS Catholic Housing Communities 1120 W Sprague Avenue, Spokane,			OCCUPATION	EMPLOYER PHONE (509) 747-6777	
ADDITIONAL PHONES (Business) (509) 747-6777					
CODE CON-1	NAME: LAST, FIRST, MIDDLE Clouse, Judy J			SEX F	RACE/ETHNICITY W-White
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1120 W Sprague Avenue, Spokane, WA 99201			RESIDENTIAL STATUS	PHONE (509) 850-5386
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Home) (509) 850-5386					
NARRATIVE					

On 11/3/2014, I responded to assist with a trespass at 1120 W Sprague (Catholic Housing Communities), with Officer Conrath. Upon arriving on

ID NO./NAME OF REPORTING OFFICER #1195 - Bennett, Anthony		DISTRIBUTION
APPROVAL #244 - Lee, Thomas	DATE/TIME 11/04/2014 02:29	

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-372388
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scene I approached the west side of the building through the parking lot. I contacted Officer Wilkinson, who was already on-scene, over the radio and requested his location. I was advised that he was on the north side of the building, down a ramp.

As I approached the north side of the building, there was a railing, due to the west parking lot being raised above the north yard, outside the building. When I looked over the railing, I observed Officer Wilkinson, on top of another male. I could see the male struggling and it appeared that Officer Wilkinson was attempting to hold him down. Officer Conrath and I jumped over the railing, and moved to assist Officer Wilkinson.

I went hands on with the male and took control of his legs for the following reasons;

I was responding to assist with a trespass call, and based on the information I had at the time it was likely that the male was the suspect. The male was actively fighting with and assaulting a uniformed police officer.

To my best knowledge, the male had not been searched. He may have had weapons on his person, which he could have used against officers if he fought free. The male was fighting with another officer, showing aggressive behavior that displayed intent to be assaultive, if he was able to fight free.

The male was ignoring all commands to stop resisting and continued to struggle to get free. If I did not control his legs, it would allow him to kick at, and potentially strike and injure, either myself or the other officers on-scene. The male could have attempted to use his legs in order to shift his body weight against officers and fight free.

In order to assist in restraining the male, I took control of his legs, and allowed Officers Wilkinson and Conrath to work with his upper body. I attempted to hold the males legs by holding them with my hands and using my upper body wait to hold them still. However, the male continued to thrash around violently, and I was unable to hold him with my upper body strength alone.

In order to better control his legs, I took control of his right leg, and placed it over his left leg. I locked his legs together at his ankles, and placed one hand on his right ankle to hold them down. I then placed one knee on the back of his left thigh, and placed my second hand on his right

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-372388
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thigh. I placed a majority of my body weight on these three points of contact, in order to hold his lower body still.

Despite my attempts to hold the males legs still, he continued to try and kick and shift his legs around. I did my best to hold my three points of contact, but was forced to shift constantly to maintain control. The male was struggling in such an aggressive manner, that on several occasions he was able to break free of the ankle lock. Each time I struggled just to regain control of his legs.

After several moments I was asked to move and take control of the male's right arm, in order to handcuff him and end the struggle. I re-adjusted and took hold of his right arm. I lifted it up off the ground until his upper arm was parallel to the ground, and placed one hand against the back of his elbow. With my other hand I took control of wrist. I held my hand against his elbow, and use it as a pivot point as I pulled his wrist and forearm towards his back.

Once I had control of his right hand and secured it behind his back. I worked with Officer Conrath to place handcuffs on him. Once he was secured in handcuffs, I double locked them, and then assisted with rolling him on his side. Once he was on his side, I stepped back and allowed Officer Wilkinson to work with him.

Once the male had calmed down and was under control, I went inside the building to try and locate witnesses to the incident. Inside I contacted Randy Darst, an employee that works at the location. I initiated an interview and learned the following;

He was on shift when one of the residences came to him and told him there was a man sleeping outside the building, under a tarp. He contacted police in order to have the male removed. While on the bottom floor of the building, Randy could hear grunting coming from the north/west side of the building. He peaked down the hallway that leads to a glass door on the north/west side of the building.

Randy observed an officer on top of a male. The officer appeared to be trying to pin the male down and could be heard telling him to stop resisting several times. Randy stepped away from the doorway, and moved to a safe distance until the situation was over.

The same hallway Randy looked down has a camera that faces the doorway. He believes that the camera may have footage of the incident. He attempted to

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-372388
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show me the angle of the camera, but the monitor that shows the footage was not working. He advised me that the manager, Dan Byrd, would be back in the office around 1000 (11-4-2014). Dan would know how to work the cameras better and could get us the footage. (End of Randy's statement.)

Before leaving I contacted a woman who was sitting in the north room, on the bottom floor of the building. She identified herself as Judy Clouse and told me the following;

She was in the room with several others when an unknown black male knocked on the window. He asked to use the bathroom but was turned down by the residence. The male walked away with a tarp. They advised Randy of the situation, and then continued on with what they were doing. (End of Judy's statement.)

Medics arrived on scene to evaluate the male. He was transported by ambulance to Deaconess Hospital. I followed him to the hospital and stood outside his room while he was being evaluated by medics. I was later relieved by Officer Wilkinson, and turned custody of the male over to him.

A. Bennett

#1195

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-372388	
REPORT PURPOSE			REPORTED ON DATE Mon 11/03/2014		TIME 20:02
INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 TRESPASS		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 11/03/2014	REPORT TIME 22:38
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On the listed date and time, Ofc Bennett and I responded to the area near 1120 W Sprague to assist Ofc Wilkinson who was dealing with a trespasser, and had asked for another unit.

Upon arrival, we walked to the north side of the building where I heard the sounds of a struggle. I heard a male screaming, and I also heard Ofc Wilkinson say several times, "Stop Fighting." I looked through a tall fence and down a high ledge to where I could see Ofc Wilkinson rolling on the ground in an apparent fight with a male, later identified as Courtney Spinks.

I quickly climbed over a fence and ran down to where they were. Ofc Wilkinson was on top of Spinks at that time. Ofc Wilkinson asked me to help get control of Spinks' left arm which was flailing about. I advised Spinks very clearly several times that we were the police, and that he needed to stop fighting with us. I had difficulty gaining control of his arm. He had balled his fist, and was striking Ofc Wilkinson with it. He seemed to be trying to hit me, but never made contact. I briefly attempted to move into a position to apply a lateral neck restraint, but soon realized that Ofc Wilkinson was in a better position for that. I advised Spinks that if he continued to fight, we were going to "choke him out." I directed my attention back to Spinks' left arm. I grasped his wrist, but he pulled my hand back toward his mouth and actually bit my left thumb. I felt his teeth beginning to tighten on my thumb, and experienced a small amount of pain before I was able to pull my thumb out of his mouth. I was wearing neoprene gloves and had no visible marks or injuries as a result. I advised Ofc Wilkinson that he had bitten me. He began working toward a position where he could apply a lateral neck restraint.

Crime:

- Spinks was originally contacted for trespassing.
- He later assaulted two officers by biting them and throwing closed fist strikes.
- He was actively continuing the assault.

Threat Factors:

- Spinks was resistant to following the repeated lawful instructions of officers who were pleading with him to stop fighting, and to put his hands behind his back.
- He had already assaulted two officers by biting them, and had delivered closed fist strikes to both as well.

ID NO./NAME OF REPORTING OFFICER #1106 - Conrath, Chris		DISTRIBUTION
APPROVAL #244 - Lee, Thomas	DATE/TIME 11/04/2014 02:14	

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-372388
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- He was strong, and handled himself in a manner which lead me to believe that he might possibly have some martial arts training.
- Even with three officers working to gain control of him, Spinks continued to resist.
- Ofc Wilkinson was working unsuccessfully toward applying a lateral neck restraint. He communicated to me that Spinks was using techniques to defeat the tactic.
- There was a variety of junk, and other objects on the ground near us that could easily be used as weapons (metal items, a large bbq fork, etc)

Resistance:

- Spinks was actively assualting officers.
- Despite repeated advisements to stop fighting, he showed no indication that he would submit to anything but physical force.
- Spinks was rolling to his side and now starting to kick his feet toward us as well as punching and trying to bite.

At that point, given that Ofc Wilkinson was having difficulty applying the neck restraint, I delivered one solid knee strike to Spinks' midsection. It seemed to briefly knock the wind out of him. He winced, and that seemed to allow Ofc Wilkinson to render him unconscious within a second or two. Ofc Bennett and I were able to apply handcuffs at that time. Spinks regained consciousness and was breathing fine. He was rolled onto his right side and he was monitored until medics could respond.

Medics were called, as was a supervisor for the use of force report. Sgt Lee was briefed on the incident.

Spinks was transported to Deaconess Hospital to be medically cleared before being booked into County Jail for two counts of Assault 3rd Degree as well as Trespassing 2nd Degree.

I had a brief conversation with Spinks at the ER. He told me that he had great mistrust for police officers, and has had many negative interactions (including fights). He also told me that he trained to be a cage fighter by practicing Jiu Jitsu for about six years, as well as various other disciplines.

Ofc Wilkinson arrived at the hospital to relieve me, and to take custody of Spinks. See reports from him and Ofc Bennett for additional information from the incident.

C. Conrath 1106