



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 Michael McNab

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
11/9/2014	11/9/2014	02:09
Record ID #	Incident No	IA No
8534	14-378749	F14-098
Date/Time Entered		
11/9/2014 19:04		

Incident Summary

See attached documents for use of force that resulted in injury.

In compliance with policy per Assistant Chief Dobrow 11.21.14.

Incident Location

- 1800 Spofford AV, Direction: W, Spokane, WA 99201 - : Northwest

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Resisting Arrest	Self Initiated	
Weather Condition	Lighting Condition	Distance to Citizen
Rain	Dark	Contact
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	Yes	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Medium	5'10" to 6'0"	
Officer Assessment of Citizen Condition During Incident		
None Detected		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Complainant/Involved Citizen Information

Larry A Walton

DOB: 8/15/1975 Race: Black Gender: Male

Address

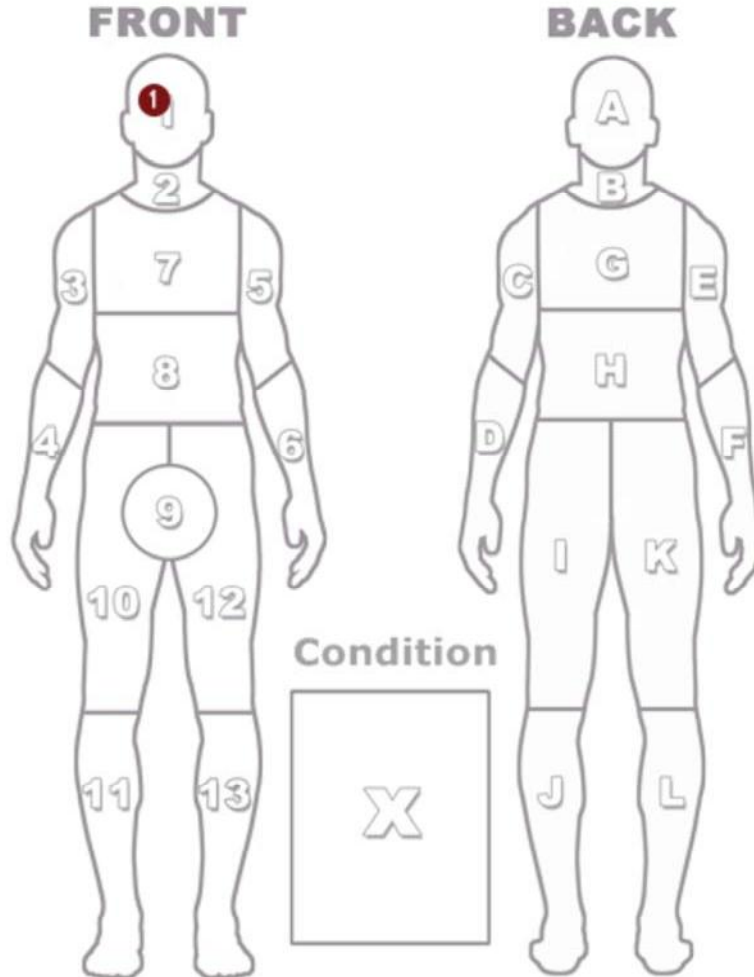
- Transient, Spokane, WA
- 1416 E Hartson 99202

Types of Resistance Citizen Used Against Officer(s)

- Active Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
Transport to Hospital	1	1



Charges against this citizen

- Traffic Offense

Involved Officers

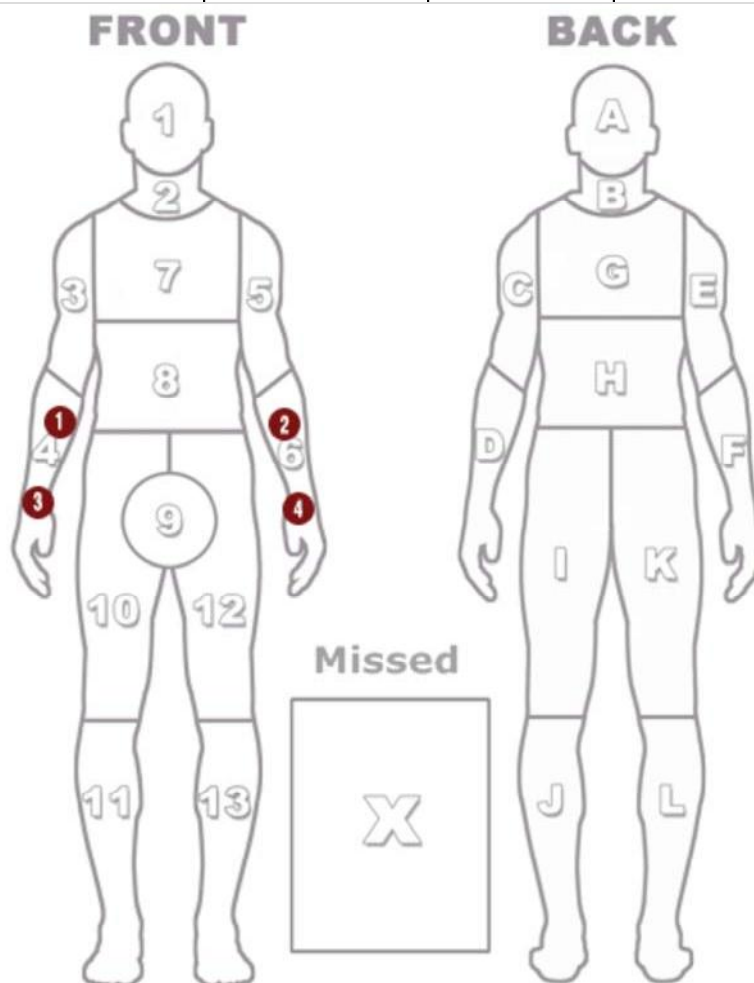
Officer Christopher Johnson - Payroll Number: #5c

Force used by this officer against the citizen

- Takedown Technique - Was force effective: Yes
- Arrest Tactics - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact

Takedown Technique	Yes	4, 6	1, 2
Arrest Tactics	Yes	4, 6	3, 4

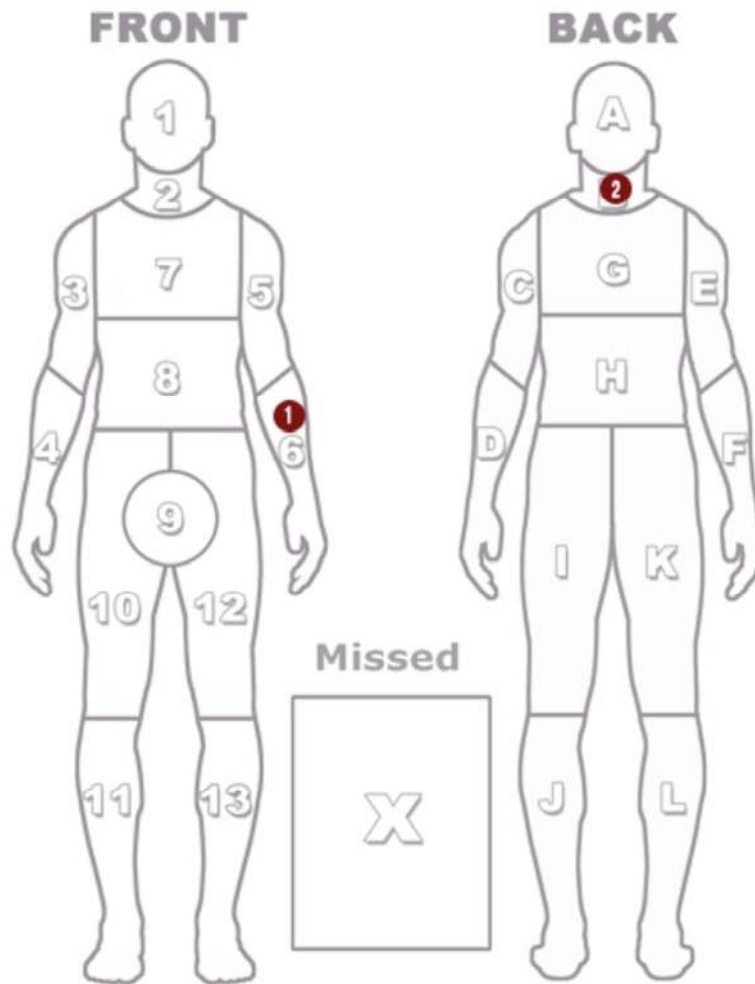


Officer Nicholas Spolski - Payroll Number: #5c

Force used by this officer against the citizen

- Takedown Technique - Was force effective: Yes
- Arrest Tactics - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Takedown Technique	Yes	6	1
Arrest Tactics	Yes	B	2



Officer Witnesses

Officer Yeshua Matthew - Payroll Number: #5c

Corporal Nathan Spiering - Payroll Number: #5c

Attachments

Date Attached	Attachment Description	Attachment Type
11/10/2014	All reports and CAD	pdf
11/11/2014	McNab's additional	doc

Chain of Command History

Sent Dt	From	To	Cc	Sender's Instructions	Approved	Recipient's Comments/Response
11/9/2014	Sergeant Michael McNab	Lieutenant Alan Arnzen	(none)	use of force	<input checked="" type="checkbox"/>	Sgt. McNab please attach other reports associated with this incident as referenced by Officer Spolski. Lt. Arnzen 095
11/9/2014	Lieutenant Alan	Sergeant Michael	(none)	Sgt. McNab please attach other	<input checked="" type="checkbox"/>	Lt. Arnzen I added the missing information and in addition

	Arnzen	McNab		reports associated with this incident as referenced by Officer Spolski. Lt. Arnzen 095		discovered that Officer Johnson was involved and not a witness. I have made the necessary changes.
11/11/2014	Sergeant Michael McNab	Lieutenant Alan Arnzen	(none)	See updated information	<input checked="" type="checkbox"/>	Sergeant McNab did a good job of investigating this use of force. I agree that the force used by Officer Spolski and C Johnson was reasonable and within policy. The suspect, Larry Walton had attempted to elude/evade the officers on his bike. Officers also indicated he reached in his pocket and was non compliant at time of arrest. The take down was a minimal use of force. The injury to his face/eye could have been caused from hitting a variety of items during the take down or prone cuffing. The officers and Cpl. Spiering did not view this as a use of force incident requiring a supervisor to respond. This was not done with any intent or malice but ignorance of the policy. Sergeant McNab has counseled Cpl. Spiering and he has gone over the policy with him. As stated by Sgt. McNab he is new to his corporal position and duties. I agree with Sgt. McNab's recommendation that his counseling should be enough to address this policy issue with Cpl. Spiering and nothing further is needed. I will also direct Sgt. McNab to review the use of force policy with his team members. Lt. Arnzen 095
11/14/2014	Lieutenant Alan Arnzen	Captain Daniel Torok	Sergeant Michael McNab	Captain Torok for your review and recommendations. Lt. Arnzen 095	<input checked="" type="checkbox"/>	I concur that the use of force was within policy. The reason for the delay in reporting has been addressed through counseling/ training.
11/17/2014	Captain Daniel Torok	Asst Chief Patrick Dobrow	(none)	for review	<input checked="" type="checkbox"/>	This UOF was reasonable and within policy.

Entering Officer Signature Line

Sergeant Michael McNab

Chain of Command Signature Lines

Lieutenant Alan Arnzen

Sergeant Michael McNab

Captain Daniel Torok

Asst Chief Patrick Dobrow



Spokane Police Department
Internal Investigation



CONFIDENTIAL

IA#
Additional

Incident Being Investigated

14-378749

Use of force-Injury

Officer Interview Summary

After this incident occurred none of the officers attempted to notify a supervisor because none of them recognized it as a use of force where supervisor notification was required. This was discovered by Sergeant Boothe when he reviewed Officer Spolski's report.

Corporal Spiering had responded to the scene and photographed Walton's injuries. I spoke to Corporal Spiering about the issue the next day. He advised that he was the highest ranking officer at the scene and failed to recognize the circumstances as a use of force requiring supervisor notification per SPD policy 300.5.1(a. visible injury other than minor marks from prone cuffing). Corporal Spiering understands his mistake and has since reviewed the policy. He has said to me that since he was the highest ranking officer on scene, he takes full responsibility for the error.

Officer Spolski's report does not identify what caused the cut above Walton's eye. When asked about this Officer Spolski advised that he does not know what caused the injury. He advised that the physical altercation with Walton was a matter of seconds and his primary concern was that he was accessing a weapon and had his attention focused on Walton's hands. Any number of things could have caused the injury including the ground or Walton's bike.

Officer Johnson stated in his report that Walton's bike bumped into Spolski's door. He advised when he and Spolski took him to the ground Walton fell onto the bike but he did not see what caused the cut to Walton's eye. He added that it would have been unlikely that Walton's head would have hit the vehicle door because when they took him to the ground it was away from the car door.

Suspect Interview Summary

I was not on-duty when this incident occurred and was not able to speak to the male suspect, Larry Walton, until the following shift. Walton was still in jail when I was made aware of the incident. I contacted him on 11/10/14 around midnight. I noted the injury above Walton's right eye. It was a vertical cut that went through his right eyebrow and slightly above and below. It was approximately one inch in length. The right eyelid was also discolored in this area. In addition to the eye injury I noted some minor scratches to his forehead.

Walton stated the following: He didn't realize that the officers were trying to stop him. An officer pulled in front of him, grabbed the front of his jacket, and then pulled him downwards onto the ground. On the way to the ground his head hit the door jamb of the patrol vehicle

causing the injury to his eye. Once on the ground he did not resist and told officers he could not breathe. He said he may have lifted his head up a couple times.

Walton was adamant that he did not attempt to elude officers on his bike nor did he resist arrest. He was also adamant that his eye injury was caused by his head hitting the vehicle door stating he saw the door before he hit it.

I found some credibility issues in Walton's statement. I find it hard to believe based on the officer reports that he did not realize the police were trying to stop him. In checking his local criminal history I discovered he has numerous entries for attempting to elude the police as well as an officer Safety entry from 2012.

Physical Evidence

Photographs of injury, scene, bike.

Investigative Summary

Officer Spolski was attempting to stop a male on a bike for an equipment violation. The male fled riding recklessly into traffic almost causing a collision. Officer Spolski got into a position where he was blocking the male's path. While approaching Officer Spolski the male reached into his pockets causing concern that he was attempting to access a weapon. The male tried to ride past Officer Spolski. Officer Spolski tried to gain arm control but was only able to get a grip on the male's jacket. Officer Johnson arrived on scene and was able to assist. Together Officers Johnson and Spolski were able to take the male to the ground. The bicycle was in between the male and Spolski. The male fell onto the bike when he was taken to the ground. Once on the ground Officers Spolski and Johnson were attempting to execute prone cuffing. Their efforts were frustrated by the male continuing to resist. Once the male was handcuffed he stopped resisting.

Officer Spolski noted the male sustained a cut above his right eye and scratches to his face and forehead. The male was taken to the hospital where he received stitches for the cut above his eye. Photographs were taken of his injuries.

I examined Officer Spolski's vehicle on 11/10/14. I could not find any damage that would indicate Walton hit his head on the vehicle door jamb nor did I see any marks where the bike could have hit the vehicle.

Officer Spolski stated in his report that the reason for stopping Walton was due to no rear reflector. After the altercation he realized that there was a reflector but it was pointing downward. I examined the bike at property. The bike did not have a mounted reflector. Instead it had a LED lighted device that was clipped to a cargo rack mounted above the rear wheel. The light was attached with the lights pointing towards the ground. The lights were very dim and would not be visible if looking at the bike from behind. Photographs were taken of the bike and its light. I also examined the bike for any other damage or marks. I found no significant damage and noted the handle bars were still aligned with the front tire (something easily knocked out of plumb).

Use of force findings:

It is unknown how exactly the male sustained the cut above his eye but it happened at some point during the take-down or cuffing process. Although the cut is more severe than typical injuries sustained from prone cuffing, the mechanics of the altercation described in officer's reports are consistent with the male's injuries. There are two likely causes of this injury; the fact that the male fell onto his bike when he was taken to the ground and/or the male continued to resist once on the ground. Officer's Spolski and Johnson's reasonable use of force in this incident was within department policy. Even though it resulted in an injury that required medical treatment, the amount of force the officers used was minimal, appropriate, and effective.

Failing to notify a supervisor:

In regards to the policy violation 300.5.1 Notification to Supervisors, Corporal Spiering was the highest ranking officer on scene and failed to recognize this incident as a use of force requiring supervisor notification. As previously stated Corporal Spiering acknowledges his error and takes full responsibility. Corporal Spiering is fairly new to his position and still learning. From his first day as a corporal he has shown tremendous initiative in learning his new duties. In addition over the past few months Corporal Spiering has proved himself a capable leader in the field. Corporal Spiering and I have gone over this policy and I am confident that this would not repeat this mistake. Lastly this occurred on a night that was extremely busy to include an officer involved shooting. It is reasonable to believe that an officer under this type of stress would be more prone to a minor mistake such as this. Since I have already discussed the policy with Corporal Spiering I would not recommend any further action.

Sergeant M. McNab #689

Incident History for: #SP140378749

Entered 11/09/14 02:09:16 BY PCC01 1144
 Dispatched 11/09/14 02:09:16 BY PCC01 1144
 Enroute 11/09/14 02:09:16
 Onscene 11/09/14 02:09:16
 Closed 11/09/14 04:31:23

Initial Type: BIKE Final Type: BIKE (BIKE STOP)
 Initial Priority: 3 Final Priority: 3
 Disposition: 1G Source: R Primary Unit: A322
 Police BLK: SPA2WC
 Group: P2 Beat: Map Page: 25
 Loc: N OAK ST/W SPOFFORD AV ,SPK <1500,1700> (V)
 Name: Addr: Phone:

/020916 (1144) \$OUTSRV ,NO MORE INFORMATION
 /020916 DISPOS A322 #969 SPOLSKI, NICHOLAS
 ,NO MORE INFORMATION
 /020920 ASSTER A311 [SPOFF/OAK]
 #975 MATTHEW, YESHUA
 /020922 CHANGE LOC: SPOFF/OAK --> N OAK ST/W SPOFFORD AV ,SP
 K,
 BLK: --> SPA2WC
 /020948 (966) *ASSTER A321 [N OAK ST/W SPOFFORD AV ,SPK]
 #966 JOHNSON, CHRISTOPHER
 /020959 (1144) MISC A322 ,TAKING OFF SB
 /021016 MISC A322 ,SOFF/MAPLE NB, DROPPED SOMETHING
 /021016 (691) *ASSTER K12 [N OAK ST/W SPOFFORD AV ,SPK]
 #691 GORMAN, PAUL
 /021030 (1144) MISC A322 ,EB AUGUSTA
 /021035 MISC A322 ,SB WALNUT
 /021046 MISC A322 ,SLOWING DOWN
 /021049 (966) *ONSCNE A321
 /021054 (1144) MISC A322 ,EB SPOFFORD
 /021156 MISC A311 ,TAKING ONE INTO CUSTODY, 1300 W SPOFFORD, UNR
 ESTRIC
 /021158 (691) *ONSCNE K12
 /021222 (1144) NEWLOC A311 [1300 W SPOFFORD]
 /021230 ASSTER P323 [SPOFFORD/MAPLE]
 #560 SPIERING, NATHAN J
 /021241 NEWLOC A321 [1300 W SPOFFORD]
 /021241 NEWLOC A322 [1300 W SPOFFORD]
 /021241 NEWLOC K12 [1300 W SPOFFORD]
 /021450 REMINQ A311 WANT,A311,,,,,,WALTON,LARRY,A,1975,08,15,,,,,
 ''''
 /021615 MISC A311 ,DOC CONFIRMED, IN CUSTODY
 /021617 (560) *ONSCNE P323
 /021705 (1144) EMSREQ A311 T/PCC05
 ,MEDICS FOR MALE, CONC/BREATH, SCRAPES/CUT TO
 HEAD
 /021731 MISC A322 ,MAY HAVE BEEN A BLK GLOVE IN MIDDLE OF ROAD
 /021744 (761) CALLBK T/PCC01
 ,MEDICS ADV
 /022908 (560) *CLEAR P323 ,PSTAT/ASST PSTAT/VIDY PICS
 /023836 (969) *TRANS A322 [DEACONESS] M/0.0
 /024312 *TRANSC A322 M/1.7
 /025443 (966) *CLEAR A321 ,PSTAT/ASST
 /025500 (691) *CLEAR K12 ,PSTAT/ASST
 /025650 (975) *CHGLOC A311 [PROPERTY]

```

/030623      *ONSCNE  A311
/031133 (969 ) *REMINQ  A322  MWANT,,,,,,,,,WALTON,LARRYA,1975,08,15,,,,,,,,,
                                     ''''
/031833 (1160 )  OK      A311
/032204      OK      A322
/034018 (975 ) *MISC   A311   ,PSTAT/ASST PSTAT/RPT
/034050      *CLEAR  A311
/040227 (969 ) *TRANSC  A322   [JAIL] M/1.7
/040607      *TRANSC  A322   [STATION] M/3.1
/043103      *MISC   A322   ,PSTAT/SI PSTAT/WAR PSTAT/MISD
/043109      *MISC   A322   ,PSTAT/NONHAZ
/043117      *MISC   A322   ,PSTAT/RPT
/043123      *CLEAR  A322   DSP: 1G
/043123      CLOSE  A322

```

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-378749	
INCIDENT TYPE Arrest, Information		INCIDENT CLASSIFICATION #1 TRAFFIC-OTHER		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <input type="checkbox"/>
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4 <input type="checkbox"/>
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Sun 11/09/2014 02:09	DATE/TIME	OCCURRED ON Sun 11/09/2014 02:09	DATE/TIME	OCCURRED TO Sun 11/09/2014 03:00	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 11/09/2014	REPORT TIME 03:00	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE 46.61.022 FAIL TO STOP(REQUEST/SIGNAL)					UCR/NIBRS CODE /
LOCATION OF INCIDENT Oak/Spofford, Spokane, WA 99201				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS Suspect Arrested					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS N/A					
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim-Individual, RU-Runaway, RO-Registered Owner, PS-Passenger, VB-Victim-Business, OW-Owner of Property, CDN-Contact, W-Witness, V-Deceased, MR-Person Mentioned, G-Legal Guardian, A-Arrested Person, C-Complainant, CV-Complainant's Victim, D-Driver, PE-Pedestrian, N-Institutional, M-Missing, O-Other, PC-Pedestrian-Cyclist</small>					
CODE A-1	NAME: LAST, FIRST, MIDDLE Walton, Larry Allan			SEX M	RACE/ETHNICITY B-Black
DATE OF BIRTH/AGE 08/15/1975 39		HEIGHT 5'10"	WEIGHT 165	BUILD Medium	HAIR Black
EYES BRO - Brown		DESCRIPTORS			
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL ADDRESSES				ADDRESS TYPE Transient	
ADDITIONAL PHONES NONE					
CHARGE LEVEL Misdemeanor	DESCRIPTION 46.61.022 FAIL TO STOP(REQUEST/SIGNAL)				UCR/NIC CODE
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION # N046484	DATE 11/09/2014	TIME 02:09	BOOKED WHERE		DATE
ARREST LOCATION 1300 W Spofford, 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. #4a	<input type="checkbox"/> FAKE	OTHER ID (ID Card) #4b	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES Apparent Minor Injury			TYPE OF VICTIM		MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO
HOSPITAL TAKEN TO Deac	TAKEN BY SO/SPD Escort by	<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN	SUICIDE NOTE FOUND? <input type="checkbox"/>	HOLD PLACED BY
ID NO./NAME OF REPORTING OFFICER #969 - Spolski, Nicholas			DISTRIBUTION		
APPROVAL #689 - McNab, Michael		DATE/TIME 11/10/2014 16:29			

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION TRAFFIC-OTHER	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-378749
NARRATIVE		

On 110914, I saw a male (later identified as Larry Walton) riding a red bike near Oak/Spofford. I did not see a rear reflector on the bike.

I activated my overhead emergency lights which are equipped on my fully marked black and white patrol vehicle and attempted to stop Larry for the violation. It was very dark out and I could barely see him since he did not have a rear reflector.

Larry looked back at me but continued to ride away from me. I activated my emergency siren to further notify him of my intent to stop him. Larry looked back several more times as he rode away north on Oak and then eastbound Augusta. He then rode south on Ash and then continued east on Spofford.

Larry approached Maple and dropped an item that was black in color. Larry road north on Maple nearly causing a collision with several cars that were northbound on Maple.

Larry then turned East on Augusta and then South on to Walnut. He was riding up a slight hill and appeared to be tired at this time. He then road East on Spofford and increased his speed again.

Another Officer was West on Spofford and with his overhead emergency lights on in an attempt to get Larry to stop. Larry road on the wrong side of the road and past the Officer. Another Officer attempted to block his path and get him to stop but again Larry road past the Officer.

Fearing that Larry would continue to flee and potentially cause a collision, like he almost did at Maple/Spofford, I speed up and got in front of Larry. Using a parked vehicle I placed my patrol car at an angle to the parked vehicle and opened my door to further block Larry's path of escape.

Larry attempted to ride between an approx one foot gap between my door and the parked car. As I got out of my patrol car Larry reached his hands into his pockets.

I told Larry to get his hands out of his pockets and to get on the ground. Larry refused to comply and continued to reach in to his pockets. It appeared as if Larry was searching for something in his pockets.

Fearing Larry was reaching for a weapon I attempted to grab his left arm which was nearest to me at the time. Larry was wearing a puffy loose

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION TRAFFIC-OTHER	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-378749
---	---------------------------------------	-------------------------------------

fitting coat and I was not able to gain control of his arm.

I was able to grab Larry's coat and escort him to the ground to gain control of Larry and stop him from accessing any potential weapons. Larry's bike was between him and me at the time and it fell forward and on to the ground in front of Larry as I was escorting him to the ground. Larry fell on to the bike.

While on the ground Larry attempted to get away from me by twisting and turning his body. I placed my knee on the back of his neck and upper back to gain control as Ofc. Johnson arrived to assist.

Larry kept slipping out of my control raising his head several times as I re-applied my knee to the back of his neck and upper back.

Larry continued to twist and turn his body attempting to get away while reaching into the back of his pants and pockets. Ofc. Johnson was able to handcuff him and we were able to gain control of Larry.

After Larry was detained, handcuffed (DL), he was cooperative. Larry had a cut above his right eye and some other scrapes on his face and forehead. I do not know the exact cause of Larry's injuries. The cut had a slow drip of blood coming from it and there were some blood drops on the ground below.

Medics responded and advised that he might need stitches.

After further inspection of the bike, I saw that there was a rear reflector on the bike but it was pointed down so that it could not be seen.

I transported Larry to Deaconess where he received stitches to the cut above his right eye. The cut appeared to be approx one inch in length and vertical across his eyebrow. Around the cut it was swollen and turning black and blue.

Ofc. Mathew took custody of the bike and placed it on to property, see his report.

After Larry was cleared by Deaconess I booked him into jail for a DOC warrant. I cite/release Larry for fail to stop and no rear reflector.

N. Spolski 969

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 14-378749	
REPORT PURPOSE			REPORTED ON DATE Sun 11/09/2014	TIME 02:09
INCIDENT CLASSIFICATION #1 TRAFFIC-INFRACTION	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 11/09/2014	REPORT TIME 22:24
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On the 09 Nov.2014 at approx. 0209hrs I heard Ofc. Spolski advise he had a bike that would not stop for him. He advised the suspect was east on Augusta from Walnut.

I observed Ofc. Matthew stop his fully marked patrol car with emergency lights on to the east of the suspect. He stepped out of his vehicle and the suspect rode around Ofc. Matthew. I was able to drive past the suspect and stopped in the intersection to the east of the suspect. The suspect had to slow and drive around the passenger side of my vehicle. We then caught up to the suspect. He waved his right hand in the air and glared at us asking why we were chasing him.

Ofc. Spolski passed the suspect stopping his fully marked patrol car with emergency lights on and opening his door. The suspect continued riding and slowed but still bumped into Ofc. Spolski's drivers door.

At this point the suspect was under arrest for Failing to Stop. He refused to stop for a fully marked patrol car and had drove around two fully marked patrol cars with their emergency lights on.

Ofc. Spolski tried to control the suspect but he tried to pull away and would not comply with his commands. We did take control of his arms and guided him to the ground. He did trip over the bicycle as we guided him to the ground.

The suspect, later identified as Larry Walton, refused to place his arms behind his back. He continued to try and reach into his pants pocket. We were able to place him into handcuffs but he continued to twist and try to reach into his pants pocket. It should be noted we later recovered several needles from his pants pocket.

He continued to attempt to reach into his pockets until we placed him on his stomach where he continued to twist his body. He began screaming that he could not breath. We moved him to his side where he continued screaming and twisting his body. He eventually calmed down as we used VDI.

Walton had a small laceration on his right eyebrow. We requested medical attention and had a cpl take photos of the injury.

Walton was booked into the SCJ for a DOC warrant.

A321 Team #10
C. Johnson #966

ID NO./NAME OF REPORTING OFFICER #966 - Johnson, Chris L	DISTRIBUTION	
APPROVAL #689 - McNab, Michael	DATE/TIME 11/10/2014 00:32	

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 14-378749	
REPORT PURPOSE			REPORTED ON DATE Sun 11/09/2014	TIME 02:09	INCIDENT XREF
INCIDENT CLASSIFICATION #1 TRAFFIC-INFRACTION		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 WARRANT ARREST		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 11/09/2014	REPORT TIME 23:27	
PRIMARY CHARGE					UCR/NIBRS CODE
PROPERTY					
ITEM # 1	STATUS Unknown		QUANTITY 1	UNITS	TOTAL VALUE
DESCRIPTION/COMMENTS Cannondale Silk Path 700		ITEM/CATEGORY Bicycle		TYPE Bicycle	
BRAND	MODEL	SERIAL NUMBER IE B1-0302 06292		OWNER ASSIGNED NUMBER	
NARRATIVE					

On 11/09/2014 at approximately 0209 hours, I responded to the area of Oak Street and Spofford Avenue to assist Officer Spolski with a bike stop.

Officer Spolski advised he attempted to stop a bicyclist, however, but the subject refused to stop and tried to ride away on the bicycle.

As I arrived on scene, Officer Spolski advised the subject was SB on Walnut Street and had just made a turn onto Spofford Avenue and was riding EB.

I turned WB on Spofford Avenue from Cedar Street. As I turned onto Spofford, I saw a bicycle traveling EB on Spofford Avenue with two fully marked patrol cars following behind with their emergency lights activated.

I activated my emergency lights and stopped in the roadway in an attempt to stop the subject on the bicycle. I began to exit my vehicle to tell the subject to stop but he moved to the left and rode past my patrol vehicle.

I got back into my patrol vehicle and drove around the block and located Officer Spolski and Officer C. Johnson detaining the subject at about 1300 W Spofford Avenue.

I examined the bicycle the subject was riding and discovered it was a Cannondale Silk Path 700 equipped with pedals which were designed for bicycle shoes to clip onto the pedals. The subject who was detained was not wearing shoes designed for the pedals.

Due to the subject's previous theft history, the value of the bicycle being \$500 to \$1000, and the fact he was wearing tennis and not cycling shoes, I believed the bicycle was not his and was stolen.

ID NO./NAME OF REPORTING OFFICER #975 - Matthew, Yeshua		DISTRIBUTION	
APPROVAL #689 - McNab, Michael	DATE/TIME 11/10/2014 00:24		

SUPPLEMENTAL REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION TRAFFIC-INFRACTION	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 14-378749
--	---------------------------------------	-------------------------------------

I placed the Cannondale Silk Path 700 on property for safekeeping.

OFFICER/NUMBER/CALL SIGN

Y. Matthew/975/A311

CRIMINAL **TRAFFIC** **NON-TRAFFIC** **N 046484**

IN THE DISTRICT MUNICIPAL COURT OF SPOKANE, COUNTY OF SPOKANE, *WA032051J STATE OF WASHINGTON
 STATE OF WASHINGTON, PLAINTIFF VS. NAMED DEFENDANT
 COUNTY OF SPOKANE
 CITY/TOWN OF
L.E.A. ORI #: COURT ORI #: **14-378749**

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON

DRIVER'S LICENSE NO. **#4b** (TD) **#4b** EXPIRES **8/12** PHOTO I.D. MATCHED YES NO
NAME: LAST **WALTON** FIRST **LARRY** MIDDLE **ALLAN AHMAD** CDL YES NO
ADDRESS **TRANSIENT** IF NEW ADDRESS
CITY STATE ZIP CODE EMPLOYER LOCATION
DATE OF BIRTH **081575** RACE **B** SEX **M** HEIGHT **510** WEIGHT **160** EYES **BRN** HAIR **BRN**
RESIDENTIAL PHONE NO. CELL/PAGER NO. **509 1323-5618** WORK PHONE NO.
VIOLATION DATE MONTH **11** DAY **09** YEAR **14** TIME **0209** INTERPRETER NEEDED
ON OR ABOUT 24 HOUR
AT LOCATION **OAK/SPOFFORD** M.P. CITY/TOWN OF **SPOKANE**

DID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE ON A PUBLIC HIGHWAY AND

VEHICLE LICENSE NO. STATE EXPIRES VEH. YR MAKE MODEL STYLE COLOR
TRAILER #1 LICENSE NO. STATE EXPIRES TR. YR TRAILER #2 LICENSE NO. STATE EXPIRES TR. YR
OWNER/COMPANY IF OTHER THAN DRIVER
ADDRESS CITY STATE ZIP CODE
ACCIDENT NO NR R I F BAC READING CMV YES NO 16+ YES NO HAZMAT YES NO EXEMPT FARM FIRE
VEHICLE R.V. OTHER

DID THEY AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES

#1 VIOLATION/STATUTE CODE **46.61.022** DV
FAIL TO STOP WHEN SIGNALLED
#2 VIOLATION/STATUTE CODE DV

MANDATORY COURT APPEARANCE

APPEARANCE DATE **11/19/14** TIME **1:30 PM** RELATED # **W020357** DATE ISSUED **110914**
 Served on Violator
 Sent to Court for Mailing
 Referred to Prosecutor
 Booked
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE ISSUED THIS ON THE DATE AND AT THE LOCATION ABOVE, THAT I HAVE PROBABLE CAUSE TO BELIEVE THE ABOVE NAMED PERSON COMMITTED THE ABOVE OFFENSE(S).
OFFICER **N. SPOLSKI** **969**
OFFICER

COMPLAINT / CITATION

ABSTRACT OF JUDGMENT	CRG	PLEA	CNG	FINDINGS	FINE	SUSPENDED	SUB-TOTAL	FIND/JUDG DATE
								ABS MLD TO OLY
1	G	NG		G NG D	\$	\$	\$	TO SERVE
2	G	NG		G NG D	\$	\$	\$	WITH DAYS SUP.
OTHER COSTS \$								
RECOMMENDED NON EXTENSION OF SUSPENSION <input type="checkbox"/>					LICENSE SUR-RENDER DATE	TOTAL COSTS \$	CREDIT / TIME SVD	

N 046484

OFFICER REPORT

[Lined area for handwritten notes, mostly blank]

TRAFFIC <input checked="" type="radio"/> MED HV	WEATHER <input checked="" type="radio"/> RN FG SN	STREET <input checked="" type="radio"/> W E S	LIGHT <input checked="" type="radio"/> DWN DSK DK
--	--	--	--

Officer's Report for Citation # 14-378749
 The information contained on this citation is incorporated by reference into this report.
 I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT
 ALL STATEMENTS MADE HEREIN ARE TRUE AND ACCURATE

Signature [Signature] # 969
 Date and Place 11/09/14

WITNESS NAME (LAST, FIRST, M.I.)	PHONE
----------------------------------	-------

ADDRESS	CITY	STATE	ZIP
---------	------	-------	-----

WITNESS NAME (LAST, FIRST, M.I.)	PHONE
----------------------------------	-------

ADDRESS	CITY	STATE	ZIP
---------	------	-------	-----

INCIDENT NUMBER <u>14-378749</u>	RELATED CITATION/INFRACTION NUMBERS <u>W020357</u>	APPROVING OFFICER(S) NO. <u>N. SPOLST/969</u>
-------------------------------------	---	--

MUNICIPAL COURT OF SPOKANE, COUNTY OF SPOKANE, *WA032051J
 DISTRICT COURT STATE OF SPOKANE WASHINGTON

L.E.A. ORI #: WA0320400 COURT ORI #: 14-378749

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON

DRIVER LICENSE NO. #4b (ID) STATE #4b EXPIRES 8/12 PHOTO ID MATCHED YES NO
 NAME: LAST WALTON LARRY FIRST ALLEN MIDDLE AHMAD COL YES NO
 ADDRESS TRANSIENT IF NEW ADDRESS PASSENGER
 CITY STATE ZIP CODE EMPLOYER LOCATION
 DATE OF BIRTH 08/15/75 RACE B SEX M HEIGHT 5-10 WEIGHT 160 EYES BRN HAIR BRN
 RESIDENTIAL PHONE NO. () CELL/PAGER NO. (509) 323-8618 WORK PHONE NO. ()
 VIOLATION DATE MONTH 11 DAY 09 YEAR 14 TIME 0209 INTERPRETER NEEDED LANG: _____
 AT LOCATION OAK/SPOFFORD CITY/COUNTY OF SPOKANE

DID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE ON A PUBLIC HIGHWAY AND

VEHICLE LICENSE NO. STATE EXPIRES VEH. YR. MAKE MODEL STYLE COLOR
 TRAILER #1 LICENSE NO. STATE EXPIRES TR. YR. TRAILER #2 LICENSE NO. STATE EXPIRES TR. YR.
 OWNER/COMPANY IF OTHER THAN DRIVER
 ADDRESS CITY STATE ZIP CODE
 ACCIDENT NO NR R I F CMV YES NO 16+ YES NO HAZMAT YES NO EXEMPT FARM FIRE OTHER R.V. OTHER

DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES

#1 VIOLATION/STATUTE CODE 46.61.780 VEHICLE SPEED IN A ZONE SMD PACE AIRCRAFT
 HEAD LAMP, RED REFLECTOR & BRAKES REQUIRED \$103.00
 #2 VIOLATION/STATUTE CODE
 #3 VIOLATION/STATUTE CODE
 PENALTY U.S. \$ 103.00
 RELATED N046484 DATE ISSUED 11/09/14
 Served on Violator
 Sent to Court for Mailing
 Referred to Prosecutor
 I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE ISSUED THIS ON THE DATE AND AT THE LOCATION ABOVE, THAT I HAVE PROBABLE CAUSE TO BELIEVE THE ABOVE NAMED PERSON COMMITTED THE ABOVE OFFENSE(S).
 OFFICER N. SPOLSKI # 969
 OFFICER #

INFRACTION						
INF	RESPONSE	DISPOSITION	PENALTY	SUSPENDED	SUB-TOTAL	FNDG/JDGT DATE
1	C NC	C NC D P DF	\$	\$	\$	ABSTRACT MLD TO OLYMPIA
2	C NC	C NC D P DF	\$	\$	\$	
3	C NC	C NC D P DF	\$	\$	\$	
					TOTAL COSTS \$	

OFFICER REPORT

ON 110914 I SAW LARRY WALTON RIDING A RED BIKE W/NO VISIBLE REAR REFLECTOR. AFTER FINALLY BEING ABLE TO STOP HIM AFTER FOLLOWING HIM FOR SEVERAL BLOCKS W/MY OVERHEAD LIGHTS & SIREN. I SAW THERE WAS A REFLECTOR BUT IT WAS POINTED DOWN.

I CITE/RELEASE LARRY FOR NO REAR REFLECTOR & FAIL TO STOP WHEN SIGNALLED

TRAFFIC <input checked="" type="radio"/> MED HV	WEATHER <input checked="" type="radio"/> RN FG SN	STREET <input checked="" type="radio"/> W I S	LIGHT <input checked="" type="radio"/> DWN DSK DK
--	--	--	--

Officer's Report for Citation # 14-378749
 The information contained on this citation is incorporated by reference into this report.
 I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT ALL STATEMENTS MADE HEREIN ARE TRUE AND ACCURATE

Signature [Signature] # 969
 Date and Place 110914

WITNESS NAME (LAST, FIRST, M.I.)	PHONE
ADDRESS	CITY STATE ZIP
WITNESS NAME (LAST, FIRST, M.I.)	PHONE
ADDRESS	CITY STATE ZIP

INCIDENT NUMBER <u>14-378749</u>	RELATED CITATION/INFRACTION NUMBERS <u>N046484</u>	OFFICER/NO. <u>N. SPOLSKI/989</u>
-------------------------------------	---	--------------------------------------



**Spokane Police
Department**

**Speed Measuring Device (SMD)
Radar/Laser Report Form**

DATE REPORTED				REPORT NUMBER	NOI /C NUMBER	
MONTH	DAY	YEAR	TIME	POSTED SPEED MPH	SMD SPEED MPH	DEFENDANT'S EST. SPEED MPH
LOCATION OF OFFICER					DISTANCE FROM LASER DEVICE FEET	
LOCATION / DIRECTION OF DEFENDANT						

THE DEFENDANT'S VEHICLE WAS IN RANGE OF THE SMD AND -

THE ONLY MOVING VEHICLE IN THE SMD OPERATING RANGE

OUT FRONT & CLOSEST TO THE SMD

VISUALLY APPEARED FASTER THAN OTHER TRAFFIC

LASER SMD USED (*The Laser provides absolute targetability.*)

MADE SPEED MEASURING DEVICE USED IN -

STATIONARY MODE APPROACHING

MOVING MODE RECEDING

R A D A R	AUDIO EMITTED A CLEAR, HIGH PITCH SOUND	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	RADAR CALIBRATION CHECKED BEFORE & AFTER CONTACT	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	INTERNAL & TUNING FORK TEST WAS	<input type="checkbox"/> ACCEPTABLE	<input type="checkbox"/> NOT ACCEPTABLE
TUNING FORK SERIAL NUMBERS		RADAR SERIAL NUMBER	
<input type="checkbox"/> <input type="checkbox"/>			
L A S E R	LASER LIGHT DISPLAY CHECK	LASER SERIAL NUMBER	
	<input type="checkbox"/> ACCEPTABLE <input type="checkbox"/> NOT ACCEPTABLE		
LASER DISTANCE MEASURING AND INTERNAL COUNTING UNIT CHECKED BEFORE AND AFTER SHIFT			
<input type="checkbox"/> ACCEPTABLE <input type="checkbox"/> NOT ACCEPTABLE			

TRAFFIC			WEATHER				STREET				LIGHT			
LT	MD	HV	CL	RN	FG	SN	D	W	I	S	D	DWN	DSK	DK

<p>_____playground/ school zone is clearly posted as a 20mph playground/school zone per RCW 46.61.440. It is fully posted with standard playground/school zone and speed limit signs. These signs are posted 300ft from the marked crosswalk in either direction for this playground/school zone</p>	<p>I was _____</p> <p>I saw defendant at _____ and clearly saw defendant was not wearing a seatbelt. The seatbelt was hanging loosely from the doorpost.</p>
--	--

I HAVE BEEN INSTRUCTED AND I AM QUALIFIED TO OPERATE THIS RADAR / LASER.
I CERTIFY (DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE
STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

OFFICER	PERS.#	DATE	LOCATION
			SPOKANE, WA SPD 2402 (12/2002)

D A T A	AGENCY NAME SPD		CROSS REFERENCE NUMBER(S)		INCIDENT NUMBER 14-378749			
	INCIDENT CLASSIFICATION Warrant, bike stop			LOCATION OF ORIGINAL INCIDENT Oak/Spofford		MONTH 11	DAY 09	YEAR 2014
	INVESTIGATOR Spolski				PHOTOGRAPHED BY NJ Spiering #560			
	NAME LAST, FIRST MIDDLE Walton, Larry A.				RACE	SEX	DOB 08/15/1975	
P H O T O G R A P H S	PHOTO #1 THROUGH #9			LOCATION PICTURES TAKEN 1300 W. Spofford				
	NUMBER	DESCRIPTION						
	1	Overall Walton						
	2	Walton, face						
	3	Walton, right eye brow						
	4-5	Walton, detention scene						
	6	Maple/Spofford						
	7-8	glove, Maple/Spofford, west side intersection						
	9	photo log						