



## SPOKANE POLICE DEPARTMENT

FRANK STRAUB, JR.  
CHIEF OF POLICE

### Internal Affairs Exemption Log



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

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

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

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

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

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

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



## Spokane Police Department Use Of Force Report

**Incident Entered By:** Sergeant Kurt Vigesaa  
**Assigned Investigator:** Sergeant Kurt Vigesaa

### Incident Details

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<b>Date Received</b>	<b>Date of Occurrence</b>	<b>Time of Occurrence</b>
11/26/2014	11/26/2014	17:39
<b>Record ID #</b>	<b>Incident No</b>	<b>IA No</b>
8583	14-397885	F14-103
<b>Date/Time Entered</b>		
11/30/2014 16:36		

### Incident Summary

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See attached narrative.

In compliance with policy per Assistant Chief Dobrow 12.18.14.

### Incident Location

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- 1907 Francis, Direction: E, Spokane, WA 99207 - : Northeast

### Use of Force Specific Information

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<b>Reason for Use of Force</b>	<b>Service Being Rendered</b>	
Resisting Arrest	Self Initiated	
<b>Weather Condition</b>	<b>Lighting Condition</b>	<b>Distance to Citizen</b>
Clear	Exterior Lighting	11 feet to 14 feet
<b>Citizen Injured</b>	<b>Citizen Taken to Hospital</b>	<b>Citizen Arrested</b>
Yes	Yes	Yes
<b>More than 1 Citizen Involved</b>		
No		
<b>Citizen's Build</b>	<b>Citizen's Height</b>	
Large	6'1" to 6'3"	
<b>Officer Assessment of Citizen Condition During Incident</b>		
Unknown Drugs		
<b>Officer(s) Injured</b>	<b>Officer(s) Taken to Hospital</b>	
No	No	

### Complainant/Involved Citizen Information

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**Sean M Driver**



DOB: 5/28/1976 Race: White Gender: Male

**Address**

- 7217 Trent AV, Direction: E, Spokane, WA 99212

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

- Active Resistance
- Life Threat/Suicidal

**Charges against this citizen**

- Warrant

## Involved Officers

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**Officer Daniel Cole - Payroll Number:** #5c

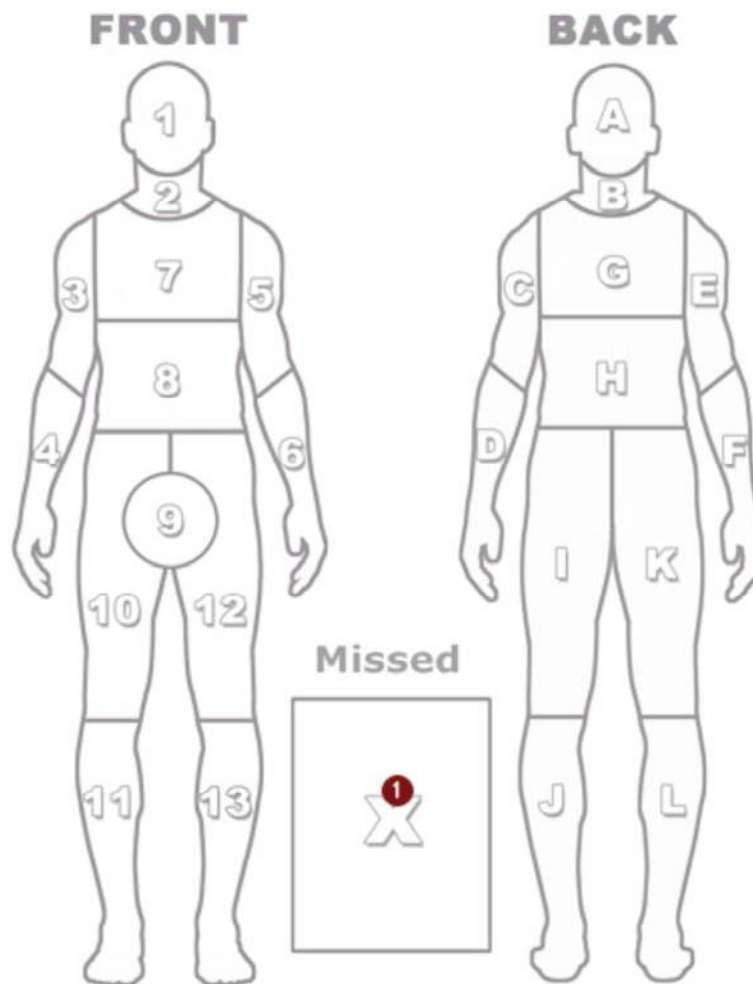
**Less Lethal Force used by this officer against the citizen**

- Taser - Was Less Lethal Force Used Effective? No  
Serial # -  
Cartridge # -

Was this a projectile/probe contact? Yes  
# of air cartridges used - 0  
Number of cycles through probes - 0  
Number of probe hits - 0  
Total number of probes deployed - 0  
Did the probe(s) penetrate subjects skin? No  
Was an additional cartridge deployed? No  
Was a follow up drive stun conducted? No  
Duration of cycles -  
Was this an accidental (unauthorized) discharge? No

Statistical Information  
Reason not effective - Total miss  
Was this an Arc display? No  
Was citizen painted with laser / red dot? No

Force Used	Effective?	Regions	Points of contact
Taser	No	X	1

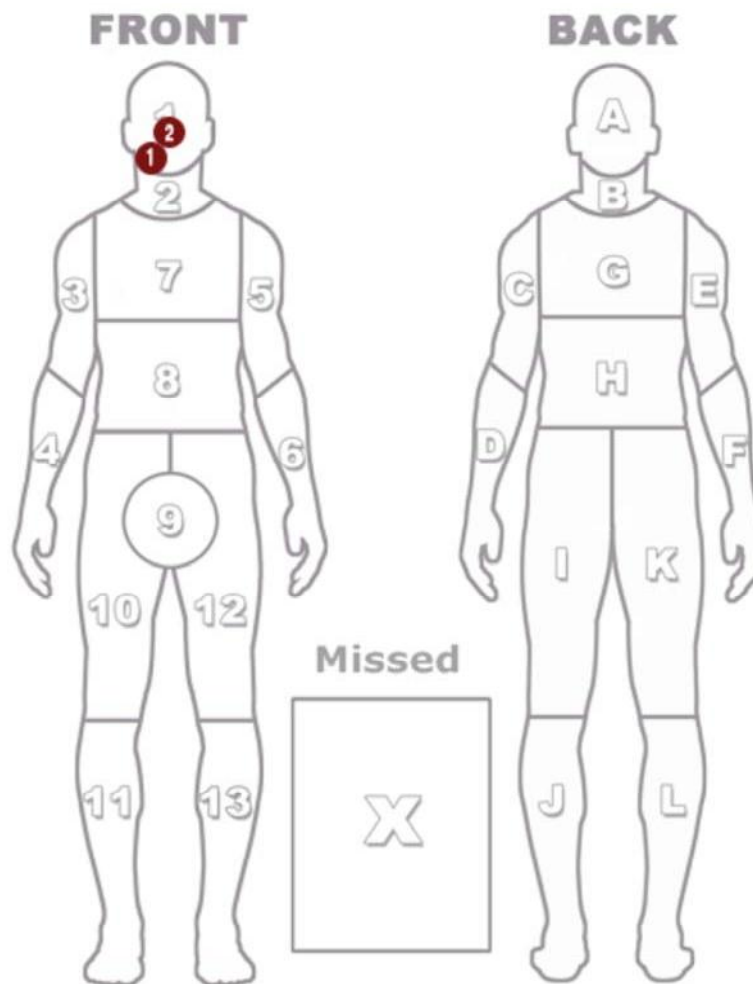


**Officer Dustin Howe - Payroll Number:** #5C

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

- OC/Chemical Application - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
OC/Chemical Application	Yes	1	1, 2



## Officer Witnesses

Officer Stephanie Kennedy - Payroll Number: #5c

Corporal Jeffrey McCollough - Payroll Number: #5c

## Attachments

Date Attached	Attachment Description	Attachment Type
11/30/2014	Officer reports	pdf
11/30/2014	Vigesaa'a brief	doc

## Chain of Command History

Sent Dt	From	To	Cc	Sender's Instructions	Approved	Recipient's Comments/Response
11/30/2014	Sergeant Kurt Vigesaa	Lieutenant Rex Olson	(none)	Lt Olson please review. I believe Ofc Cole's decision to deploy his Taser was reasonable and within SPD Policy. This Use of Force	<input type="checkbox"/>	Routing was NOT handled in BlueTeam. The incident was forwarded into IAPro by IAPro user Ms Michelle Reiner

				pertains to Ofc Cole's Taser deployment only. K9 will do their separate UOF.		
12/2/2014	Ms Michelle Reiner	Sergeant Kurt Vigesaa	(none)	Please add the officer that used the T16 OC grenade as an involved officer and list the type of force used. Thank you.	<input checked="" type="checkbox"/>	[Forwarded by Sergeant Kurt Vigesaa without completion notes]
12/7/2014	Sergeant Kurt Vigesaa	Lieutenant Rex Olson	(none)	Lt Olson please review. The first time I sent this, Ofc Howe wasn't attached as using OC because we normally don't do UOF's for OC application (either hand held or T-16 application). The T-16 was used at my request. I believe Ofc Cole's decision to deploy his Taser was reasonable and within SPD Policy. K9 will do their separate UOF. Kurt	<input checked="" type="checkbox"/>	I am forwarding this UOF to Lt. JD Anderson for his review of the use of the T-16. He is the supervisor for the CART Team.
12/11/2014	Lieutenant Rex Olson	Lieutenant Jon Anderson	(none)	For your Review	<input checked="" type="checkbox"/>	Officer Howe is no longer of member of the CART Team. He is however trained to use the T-16 and is still on TAC. I consulted with Sgt. Hartman who stated several of the TAC Team members are trained to use the T-16. I agree that the use of the T-16 was appropriate to aid in the apprehension while minimizing the chance of injury to suspect and officers. I have already approved the use of the K-9 in a separate K-9 use of force report.
12/12/2014	Lieutenant Jon Anderson	Captain Daniel Torok	(none)	PACT Team Use of Force for your review	<input checked="" type="checkbox"/>	I concur with Lt. Anderson that the use of the OC was consistent with policy.
12/18/2014	Captain Daniel Torok	Asst Chief Patrick Dobrow	(none)	For review	<input checked="" type="checkbox"/>	The use of force was within policy.

**Assigned Investigator Signature Line**


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 Sergeant Kurt Vigesaa
**Chain of Command Signature Lines**


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 Lieutenant Rex Olson

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Sergeant Kurt Vigesaa

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Lieutenant Jon Anderson

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Captain Daniel Torok

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Asst Chief Patrick Dobrow



Spokane Police Department  
Internal Investigation

CONFIDENTIAL



On 11-26-14 at about 1739hrs myself and my PACT gathered intel about wanted subject-Sean Driver. Driver was currently wanted on SPD misdemeanor warrants as well as a Burglary warrant out of CDA Idaho for several cts of Burglary. I am familiar with Driver and his 20 plus years of criminal history and his propensity for non compliance. Driver is a Repeat Offender with 36 prior Felony convictions. We learned Driver was at the listed storage unit and driving a vehicle. I knew that we didn't want to let Driver become mobile in the vehicle due to his numerous prior vehicle eludings. I began making a coordinated containment and hopefully peaceful arrest when he began driving out of the gated storage unit. We quickly executed a successful blocking technique while he was leaving. We had his vehicle blocked in and he was by himself in the vehicle.

We had marked Police vehicles with emergency lights activated and officers including myself in uniform. We had Ofc Gorman with his K9 on scene with us.

Driver immediately began yelling at us and refusing to get out of his vehicle. He questioned why we were stopping him and I explained to him that he was wanted in Idaho for Burglary as well as local warrants. Driver contested everything that I was telling him and began using his cell phone. We continued to negotiate with Driver while he stayed in his vehicle. He had his window down slightly but was more concerned about making phone calls. I advised him at least three times of his warrants and that he was currently under arrest. Ofc Kennedy took over negotiations while I began coordinating officers and advising dispatch of our incident.

Within a few minutes two separate vehicles arrived associated with Driver. One claimed to be his ex-wife and one claimed to be his current girlfriend.

I had several other officers assist with the incident and prevent the arriving subjects from getting to Driver and the immediate scene. Driver was making statements that if he were to come out of the vehicle we would have to kill him. These statements and his behavior are consistent with past incidents involving him.

I planned a coordinated extraction maneuver with on duty SWAT and TAC officers with multiple force options. The rear right window of Drivers vehicle was breached and a T16 OC grenade was put inside his vehicle. The intention was to force Driver out of the vehicle and place him in custody without injury to himself or others. The OC had the desired effect and Driver quickly exited his vehicle. Ofc Cole who was on the driver's side of the vehicle had his Taser out and deployed his Taser at Driver's target area when he refused to comply and when Ofc Cole couldn't see his hands. The taser missed Drivers targeted area and missed him completely.

Driver fled on foot SB towards Francis and the subjects who were standing by at the scene. Ofc Gormans K9 quickly apprehended Driver and he was taken into custody without further incident.

Prior to putting the extraction team into motion I considered the known facts of the incident. In addition to Driver's criminal history stated above, he didn't show us any weapons although making threatening statements. The negotiations with Driver didn't have their desired effect of de-escalating his rising angry and non-compliant behavior.

Driver continued to make phone calls and already 2 vehicles had shown up. I wanted to get Driver into custody peacefully and was aware that he could be calling in additional friends to assist with a potential escape. Having officers with Taser's, handheld OC and Ofc Gorman's K9 assisted in getting Driver into custody without the incident elevating to anything greater. Ofc Cole chose to deploy his Taser in probe mode for the same reasons.

Driver was arrested on his warrants and a new PCS-Meth charge with resisting arrest referred.

Vigesaa 424

11/30/14 13:23:56 PRINT REQUESTED BY TERMINAL PPTN01


Incident History for: #SP140397885

Entered	11/26/14	17:39:49	BY P320	639
Dispatched	11/26/14	17:39:49	BY P320	639
Enroute	11/26/14	17:39:49		
Onscene	11/26/14	18:04:22		
Closed	11/26/14	22:23:51		

Initial Type: WARRNT      Final Type: WARRNT (WARRANT, ATTEMPT/PICK-UP)  
Initial Priority: 3      Final Priority: 3  
Disposition: 1B      Source: R      Primary Unit: B342  
Police BLK: SPB3NL  
Group: P3 (P1 ) Beat:      Map Page: 31  
Loc: 1907 E FRANCIS AV ,SPK      btwn N NAPA ST & N CRESTLINE ST <6300> (V)  
Name:      Addr:      Phone:

/173949	(639	)	\$OUTSRV		,NO MORE INFORMATION
/173949			*DISPER	P320	#639 MCCOLLOUGH, JEFFREY
					,NO MORE INFORMATION
/173953	(318	)	CHANGE		LOC: 1907 E FRANCIS --> 1907 E FRANCIS AV ,SP
					K,
					DGP: P1 --> P3,
					BLK: --> SPB3NL
/174207	(639	)	*REMINQ	P320	MWANT,,,,,,,,,DRIVER,SEANM,1976,05,28,,,,,,,,,
					''
/174426			*REMINQ	P320	MWANT,,,,,,,,,DRIVER,SEANM,1976,05,28,,,,,,,,,
					''
/174609	(318	)	ASST	K12	[1907 E FRANCIS AV ,SPK]
					#691 GORMAN, PAUL
/174611	(691	)	*ENROUT	K12	
/174642	(616	)	*ASSTER	F22	[1907 E FRANCIS AV ,SPK]
					#616 KENNEDY, STEPHANIE
/174712	(424	)	*ASSTER	L203	[1907 E FRANCIS AV ,SPK]
					#424 VIGESAA, KURT
/174756	(149	)	*ASSTER	F19	[1907 E FRANCIS AV ,SPK]
					#149 COLE, DAN
/174928	(680	)	*ASSTER	F33	[1907 E FRANCIS AV ,SPK]
					#680 HOWE, DUSTIN
/180239	(1144	)	MISC	L203	,NEED TAC FOR BLU NOSE
/180318	(966	)	*ASSTER	A321	[1907 E FRANCIS AV ,SPK]
					#966 JOHNSON, CHRISTOPHER
/180322	(1144	)	MISC	L203	,T16 AS WELL
/180352			MISC	L203	,NEGOTIATING WITH DRIVER, REFUSING TO COME OUT
					OF VEH
/180358			MISC	L203	,RESTRICTED
/180400	(681	)	*ASSTER	E285	[1907 E FRANCIS AV ,SPK]
					#681 HEUETT, KYLE
					#1230 ANDERSON, CAITLYN
/180422	(1144	)	ONSCNE	L203	
/180431	(1181	)	*ASSTER	B342	[1907 E FRANCIS AV ,SPK]
					#1181 LESSER, CHRISTOPHER
/180431	(1180	)	*ASSTER	A312	[1907 E FRANCIS AV ,SPK]
					#1180 GROOM, DARYL
/180437	(969	)	*ASSTER	A322	[1907 E FRANCIS AV ,SPK]
					#969 SPOLSKI, NICHOLAS
/180514	(1123	)	CALLBK		T/PCC01
					,CONF/HOLD ON DRIVER X4. ALSO THE ORDER THAT H
					E NEEDS TO BE SERVED ON IS READY FOR SERVICE
/180514	(1232	)	*ASSTER	B341	[1907 E FRANCIS AV ,SPK]



/180620	(1220 ) *	ASSTER E288	#1232 HUFFMAN, MICHAEL #1022 FAIRBANKS, LANCE [1907 E FRANCIS AV ,SPK] #1220 BENESCH, CHRISTOPHER #1013 QUARLES, DARRELL
/180647	(966 ) *	ONSCNE A321	
/180755	(1232 ) *	ONSCNE B341	
/180809	(969 ) *	ONSCNE A322	
/180940	(1144 )	CALLBK L203	T/PCC05 ,CONF IDAHO WARRANT PLS
/181013	(681 ) *	ONSCNE E285	
/181249	(1144 )	MISC L203	,UNRESTRICT, CUSTODY
/181300		CALLBK L203	T/PCC02 ,PLS SHIP WARRANTS AND ORDER
/181433		ONSCNE P320	
/181445		ROTREQ P320	EVID EV19 SPK BULLDOG TOWING-5928-EVIDENC E 487-2535 ,EVID TOW FOR ASH1030
/181446	(1234 )	CALLBK L203	T/PCC01 ,WARRANTS AND ORDER SHIPPED
/181451	(1144 )	REMINQ P320	LIC,P320,ASH1030,,,,,
/181509	(657 )	CALLBK L203	T/PCC01 ,CONFIRMED/FAXED TO JAIL OUT OF KOOTNEI CO
/181511	(1144 )	MISC	
/181511		MISC	
/181511		MISC	
/181511		MISC	
/181511		MISC	
/181511		MISC	
/181511		MISC	
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/181511		MISC	
/181511		MISC	
/181511		MISC	
/181511		MISC	
/181511		MISC	
/181626	(604 ) *	ASSTOS L176	[1907 E FRANCIS AV ,SPK] #604 COWLES, MATTHEW
/181645	(1234 )	ROTREQ P320	EVID EV14 SPK B AND B TOWING-5902 385-0688 ,BULLDOG NOT AVAIL, EVID TOW ASH1030/WA
/181842	(1220 ) *	ONSCNE E288	
/181848	(1234 )	ROTREQ P320	EVID EV02 SPK ROUSES TOWING-5879-EVID 325-4594 ,B AND B NOT AVAIL, EVID TOW ASH1030/WA
/182033		CALLBK P320	T/PCC01 ,ROUSES ENRT, CHRISTINE "CHRIS" IS DRIVER
/182101	(1144 )	CALLBK P320	T/PCC02 ,PLS ENTER IMPD
/182136	(604 ) *	CLEAR L176	
/182324	(1180 ) *	ONSCNE A312	

/182353	(1232)	) *MISC	B341	, PSTAT/ASST
/182355		) *CLEAR	B341	
/182427	(1180)	) *REMINQ	A312	MWANT,,,,,,,,,RAMM,AUTUMNL,1975,08,19,,,,,,,,,,
				,,
/182543	(1220)	) *CLEAR	E288	
/182634	(966)	) *CLEAR	A321	, PSTAT/ASST
/182722	(1180)	) *CLEAR	A312	, PSTAT/ASST
/182724	(681)	) *CLEAR	E285	, PSTAT/ASST
/182739	(969)	) *MISC	A322	, PSTAT/ASST
/182809	(1181)	) *TRANS	B342	[DEACONESS] M/0.0
				, 1 MALE
/182810	(969)	) \$PREMPT	A322	
/182825	(1234)	) ROTREQ	L203	CAN EV02 SPK ROUSES TOWING-5879-EVID
				325-4594 ,CANX TOW. ROUSE'S ADV ON SCN
/182902	(691)	) *REMINQ	K12	MWANT,,,,,,,,,DRIVER,SEANM,1976,05,28,,,,,,,,,,
				,,
/183355	(1144)	) MISC	F33	,#####
/183508	(691)	) *NEWLOC	K12	[DEAC]
/183522	(1144)	) *ONSCNE	F33	
/184533	(1181)	) *TRANSC	B342	M/19.5
/184633	(424)	) *NEWLOC	L203	[DEAC]
/184933	(417)	) *ASSTER	L205	[DEAC]
				#417 KENDALL, SHAWN
/185241	(149)	) *CLEAR	F19	
/185307	(639)	) *CLEAR	P320	DSP: 1G
/185718	(680)	) *CLEAR	F33	DSP: 1G --> 1B
/185838	(616)	) *CLEAR	F22	
/185933	(417)	) *ONSCNE	L205	
/190028	(424)	) *ONSCNE	L203	
/191816	(1144)	) *NEWLOC	B342	[DEAC 2100]
/192251	(417)	) *CLEAR	L205	, PSTAT/ASST
/193126	(424)	) *MISC	L203	, WILL DO UOF
/193130		) *CLEAR	L203	
/200328	(1234)	) CALLBK	K12	T/PCC01
				, CPL TO DEAC FOR PHOTOS
/200354	(1069)	) ASSTER	P316	[DEAC]
				#463 DENTON, JOSEPH
/200930	(463)	) *ONSCNE	P316	
/203826		) *MISC	P316	, PSTAT/ASST
/203831		) *MISC	P316	, PICS
/203833		) *CLEAR	P316	
/204752	(1069)	) ASSTER	C351	[DEAC 2300]
				#690 ROSENTHAL, MARIE
/205601	(690)	) *ONSCNE	C351	
/210048		) *MISC	C351	, PSTAT/ASST
/210117		) *CLEAR	C351	
/215436	(1181)	) *TRANS	B342	[JAIL] M/0.0
				, 1 MALE
/215836		) *TRANSC	B342	M/1.2
/220511	(691)	) *CLEAR	K12	, PSTAT/ASST PSTAT/RPT
/222346	(1181)	) *MISC	B342	, PSTAT/ASST PSTAT/WAR PSTAT/WAR PSTAT/WAR PSTA
				T/WAR
/222351		) *CLEAR	B342	
/222351		) CLOSE	B342	

# INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>14-397885</b>	
INCIDENT TYPE <b>Arrest, Drug Involved</b>		INCIDENT CLASSIFICATION #1 <b>DRUGS-POSSESS</b>		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #2 <b>FUGITIVE</b> ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3 <b>RESISTING ARREST</b>		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #4 ATTEMPTED <input type="checkbox"/>	
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON <b>Wed 11/26/2014 17:39</b>		DATE/TIME <b>Wed 11/26/2014 17:39</b>		OCCURRED TO <b>Wed 11/26/2014 17:39</b>	
DISPATCH TIME <b>17:39</b>		ARRIVED TIME <b>17:39</b>		CLEARED TIME <b>17:39</b>	
REPORT DATE <b>11/27/2014</b>		REPORT TIME <b>09:31</b>		EST. TOTAL PROPERTY LOSS	
PRIMARY CHARGE <b>69.50.4013(1) CNTL SUB(POSS-FEL)</b>					UCR/NIBRS CODE <b>/35A</b>
ADDITIONAL CHARGES <b>10.88.320 FUGITIVE</b>					
LOCATION OF INCIDENT <b>1907 E Francis, Spokane, WA 99208</b>				LOCATION NAME (IF APPLICABLE) <b>National Storage</b>	
SOLVABILITY FACTORS <b>PC Affidavit Completed, Suspect Arrested</b>					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS <b>Ofc. Howe</b>					
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim - Individual, RU-Runaway, RD-Registered Owner, PS-Passenger, VB-Victim - Business, OW-Owner of Property, CON-Contact, W-Witness, V-Deceased, MIP-Person Mentioned, G-Legal Guardian, A-Arrested Person, C-Complainant, CV-Complainant is Victim, D-Driver, PE-Pedestrian, BI-Institutional, M-Missing, O-Other, PC-Pedestrian - Cyclist</small>					
CODE <b>A-1</b>	NAME: LAST, FIRST, MIDDLE <b>Driver, Sean M</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>
HEIGHT <b>6'01"</b>	WEIGHT <b>175</b>	BUILD <b>Medium</b>	HAIR <b>Brown</b>	EYES <b>BLU - Blue</b>	DATE OF BIRTH/AGE <b>05/28/1976 38</b>
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
CHARGE LEVEL <b>Felony Class C</b>		DESCRIPTION <b>69.50.4013(1) CNTL SUB(POSS-FEL)</b>			UCR/NIC CODE <b>/35A</b>
WARRANT #	BAIL	TYPE OF ARREST <b>Taken Into Custody</b>			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL <b>Felony Class C</b>		DESCRIPTION <b>10.88.320 FUGITIVE</b>			UCR/NIC CODE
WARRANT #	BAIL	TYPE OF ARREST <b>Taken Into Custody</b>			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION #	DATE	TIME	BOOKED WHERE <b>Spokane County Jail</b>		DATE <b>11/26/2014</b>
ARREST LOCATION <b>1907 E Francis, Spokane, WA 99208</b>				STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED
JUV. PARAGR. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED	NOTIFIED BY	DISPOSITION OF JUVENILE

ID NO./NAME OF REPORTING OFFICER <b>#639 - McCollough, Jeffrey</b>		DISTRIBUTION	
APPROVAL <b>#639 - McCollough, Jeffrey</b>		DATE/TIME <b>11/29/2014 12:45</b>	


Incident Report #1

11/30/2014 14:23:07.240

# INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION <b>DRUGS-POSSESS</b>				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER <b>14-397885</b>	
CODE <b>W-1</b>	NAME: LAST, FIRST, MIDDLE <b>Sides, Kelly R</b>				SEX <b>F</b>	RACE/ETHNICITY <b>W-White</b>	DATE OF BIRTH/AGE <b>02/08/1969 45</b>
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>2127 E Rowan, Spokane, WA 99207</b>				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE	
ADDITIONAL ADDRESSES <b>1907 E Francis, Spokane, WA 99208</b>						ADDRESS TYPE	
ADDITIONAL PHONES <b>(Cell) (509) 638-7121, (Business) (509) 489-6464</b>							
<b>VEHICLES</b>							
CODI <b>V-1</b>	CIRCUMSTANCES <b>Suspect</b>		LICENSE NO. <b>ASH1030</b>		STATE <b>WA</b>	LIC. YEAR	LICENSE TYPE <b>Regular</b>
YEAR <b>2004</b>	MAKE <b>Nissan</b>	MODEL <b>Maxima</b>	BODY STYLE <b>02: Sedan, 4 Door</b>		TOP/FRONT/ONLY COLOR <b>White</b>		VIN/HIN <b>1N4BA41E54C832628</b>
SPECIAL FEATURES/DESCRIPTION							
DECAL NUMBER		REGISTERED OWNER				HOME PHONE	
VEHICLE DISPOSITION <input type="checkbox"/> LEFT AT SCENE <input type="checkbox"/> DRIVEN AWAY <input type="checkbox"/> TOWED		REGISTERED OWNER'S ADDRESS: STREET, CITY STATE ZIP				VALUE \$	
LOCKED <input type="checkbox"/> Yes <input type="checkbox"/> No	KEYS IN VEHICLE <input type="checkbox"/> Yes <input type="checkbox"/> No	DELINQUENT PAYMENT <input type="checkbox"/> Yes <input type="checkbox"/> No	VICTIM CONSENT <input type="checkbox"/> Yes <input type="checkbox"/> No	DRIVABLE <input type="checkbox"/> Yes <input type="checkbox"/> No	ESTIMATED DAMAGE	DAMAGE Window <input type="checkbox"/> Top <input type="checkbox"/> Interior <input type="checkbox"/> Undercarriage <input type="checkbox"/>	SHADE IN DAMAGED AREA
TOW COMPANY		HOLD REQUESTED BY		HOLD FOR			
RELEASE BY	DATE	TIME	RELEASE NO.	RELEASING AUTHORITY	OWNER NOTIFIED	DATE	TIME
OPERATOR'S NAME							
<b>NARRATIVE</b>							

Over the past week I have been actively searching for wanted subject Sean M. Driver 5/28/1976. Driver is wanted on several local misdemeanor warrants and a Felony extraditable arrest warrant out of Kootenai county Idaho on four counts of Burglary.

During my research I found that he had been in an altercation on 11/25/2014 at National Storage at 1907 E. Francis.

I contacted employee Kelly Sides at National Storage. She advised that she has seen Driver at this location and that he will probably be back to that location. I advised Sides of his wanted status and provided my phone number.

On 11/26/2014 at about 1736 hours I received a phone call from Sides, stating that Driver had just arrived at that location in a white Nissan Maxima.

Myself and other Officers responded to that location. Driver has a lengthy record of eluding and running from police. We planned on contacting him inside the fenced storage facility.

Before we were able to go inside the facility, Driver showed up at the exit gate in the white Nissan Maxima, WA #ASH1030.

## INCIDENT REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

Page 3

INCIDENT CLASSIFICATION  
**DRUGS-POSSESS**

ATTEMPTED  
☐

INCIDENT NUMBER  
**14-397885**

Because of his tendency to run from police we executed a blocking stop on his vehicle before he could exit the gate. I was driving patrol suv #330 that is fully equipped with emergency lights and siren. I was wearing the Spokane Police P.A.C.T. uniform of the day.

I positioned my vehicle behind the Nissan with my emergency lights activated. Ofc. Kennedy had positioned her vehicle in front of the Nissan. At one point I saw the reverse lights on the Nissan come on and I believed he would possible try and ram his way out.

I could see that Driver was the only occupant of the vehicle.

I heard Sgt. Vigesaa give Driver verbal commands to step out of the vehicle and that he was under arrest for his warrants.

Driver refused to step out of the vehicle and kept reaching down into his lap. At one point I could see that he had a cell phone in his hand. Ofc. Kennedy spoke to Driver for several minutes, trying to convince Driver to step out of the vehicle. At one point I heard Driver say that if he gets out of the car we are going to have to "shoot" him.

Ofc. Howe and other Officers arrived onscene. See Ofc. Howe's report for more information.

After about 10 to 15 minutes Driver opened the driver's door and began to run s/b through the parking lot. Driver was taken into custody by K-9 Ofc. Gorman and his K-9. See Ofc. Gorman's report for more information.

I was standing by the left side of Driver as Officer's were handcuffing him in the prone cuffing position. I saw Ofc. Heuett pick up two small plastic baggys from underneath the left side of Driver, near his waist area. Ofc. Heuett handed me the baggys. The baggys were about 2"x2" and both contained an off white crystal substance. I field tested the contents of one of the baggies and it field tested positive for meth.

I photographed the suspect vehicle and damage to the rear passenger side window.

I contacted employee sides at the office. She advised the incident was captured on business surveillance. I advised the Spokane Police Taru unit about the incident and asked for a copy of the incident to be made.

After being medically treated at the hospital Driver was booked on his warrants and Possession of a Controlled Substance (Meth). P.C. also exists for Resisting Arrest.

Cpl McCollough #639

# SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>14-397885</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Wed 11/26/2014</b>	TIME <b>18:35</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>DOCUMENT SRVC-ATTMPT</b>		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 <b>11/28/2014</b>		REPORT TIME <b>09:25</b>
PRIMARY CHARGE <b>69.50.4013(1) CNTL SUB(POSS-FEL) METHAMPHETAMINE</b>					UCR/NIBRS CODE
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim - Individual, RU-Runaway, RO-Registered Owner, PS-Passenger, VB-Victim - Business, OW-Owner of Property, CGH-Contact, W-Witness, V-Deceased, MIR-Person Mentioned, G-Legal Guardian, A-Arrested Person, C-Complainant, CV-Complainant is Victim, D-Driver, PE-Pedestrian, IN-Institutional, M-Missing, O-Other, PC-Pedestrian - Cyclist</small>					
CODE <b>A-1</b>	NAME: LAST, FIRST, MIDDLE <b>Driver, Sean M</b>		SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>	DATE OF BIRTH/AGE <b>05/28/1976 38</b>
HEIGHT <b>6'01"</b>	WEIGHT <b>175</b>	BUILD <b>Medium</b>	HAIR <b>Brown</b>	EYES <b>BLU - Blue</b>	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>7217 E Trent Avenue, Spokane, WA 99212</b>		RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION		EMPLOYER PHONE
CHARGE LEVEL <b>Felony Class C</b>		DESCRIPTION <b>69.50.4013(1) CNTL SUB(POSS-FEL) METHAMPHETAMINE</b>			UCR/NCIC CODE <b>/35A</b>
WARRANT #	BAIL	TYPE OF ARREST <b>Taken Into Custody</b>		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CITATION #	DATE	TIME	BOOKED WHERE <b>Spokane County Jail</b>		DATE <b>11/26/2014</b> TIME <b>19:00</b>
ARREST LOCATION <b>1907 E Francis, Spokane, WA 99207</b>			STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input checked="" 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
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE <b>#4a</b>	OTHER ID <b>(Social Security No. - Fake) #4a (ID Card)</b>	
CODE <b>RO-1</b>					
NAME: LAST, FIRST, MIDDLE <b>Stivers, Christina Y</b>		SEX <b>F</b>	RACE/ETHNICITY		DATE OF BIRTH/AGE <b>03/23/1983 31</b>
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>928 E Sharpsburg #104, Spokane, WA 99207</b>		RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES <b>(509) 720-4576</b>					
NARRATIVE					

On November 26, 2014, at about 1749 hr, I responded to 1907 E. Francis, Spokane Washington to assist officers with the apprehension of a known wanted felon, Sean Driver. He had four outstanding warrants out for his arrest.

ID NO./NAME OF REPORTING OFFICER <b>#680 - Howe, Dustin</b>		DISTRIBUTION	
APPROVAL <b>#252 - Wuthrich, Ernest</b>	DATE/TIME <b>11/29/2014 14:57</b>		

## SUPPLEMENTAL REPORT CONTINUED

*Spokane Police/Spokane County Sheriff*

Page 2

INCIDENT CLASSIFICATION  
**DOCUMENT SRVC-ATTMPT**

ATTEMPTED  
☐

INCIDENT NUMBER  
**14-397885**

While enroute the scene, I heard Sgt. Vigesaa advise that Driver was refusing to exit his vehicle. He was requesting extra tactical equipment in order to extricate Driver from the vehicle.

Upon arrival, Sgt. Vigesaa advised me that he had exhausted several means of verbal tactics, attempted K9 bark out, and more harsh negotiations. None of which were working. At this point, it was clear that Driver was actively resisting our lawful attempts to apprehend him. As Sgt. Vigesaa briefed me, I could hear officers in the background verbally attempting to get Driver to comply.

We then made a tactical plan to remove driver from the vehicle. Once we were set, I extracted the left rear passenger door and inserted a T16-Hand held OC10, expulsion grenade. This had the exact desired effect that was intended and Driver quickly exited the vehicle and fled in an Southern direction, where he was quickly apprehended.

Once he was in custody, I then spoke to the registered owner of the vehicle, who had just arrived. I obtained signed search consent from her to search the vehicle for any contraband that may have been left behind by Driver. She further advised she and Driver are "just friends" and she did in fact let him borrow her car. She advised that she got a call from him after the police had blocked him in and when he was refusing to exit the car. I

She stood by while the search was conducted. At no time did she revoke her consent, limit the scope of the search, or affect the search anyway.

See other officers additional's for more information

D. Howe #680

## SUPPLEMENTAL REPORT

**Spokane Police/Spokane County Sheriff**

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>14-397885</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Wed 11/26/2014</b>	TIME <b>17:23</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>WARRANT ARREST</b>		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 <b>11/27/2014</b>	REPORT TIME <b>20:07</b>
PRIMARY CHARGE					UCR/NIBRS CODE
<b>NARRATIVE</b>					

On 112614 at 1746hrs, I responded to 1907 E Francis to assist Sgt Vigesaa with a warrant arrest. The location was a mini storage business. While enroute, Sgt Vigesaa advised he had information that Sean Driver was inside the premises. Driver had a confirmed outstanding felony warrant for Burglary, as well as three misdemeanor warrants for DWLS 3rd. Driver has an extensive history of violence, fighting with police, eluding and running from the Police.

As I arrived on scene, Sgt Vigesaa advised over the radio that Driver was in a vehicle and attempting to leave the premises. The vehicle, a white Nissan Altima was at the exit gate, waiting for the gate to open so he could leave. Driver was the driver of the vehicle and only occupant. As the gate opened, Sgt Vigesaa, Cpl McCollough and Ofc S Kennedy used their vehicles to block Driver's vehicle in place. As they did this, I parked my fully marked K9 patrol vehicle sideways in front of the exit of the mini storage, which was about 50 feet directly in front of Driver. My reflective K9 markings were visible to Driver. I exited my vehicle with SPD K9 Axl. I was wearing my K9 training uniform, which is fully marked with 'Police K9'. K9 Axl was also wearing his duty harness, which is marked with 'Police K9' and SPD patches. We took up a position on the east side of Sgt Vigesaa's vehicle, which was parked next to Driver's. From this position I had a view directly into the drivers seat of Driver's vehicle.

Immediately Driver was confrontational. Initially he opened the door and yelled "What the fuck!", then he slammed his door closed. Sgt Vigesaa and Ofc S Kennedy initiated verbal contact with Driver. During their conversation, I heard them both tell Driver that he was under arrest for his warrants. Driver denied that he had any warrants. Sgt Vigesaa told him he had a confirmed outstanding felony warrant for Burglary out of Idaho. That warrant had nationwide extradition. Driver yelled, "I'm not going back to Idaho! Your going to have to shoot me!" He also advised Driver of his three local warrants for DWLS 3rd. Driver rolled his window down about an inch and again yelled, "I'm not going back to Idaho! You're going to have to shoot me before I go back!"

While negotiating with Driver, we made a tactical plan to knock out a rear vehicle window and insert O.C. powder with the intention of forcing Driver out of the vehicle. Driver overheard the plan and yelled, "If you touch my fucking car I'm gonna come out shooting!"

During our negotiating, I observed driver was texting and talking on his phone. Within a couple minutes, two vehicle's arrived and parked right next to my K9 car. Both vehicles were occupied by

ID NO/NAME OF REPORTING OFFICER <b>#691 - Gorman, Paul</b>		DISTRIBUTION	
APPROVAL <b>#409 - Boothe, Robert</b>	DATE/TIME <b>11/28/2014 04:30</b>		



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*Spokane Police/Spokane County Sheriff*

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INCIDENT CLASSIFICATION <b>WARRANT ARREST</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>14-397885</b>
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woman who claimed to be there for Driver. One was his ex wife and one was his girlfriend. Both were causing a scene and required an Officer to control them and keep them away from us as we communicated with Driver.

We communicated with Driver for over 10 minutes. During that time, he was told by Sgt Vigesaa and Ofc S Kennedy that he was under arrest several times, ordered out of the vehicle multiple times, and advised that a Police K9 was on scene several times. He was advised that if he did not surrender, we would insert O.C. gas into the vehicle. He was also advised that if he ran on foot, the Police K9 would bite him. Once enough resources arrived and our tactical plan was set, the decision was made to breach a rear window and insert O.C. While the tactical team completed that, I remained on the east side of Sgt Vigesaa's vehicle.

From my location, I could see Driver and the tactical team approaching the vehicle. As soon as they breached the back window, Driver threw open the drivers door. He stood up, put his hands up in the air, closed the drivers door and yelled "Ok, I give up!" As soon as that sentence was finished, Driver dropped his hands and sprinted to the south, towards the two females who were now waiting in their vehicles with passenger doors open. It was obvious Driver was attempting to get to their vehicles in an attempt to escape arrest, retrieve a weapon or prolong the stand off.

I deployed SPD K9 Axl for the following reasons;

### Crime-

Driver was wanted for a confirmed outstanding Felony warrant for Burglary out of Idaho. That warrant had nationwide extradition. Driver also had three confirmed outstanding misdemeanor warrants for Driving with Suspended License 3rd degree.

### Threat to the Public and Officers-

Driver is a well known criminal. He is currently listed on SPD's 'Repeat Offender Program', which lists the top 25 active criminals in the city. Driver has a very lengthy past of stealing cars, then driving them at deadly speeds in attempts to flee from Police. Driver also deals in stolen property and has multiple restraining orders against him. Most importantly, Driver had previously escaped from prison. When Police attempted to arrest Driver on several outstanding warrants in 2008, Driver barricaded himself in the basement of a residence and threatened to shoot Police and himself with a rifle if they entered. That standoff lasted several hours, and Driver only exited after Police inserted gas.

During this incident, Driver had mentioned having a firearm several times, and even threatened to shoot Police if we touched his car. He had not been searched, and due to his past and his statements during this incident, there was a very high likelihood he was armed. It was unknown to what extent Driver would go to in order to evade arrest. There was also a very high likelihood that one of the other vehicles there for him contained a weapon. If he was allowed to get to one of the

## SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION <b>WARRANT ARREST</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>14-397885</b>
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vehicles, he would be able to retrieve a weapon and use it against the Police.

### Level of resistance-

As stated above, Driver has experience initiating stand offs with Police. Driver locked himself in his vehicle, then once police initiated a plan to have him surrender, he exited the vehicle and sprinted away towards his waiting get away vehicle. If allowed to reach the waiting vehicle, there most definitely would have been a pursuit, stand off, and possibly a deadly force situation if Driver followed through with his threats to shoot the Police.

The way all the vehicles were positioned in the entrance of the storage facility, Driver was trying to sprint to a vehicle that was only approx 50 feet from his. Driver is a larger, muscular male that appears athletic. He took off very quickly, and action had to be taken immediately if we were going to deny him access to the waiting vehicle. Due to the prior announcements made, the level of danger Driver posed to Officers and the close proximity to his get away vehicle, I was unable to give Driver any further K9 announcements. Driver was already two car lengths away before I was able to release K9 Axl.

I released K9 Axl and gave him the command to contact. K9 Axl responded immediately and was able to contact Driver before he reached the get away vehicle. Driver must have seen the dog coming, because right before K9 Axl contacted him, he turned towards him and lowered his body weight as if to catch him. K9 Axl contacted the front of Driver's left shoulder, knocking him backwards. Due to the large flat shape of a shoulder, K9 Axl was not able to hold that contact as they moved backwards. K9 Axl was able to quickly contact Drivers left lower forearm, right above his wrist. Driver tried to pull his arm back quickly, but K9 Axl maintained his grip. Driver fell to the ground on his back. I was within 20 feet of Driver when K9 Axl contacted him, and by the time I ran there Driver was surrendering. I gave K9 Axl the command to release and he did immediately. K9 Axl was on the contact approx 10 seconds. Driver was detained (DL) without further incident.

Driver was placed under arrest and transported to Deaconess for treatment of the injuries. Injuries consisted of four punctures on Drivers left shoulder, and two punctures on his left wrist. Injuries were treated, then photographed by Cpl Denton. The injuries required no stitching. Driver was discharged and booked into Spokane County Jail.

Sgt Vigesaa was present during the call, and Sgt Kendall responded as well.

# SUPPLEMENTAL REPORT

**Spokane Police/Spokane County Sheriff**

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AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>14-397885</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Wed 11/26/2014</b>	TIME <b>18:00</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>RESISTING ARREST</b>		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 <b>11/27/2014</b>	REPORT TIME <b>07:54</b>
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

At about 1800 hrs, I arrived at the storage facility at 1900 E Francis with the knowledge that Driver was at his storage unit. I had previous knowledge that he was wanted locally for misdemeanor charges, and that he had a significant felony warrant out of Idaho. Radio traffic I hear while en route had indicated that Driver was reaching for something below him. I observed that Sgt. Vigesaa, Cpl. McCollough and Ofc. Kennedy had blocked Driver's vehicle at the metal gated area of the facility. He was seated in the driver's seat, and Ofc. Kennedy was trying to negotiate with him. I placed myself just to the east of where Ofc. Kennedy was standing. I could see that other officers had their guns out and had lethal options. I advised her and Cpl. McCollough that I had my taser out, and that they had "lethal".

I could hear portions of the negotiation attempts by Ofc. Kennedy. As she would talk, Driver's window was up. He would lower it in order to speak, and would close it when Ofc. Kennedy would respond, indicating that he was trying to not hear her. I heard him make a statement that were he to come out of the vehicle, or if we damage the vehicle, we would have to kill him. He mentioned that he was going to be in prison for 20 years. He was making phone calls and was moving about with agitation. With his mindset and the statements he was making, I thought that Driver was trying to set up a shooting situation with us. I made the decision at that time that if Driver were to attempt to run or start ramming our vehicles, I would use the taser in an attempt to disable or distract him and thus maybe prevent a lethal encounter, protecting all involved.

As the negotiations appeared to be ineffective and there was potential for him to attempt to flee with the vehicle, I supported the decision to insert pepper spray into the vehicle to end the encounter. I anticipated that the situation would escalate without a quick action on our part.

When the gas was inserted, Driver exited the driver's door, and he did not appear to be surrendering, but appeared that he was trying to flee on foot. I could not see if his hands were empty as he exited in the quick manner. I deployed the taser, and missed my target to the right, striking Ofc. Kennedy's undercover vehicle. I observed Driver being taken into custody. I assisted with trying to stand him up. He complained of extreme pain to his "broken" left arm. I held him by his clothing to cradle him, and told him to stand on his own, so I wouldn't stress his arms, which he did. He was placed in Ofc. C Lesser's vehicle.

ID NO./NAME OF REPORTING OFFICER <b>#149 - Cole, Daniel A.</b>		DISTRIBUTION	
APPROVAL <b>#284 - Ervin, Dan L.</b>	DATE/TIME <b>11/27/2014 09:49</b>		

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INCIDENT CLASSIFICATION  
**RESISTING ARREST**

ATTEMPTED  
☐

INCIDENT NUMBER  
**14-397885**

Daniel A Cole #149