



SPOKANE POLICE DEPARTMENT

FRANK STRAUB, JR.
CHIEF OF POLICE

**Internal Affairs
Exemption Log**



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

			Records by Juvenile Justice or Care Agencies). <i>Deer v. DSHS, 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: Lieutenant Jon Anderson

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
1/22/2015	1/22/2015	07:17
Record ID #	Incident No	IA No
8653	15-23698	F15-004
Date/Time Entered		
1/23/2015 08:13		

Incident Summary

Officers responded to a domestic violence call at the listed apartment. They contacted the victim and suspect and interviewed them. There were also two very young children present in the apartment. It was determined PC existed for City Assault DV on the suspect. Officer Manwill told the suspect that he was under arrest and so did Officer Erickson. They went hands on to affect the arrest. Officer Manwill took a hold of his right arm and Officer Erickson took a hold of his left arm. The suspect headed out of the room towards where the victim was pulling them with him. As he move through the doorway, Officer Manwill lost her grip due to the doorway blocking her. Officer Honaker pushed the suspect against the wall. Officer Erickson advised the suspect to stop resisting arrest and placed a neck restraint on him. Officer Honaker assisted on pushing the suspect back into the bedroom. The suspect was taken down onto a mattress. The suspect continued to resist by tensing his muscles in his arms and torso trying to pull away. He was also kicking. The suspect was told several times to stop resisting. Officer Manwill regained control of his right arm and Officer Honaker controlled the suspects feet. Officer Manwill used a gooseneck hold on the suspect right arm and placed handcuffs on him. They stood the suspect up and he tried to pull away again. He attempted to run back into the living room. Officer Erickson reapplied the neck restraint on the suspect to maintain control and Officer Manwill applied pressure to the suspect's right wrist to gain pain compliance. The suspect finally stopped resisting. He was escorted out to a patrol vehicle and placed in the back seat.

The suspect never lost consciousness. He received no injuries. The officers requested a supervisor and I responded. I spoke with all three officers, the victim, and the suspect. The officers gave the information listed above. (See their reports for more detail) The victim was upset that the arrest and struggle had happened in front of the children but understood why. She said she did not see the officers do anything that she believe was inappropriate.

The suspect stated that he understood why he was under arrest. He did not have any injuries and did not need medics. He did not lose consciousness. He did not complain about any of the officers or their actions.

A corporal was requested to take pictures of the victim and a small 3" by 4" dent in the drywall created when the suspect was struggling and taken down to the mattress.

The CAD report and Officer Reports are attached.

In compliance with policy per Assistant Chief Dobrow 03.02.15.

Incident Location

- 901 Holyoke AV, Suite/Apt: 29, Direction: E, Spokane, WA 99208 - : Nevawood

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered

Resisting Arrest	Call For Service	
Weather Condition	Lighting Condition	Distance to Citizen
Clear	Interior Lighting	1 feet to 3 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
No	No	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Large	5'10" to 6'0"	
Officer Assessment of Citizen Condition During Incident		
None Detected		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Reporting/Involved Citizen Information

Damian T Martinez

DOB: 10/15/1988 Race: Hispanic Gender: Male

Address

- 901 Holyoke AV, Suite/Apt: 29, Direction: E, Spokane, WA 99208

Types of Resistance Citizen Used Against Officer(s)

- Active Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
No injuries noted or visible		

Charges against this citizen

- Misdemeanor - Person Crime
- Resisting Arrest

Involved Officers

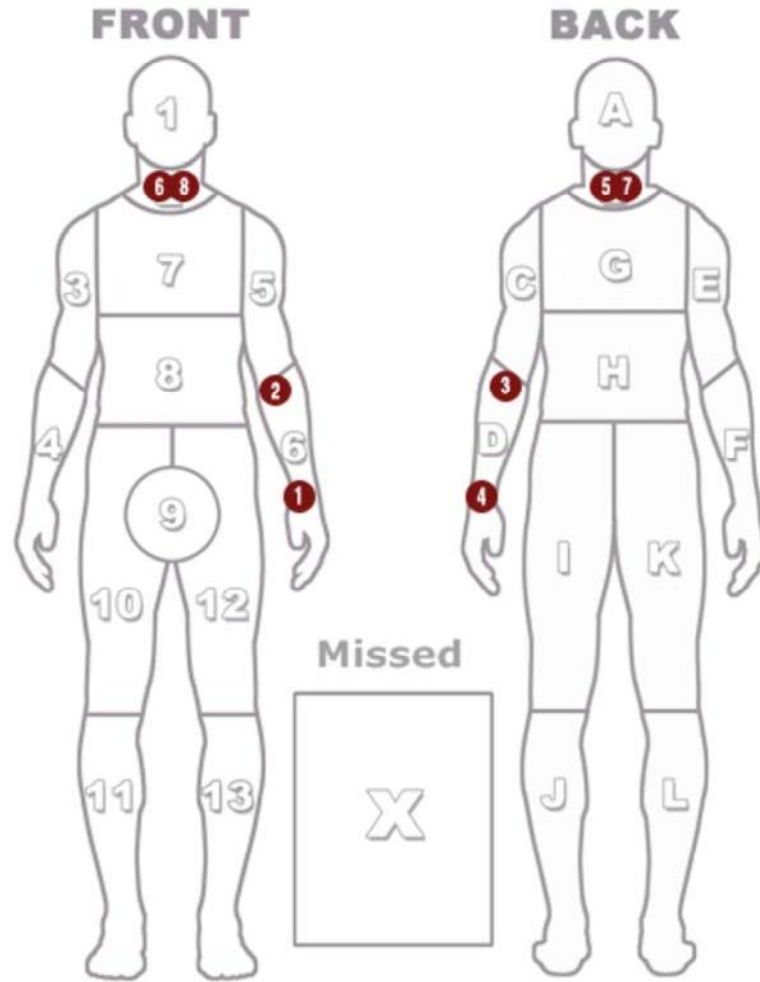
Officer James Erickson - Payroll Number: #5c

Force used by this officer against the citizen

- Verbal/Other - Was force effective: No
- Body Weight/Manual Force - Was force effective: No
- Joint Locks - Was force effective: No
- Level 1 LNR - Was force effective: Yes
- Takedown Technique - Was force effective: No

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

Takedown Technique	No	2, B	7, 8
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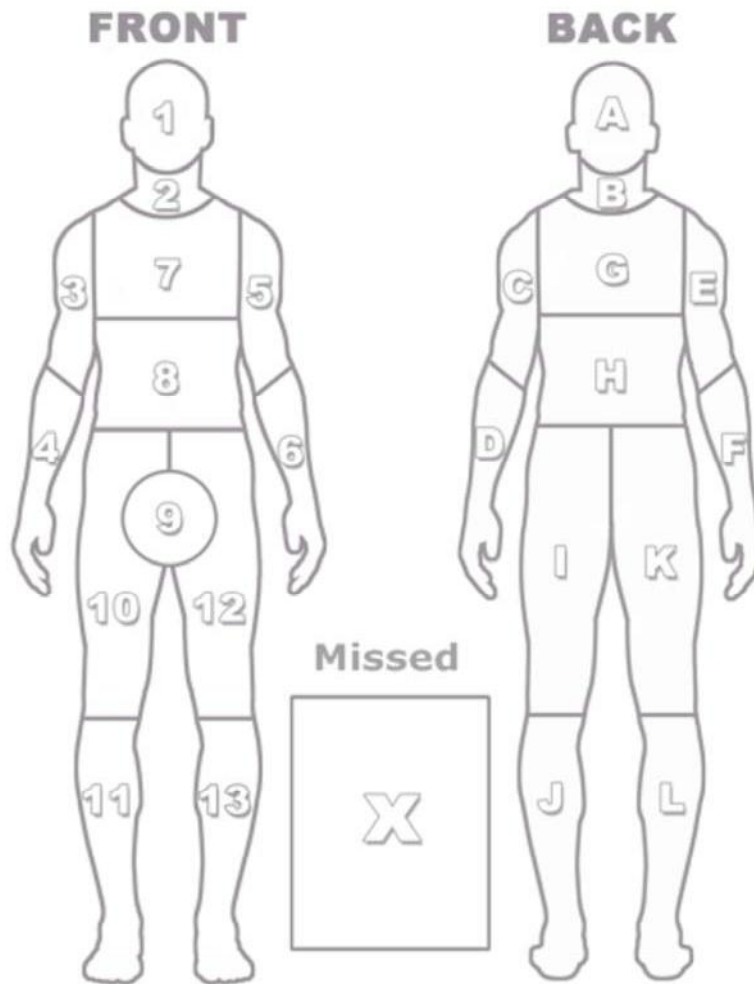


Officer Kristopher Honaker - Payroll Number: #5c

Force used by this officer against the citizen

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

Force Used	Effective?	Regions	Points of contact
Verbal/Other	No		
Body Weight/Manual Force	No		

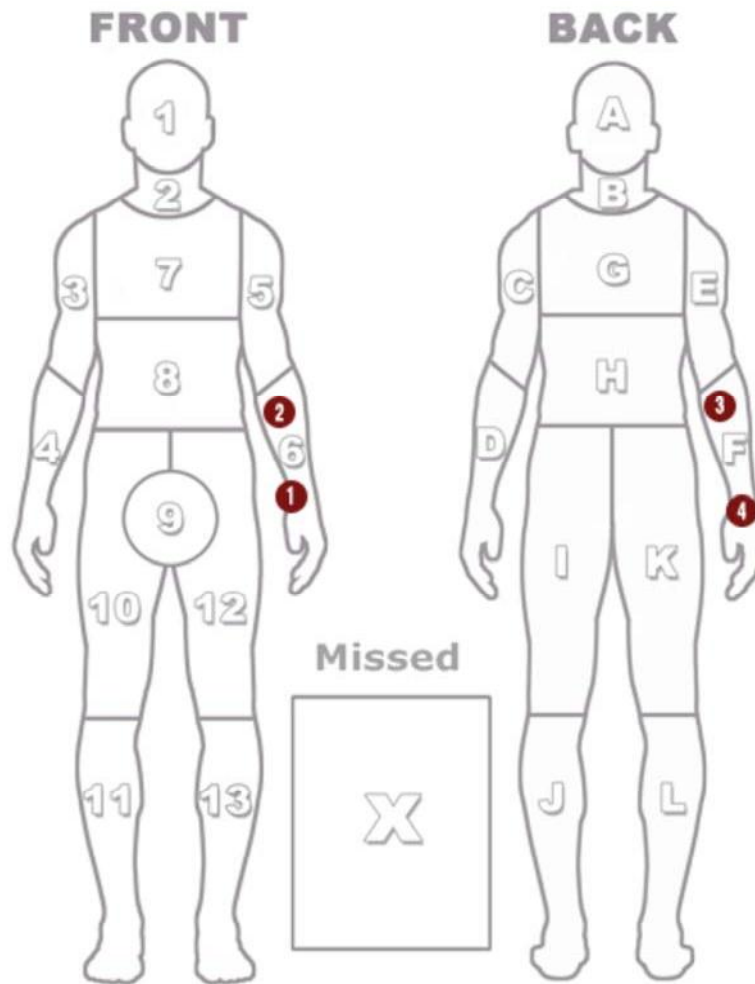


Officer Beatrice Manwill - Payroll Number: #5c

Force used by this officer against the citizen

- Verbal/Other - Was force effective: No
- Joint Locks - Was force effective: No

Force Used	Effective?	Regions	Points of contact
Verbal/Other	No		
Joint Locks	No	6, F	1, 2, 3, 4



Citizen Witnesses

Alina Pineiro
DOB: 5/18/1990 - Race: Indian - Gender: Female

Address

• 901 Holyoke AV, Suite/Apt: 29, Direction: E, Spokane, WA 99208

Phone

• (509) 361-3492

Attachments

Date Attached	Attachment Description	Attachment Type
1/23/2015	CAD and Reports	pdf

Chain of Command History

Sent Dt	From	To	CC	Approved
1/23/2015	Lieutenant Jon Anderson	Captain Craig Meidl	Sergeant Charles	<input type="checkbox"/>

			Reynolds, Lieutenant Rex Olson	
Sender's Instructions: Under current policy, Use of Force Report is not required on this one but based on DOJ recommendations and discussion with Lt. Lundgren it was completed as the policy will likely be changing for Neck Restraint Level 1. I believe all use of force in this case was appropriate.				
Recipient's Comments/Response: Please attach photos in accordance with DOJ recommendations.				
1/28/2015	Captain Craig Meidl	Lieutenant Jon Anderson	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Please attach photos in accordance with DOJ recommendations.				
Recipient's Comments/Response: [Forwarded by Lieutenant Jon Anderson]				
1/28/2015	Lieutenant Jon Anderson	Captain Craig Meidl	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: No photos were taken of him to my knowledge because a corporal was not available before he was transported. He had no visible injuries.				
Recipient's Comments/Response: [Forwarded by Captain Craig Meidl]				
1/30/2015	Captain Craig Meidl	Internal Affairs	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Use of Force within policy.				
Recipient's Comments/Response: [Forwarded by Lieutenant Justin Lundgren]				
2/3/2015	Lieutenant Justin Lundgren	Asst Chief Patrick Dobrow	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Forward to Chief Dobrow				
Recipient's Comments/Response: The use of force was reasonable and within policy.				

Entering Officer Signature Line

Lieutenant Jon Anderson

Chain of Command Signature Lines

Captain Craig Meidl

Lieutenant Jon Anderson

Lieutenant Justin Lundgren

Asst Chief Patrick Dobrow

03/18/15 14:38:44 PRINT REQUESTED BY TERMINAL PADN07
Incident History for: #SP150023698 Xref: #SP150023725

Entered 01/22/15 06:23:18 BY 91117 911209
Dispatched 01/22/15 06:39:58 BY E144 1219
Enroute 01/22/15 06:39:58
Onscene 01/22/15 06:53:17
Closed 01/22/15 13:44:19

Initial Type: DV Final Type: DV (DOMESTIC VIOLENCE)
Initial Priority: 2 Final Priority: 2
Disposition: 1E Source: 9 Primary Unit: E144
Police BLK: SPB3NL
Group: P3 Beat: Map Page: 31
Loc: 901 E HOLYOKE AV #29 ,SPK btwn N CINCINNATI ST & N NEVADA ST <6600> (V)
Loc Info: QUADRANGLE APTS
Name: TINEIRO, ALINA M 051890 Addr: SAME Phone: 5093613492

/062318 (911209) ENTRY BFRND GRABBED COMP BY THE ARM AND THREW HER AROUND. NO WEAPONS. NO MEDICS. COMP YELLING GET AWAY FROM ME
/062318 \$FCSEND ,Incident data pushed to folder
/062320 (*****) \$FCACK ,Processed Successfully
/062337 (911209) SUPP TXT: BOTH INSIDE APT
/062431 SUPP TXT: BFRND:MARTINEZ, DAMIEN T 27YO
/062510 SUPP TXT: DAMIEN:WM 508/MED BLK HOODIE "BIGFOOT" ON FRONT, JEANS
/062548 SUPP TXT: STATES HE IS THREATENING TO BEAT COMP UP AND BLOCKING THE FRONT DOOR. HE IS YELLING "WH AT ARE YOU TALKING ABOUT IN BG".
/062554 SUPP TXT: IF HE LEAVES WILL BE ON FOOT
/062618 CHANGE NAM: ELENA --> TINEIRO, ALINA M 051890
/062637 SUPP TXT: 2 CHILDREN IN APT.
/062717 SUPP LOCI: QUADRANGLE APTS
/062723 (676) HOLD
/062826 (911209) SUPP TXT: COMP SAYING THAT THE ONLY WAY FOR HER TO BE SAFE IS TO REMAIN ON THE LINE WITH 911
/062928 (676) MISC ,COMP NOT IN W/INFO
/063011 (911209) SUPP TXT: COMP STATES THAT DAMIEN TOLD HER THAT WHE N SHE GETS OFF THE PHONE, HE WIL L HURT HER. C OMP DOES NOT WANT TO GET OFF THE PHONE.
/063126 SUPP TXT: THEY ARE ARGUING.
/063141 (676) MISC #3a
/063218 (911209) SUPP TXT: THEY ARE ARGUING ABOUT A MICROWAVE
/063252 (676) MISC #3a
/063258 MISC
/063452 (911209) SUPP TXT: STILL MONITORING THE ARGUE. QUIETED DOWN FOR A SHORT TIME. NOW COMP YELLI NG AT DAMIEN
/063550 SUPP TXT: IN BG. DAMIEN SOUNDS CALM. COMP IS ESCALA TING THE ARGUE.
/063946 SUPP TXT: OFFLINE. ###
/063958 (1219) *DISPER E144 #1219 MANWILL, BEATRICE
#435 HONAKER, KRISTOPHER
/064301 *REMINQ E144 MWANT,,,,,,MARTINEZ,DAMIANT,1988,10,15,,,,,,
/064346 *REMINQ E144 MWANT,,,,,, #4b
/064840 (676) ASSTER E142 [901 E HOLYOKE AV #29 ,SPK]
#465 ERICKSON, JAMES

/064934		CALLBK	E142	T/PCC05 , PLS CALL COMP FOR UPDATES.. DAMIEN STILL THER E? STILL PHYSICAL ETC?
/065058	(456)	CALLBK		T/PCC01 , SUBJ STILL THERE.....COMP HAS BEEN IN THE LI VING ROOM, DAMIEN IN THE BEDROOM.....NOTHI NG PHYSICAL SINCE SHE CALLED THE 1ST TIME
/065317	(1219)	*ONSCNE	E144	
/070223	(465)	*ONSCNE	E142	
/071303	(676)	CONTCT		Contact in 20 Minutes
/071750		MISC	E144	,1 IN CUSTODY FOR CITY ASLT DV
/071818		ASSTER	L169	[901 E HOLYOKE AV #29 ,SPK] #210 MCCABE, DAVE #SP150023725
/071824		\$CROSS		
/071832		\$PREMPT	L169	
/071832		\$ASSTER	L126	#326 ANDERSON, J D
/071832		PREDSP	L169	L126
/072526	(326)	*ONSCNE	L126	
/073240	(676)	CONTCT		Contact in 20 Minutes
/075238	(1219)	*TRANS	E144	[JAIL] M/0 , MALE
/075521	(326)	*MISC	L126	, UOF REPORT IN BLUE TEAM PSTAT/ASST PSTAT/RPT
/075531	(456)	ASST	P306	[901 E HOLYOKE AV #29 ,SPK] #161 SCHAAL, JEFF
/075534	(161)	*ENROUT	P306	
/075537	(456)	\$CROSS		#SP150023725
/075537		DUP		#SP150023725
/075537		DUP		NAM: TINEIRO, ALINA M 051890 ADR: SAME PHO: 5093613492
/075621	(326)	*CLEAR	L126	
/075705	(1219)	*MISC	E144	, LT ANDERSON IS AWARE OF ARRESTS
/075737	(465)	*NEWLOC	E142	[STANDING BY FOR CPL]
/080722	(1219)	*TRANSC	E144	M/5.4
/081050	(161)	*ONSCNE	P306	
/081409	(676)	OK	E144	
/081546	(465)	*CHGLOC	E142	[NE]
/082520	(161)	*CLEAR	P306	DSP: 8K , PSTAT/CFS PHOTOS [LOGAN]
/084228	(1219)	*CHGLOC	E144	
/084735	(465)	*ONSCNE	E142	
/085212	(676)	OK	E142	
/094205	(1219)	*REMINQ	E144	MWANT,,,,,, MARTINEZ, DAMIANT, 1988, 10, 15, ,,,,,, ,,,,, MWANT,,,,,, PINERO, ALINAM, 1990, 05, 18, ,,,,,, ,,,,, MWANT,,,,,, PINEIRO, ALINAM, 1990, 05, 18, ,,,,,, ,,,,, , PSTAT/ASST PSTAT/RPT
/094756		*REMINQ	E144	DSP: 8K --> 1E , PSTAT/CFS PSTAT/MISD PSTAT/RPT
/094839		*REMINQ	E144	
/095832	(465)	*CLEAR	E142	
/134419	(1219)	*CLEAR	E144	
/134419		CLOSE	E144	

03/18/15 14:38:55 PRINT REQUESTED BY TERMINAL PADN07
Incident History for: #SP150023725 Xref: #SP150023698

Entered 01/22/15 07:18:24 BY PCC01 676
Closed 01/22/15 07:55:37

Initial Type: CHKEV Final Type: CHKEV (CHECK FOR EVIDENCE)
Initial Priority: 3 Final Priority: 3
Disposition: CAN Source: Primary Unit:
Police BLK: SPB3NL
Group: P3 Beat: Map Page: 31
Loc: 901 E HOLYOKE AV #29 ,SPK btwn N CINCINNATI ST & N NEVADA ST <6600> (V)
Loc Info: QUADRANGLE APTS
Name: TINEIRO, ALINA M 051890 Addr: SAME Phone: 5093613492

/071824 (676) COPY ,PHOTOS
/071824 \$CROSS #SP150023698
/072003 HOLD
/072406 CANCEL ,PER E140
/072406 CLOSE
/072553 REOPEN ,NO MORE INFORMATION
/072605 MISC ,**DISREGARD THE CANCEL, STILL NEED PHOTS
/072607 HOLD
/075537 (456) \$CROSS #SP150023698
/075537 DUP #SP150023698
/075537 CANCEL
/075537 CLOSE

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 15-023698	
INCIDENT TYPE Arrest, DV # Juv Present, Domestic Violence		INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 RESISTING ARREST
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Thu 01/22/2015 06:23	DATE/TIME	OCCURRED ON Thu 01/22/2015 06:23	DATE/TIME	OCCURRED TO Thu 01/22/2015 07:17	DISTRICT
DISPATCH TIME 06:39	ARRIVED TIME 06:53	CLEARED TIME	REPORT DATE 01/22/2015	REPORT TIME 09:31	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE M-10.11.010 CITY ASSAULT					UCR/NIBRS CODE /13B
ADDITIONAL CHARGES M-10.07.034 RESISTING ARREST					
LOCATION OF INCIDENT 901 E Holyoke #29, Spokane, WA 99208				LOCATION NAME (IF APPLICABLE) Quadrangle Apartment	
SOLVABILITY FACTORS Suspect Arrested, Useful Physical Evidence, Witness to Crime					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS K. Honaker #435, J.D. Anderson #465					
VICTIM/WITNESSES/OTHERS <small>C-Complainant, CV-Complainant in Victim, A-Arrested Person, D-Driver, G-Legal Guardian, IRI-Institutional, W-Witness, CON-Contact, V-Deceased, OW-Owner of Property, V-Victim - Individual, PS-Passenger, VB-Victim - Business, S-Suspect, RU-Runaway, RO-Registered Owner, M-Missing, PE-Pedestrian, PC-Pedestrian, Cyclist, O-Other, MIR-Person Mentioned</small>					
CODE A-1	NAME: LAST, FIRST, MIDDLE Martinez, Damian T			SEX F	RACE/ETHNICITY I-American Indian or
DATE OF BIRTH/AGE 10/15/1988 26	HEIGHT 5'11"	WEIGHT 260	BUILD Heavy	HAIR Black	EYES BRO - Brown
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 901 E Holyoke Avenue #29, Spokane, WA 99208			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION M-10.11.010 CITY ASSAULT				UCR/NIBRS CODE /13B
WARRANT #	BAIL	TYPE OF ARREST Taken Into Custody		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION M-10.07.034 RESISTING ARREST				UCR/NIBRS CODE
WARRANT #	BAIL	TYPE OF ARREST Taken Into Custody		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CITATION # 5Z0215791	DATE 01/22/2015	TIME 06:23	BOOKED WHERE Spokane County Jail		DATE 01/22/2015
ARREST LOCATION 901 E Holyoke #29, Spokane, WA 99208			STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input checked="" 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 #4b	<input type="checkbox"/> FAKE STATE	SOCIAL SECURITY NO. #4a	<input type="checkbox"/> FAKE	OTHER ID	

ID NO./NAME OF REPORTING OFFICER #1219 - Manwill, Beatrice	DISTRIBUTION Child Protective Services	
APPROVAL #150 - Reisenauer, Charles	DATE/TIME 01/22/2015 15:42	

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-SIMPLE					ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-023698	
CODE CV-1	NAME: LAST, FIRST, MIDDLE Pineiro, Alina M				SEX F	RACE/ETHNICITY I-American Indian or	DATE OF BIRTH/AGE 05/18/1990 24
HEIGHT 5'06"	WEIGHT 200	BUILD Heavy	HAIR Brown	EYES BRO - Brown	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 901 E Holyoke Avenue #29, Spokane, WA 99208				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (509) 361-3492							
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE #4a		OTHER ID (ID Card) #4b		
HATE BIAS					CIRCUMSTANCES		
RELATIONSHIP TO SUSPECT Victim was Girlfriend			VICTIM OF Offns. # M-10.11.010 CITY ASSAULT			OFNDR. # A-1	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES					TYPE OF VICTIM Individual		MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO
HOSPITAL TAKEN TO		TAKEN BY		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN		SUICIDE NOTE FOUND? <input type="checkbox"/>
HOLD PLACED BY							
CODE MIR-1	NAME: LAST, FIRST, MIDDLE #2d				SEX F	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE 03/17/2013 1
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 901 E Holyoke Avenue #29, Spokane, WA 99208				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
CODE MIR-2	NAME: LAST, FIRST, MIDDLE #2d				SEX F	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE 11/15/2014 0
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 901 E Holyoke Avenue #29, Spokane, WA 99208				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE

NARRATIVE

On January 22, 2015 at approximately 0653 hours, I responded to 901 E. Holyoke Ave. #29, in Spokane, WA for a domestic dispute.

Upon arrival I contacted the complainant, identified as Alina Pineiro, inside of the residence and interviewed her. When I went into the residence I noticed that there was spilled yogurt on the high chair and carpet, and that there were clothes on the floor. Pineiro was very upset and had tears on her face. She was hysterical and was breathing very

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-023698
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heavily. Pineiro told me the following:

She lives at the address with her boyfriend, suspect identified as Damian Martinez. They have been in a significant dating relationship for three years. They have two daughters together, identified as [REDACTED] #2d and [REDACTED] #2d. The children were at the residence while the altercation occurred.

She got into an argument with Damian this morning while he was getting ready for school. Damian could not find his bus pass and identification/debit cards. One of their daughters got a hold of the cards and it was lost in their messy living room. Damian started yelling at her about how messy their apartment was and that she doesn't clean up like she needs to. He said that the apartment was dirty and disgusting. Damian started yelling at her and calling her a "fat ugly cunt". She was very upset. He knocked over a yogurt container that was on a high chair. Damian then proceeded into the bedroom and grabbed the laundry basket with dirty clothes and dumped out all of the clothes all over the floor. He then left the room.

Pineiro stood in front of the doorway that goes from the living room into their bedroom. Her two daughters were in there and she didn't want him going back in there and throwing things around. Damian was going to leave, but [REDACTED] #2d was walking towards him to give him a kiss goodbye. He wanted to give her a kiss goodbye, but Pineiro wouldn't allow him to go into the bedroom to kiss [REDACTED] #2d goodbye.

Damian grabbed Pineiro's left arm with his right hand and the right side of her face with his left and tried pushing her out of the way. She almost fell down, but was able to catch her balance and stand up. Damian then grabbed Pineiro's left shirt sleeve and yanked her out of the way. She said that this gave her a rug burn on her arm and was painful. She called 911 after this happened.

Officer Honaker interviewed Damian. Damian told Officer Honaker that he did grab Pineiro to move her out of the doorway. See Officer Honaker's report for more information.

I looked at Pineiro's injuries and saw a red mark on her left arm. The capularies were broken under Pineiro's arm pit. I requested that a Corporal come to take photos of her injuries. Pineiro declined medical attention when I asked if she needed it. After discussing the situation with Officer Honaker, we decided that there was probable cause to arrest Damian for City Assault-DV.

Officer J.D. Erickson responded to the address. Officer Erickson waited in the bedroom with Damian, while Officer Honaker and I discussed the incident. I went into the room to place Damian under arrest. I told Damian he was under arrest and we moved in to take him into custody. Officer Erickson also told Damian that he was under arrest. I took control of Damian's right arm and Officer Erickson took control of his left arm.

Damian started pulling away and heading towards the doorway into the living room where Pineiro was sitting. The infant, [REDACTED] #2d was in the bedroom and [REDACTED] #2d was in the living room. Damian reached the doorway, I was still holding his right arm. He continued to move through the door way and he broke free of my grasp as there was not room for Damian, Erickson, and myself to go through the doorway together. Officer Erickson gave him commands to stop resisting and moved into a neck restraint. Officer Honaker helped push Damian back into the bedroom. We

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-023698
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guided Damian down onto the mattress on his stomach for handcuffing.

Officer Erickson kept the neck restraint on Damian. Damian kept resisting. Damian resisted by tensing his muscles in his arms and torso and trying to pull away from us. Myself and Officer Erickson kept telling him to stop resisting. I regained Damian's right arm and he was balling up his fists and pulling away. Officer Honaker was controlling Damian's feet because he was kicking his feet. See Officer Honaker's additional report for further detail. I applied a goose neck on his wrist and gained control of his index and middle finger. I applied handcuffs (DL).

We stood Damian up. Much to our surprise, Damian again tried to walk away from us out of the bedroom toward the living room. Erickson reapplied the neck restraint and I applied pressure to Damian's right wrist to gain compliance. Just outside the bedroom, Damian did finally stop resisting with his legs and he allowed me and Erickson to guide him out to my vehicle.

Damian was arrested for City Assault-DV and Resisting Arrest. I searched Damian and placed him inside of the car. I told Damian he had the right to silence and the right to an attorney.

Lt. Anderson responded to address because force was used. He was advised of the arrest.

I gave Pineiro a crime victim card and did a LAP assessment. Pineiro screened in because of her answer on the questions. I called the advocate and Pineiro talked to her, per Pineiro's request.

Damian was transported to the Spokane County Jail and booked for City Assault-DV and for Resisting Arrest on Citation #5Z0215791.

OFFICER/NUMBER/CALL SIGN

B. Manwill/1219/E144

Domestic Violence Lethality Assessment Protocol (LAP)

*** A "YES" response to any of Questions #1-3 automatically triggers the protocol referral.**

1. Has he/she ever used a weapon against you or threatened you with a weapon?
__ YES X_ NO __ Refused Comment(s):

2. Has he/she threatened to kill you or your children?
__ YES X_ NO __ Refused Comment(s):

3. Do you think he/she might try to kill you?
X_ YES __ NO __ Refused Comment(s):

*** Negative responses to Questions #1-3, but positive responses to at least four (4) of Questions #4-11, triggers the protocol.**

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-023698
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4. Does he/she have a gun or can he/she get one easily?
 YES NO Refused Comment(s):

5. Has he/she ever tried to choke you?
 YES NO Refused Comment(s):

6. Is he/she violently or constantly jealous or does he/she control most of your daily activities?
 YES NO Refused Comment(s):

7. Have you left him/her or separated after living together or being married?
 YES NO Refused Comment(s):

8. Is he/she unemployed?
 YES NO Refused Comment(s):

9. Has he/she ever tried to kill himself/herself?
 YES NO Refused Comment(s):

10. Do you have a child that he/she knows is not his/hers?
 YES NO Refused Comment(s):

11. Does he/she follow or spy on you or leave threatening messages?
 YES NO Refused Comment(s):

Is there anything else that worries you about your safety? If "yes", what worries you? (Use quotes): "SCARED NOW" She is scared what might happen now after he has been arrested. She says he'll be angry and is afraid of retaliation.

*** An officer may trigger the protocol referral, if not already triggered above, as a result of a victim's response to the below question, or whenever the officer believes the victim is in a potentially lethal situation.**

- Victim screened in according to the protocol.
- Victim screened in based on the behalf of the officer.
- Victim did not screen in.

REFERRAL: If screened in, was victim connected with the DV Advocate by phone? (Explain): Yes. The victim wanted to talk to the advocate about the assault. She spoke with the advocate and is going to call back later as well.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED

INCIDENT NUMBER
15-023698

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 15-023698	
REPORT PURPOSE			REPORTED ON DATE Thu 01/22/2015	TIME 06:23
INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 RESISTING ARREST	
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 01/22/2015	REPORT TIME 12:11
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 012215 at 0653 hours I responded to 901 E. Holyoke #29 in Spokane regarding a domestic violence assault. I was riding with Ofc. Manwill. The complainant, Pineiro, told 911 her boyfriend grabbed her by the arm and through her around. The boyfriend was identified as Damian Martinez. Pineiro advised there were children in the home.

On arrival Pineiro invited us inside the apartment. I saw Damian who was holding his two year old daughter, #2d. Manwill interviewed Pineiro and I spoke with Damian.

Damian said he and Pineiro have been in a serious dating relationship and they have two children together #2d. Later I saw #2d in the bedroom in a cradle.

Damian said he lost his cards, bus pass, identifications, and bank cards that he needed to go to school at SCC this morning. Pineiro said she saw #2d with the cards yesterday but could not remember where. Damian also mentioned the house was a mess and he could not find them. Eventually he found the cards and got ready to leave. He left the bedroom and Pineiro stood in the doorway.

Damian saw #2d coming from behind Pineiro to give him a kiss. Damian said Pineiro would not let him back in the bedroom to kiss their daughter. Damian said, "I took her arm and moved it out of the way". Damian confirmed, "I grabbed her (Pineiro's arm)". Damian said no other assault occurred.

I consulted with Manwill. Pineiro's statement indicated a slightly more powerful grab and pull of Pineiro's arm by Damian. However, the statements matched up.

Pineiro said she wasn't going to let Damian back in the bedroom as both babies were in the bedroom and Damian had over turned a basket of dirty clothes on the bed. I did she a pile of dirty clothes on the floor at the foot of the bed.

There was no justifiable reason for Damian to grab and pull Pineiro away at the time that we could determine.

Manwill went into the bedroom. Erickson had arrived and he was also inside the bedroom.

ID NO./NAME OF REPORTING OFFICER #435 - Honaker, Kristopher		DISTRIBUTION	
APPROVAL #150 - Reisenauer, Charles	DATE/TIME 01/22/2015 15:42		

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED

INCIDENT NUMBER
15-023698

I stood in the living room with Pineiro. I could not see inside the bedroom.

I heard Manwill asked Damian to come over to her. I heard her tell Damian that he was under arrest. I heard Erickson's voice as well giving commands. I saw Damian emerge from the bedroom with Erickson behind him. Damian was resisting the arrest by moving away from the officers. It was concerning that Damian was moving into the living room where Pineiro was sitting and #2d was wandering around.

I shouldered Damian into the wall putting my shoulder into his chest. I pinned Damian to the wall. Erickson attempted a Lateral Neck Restraint. Initially Erickson had my left arm in the hold by accident. I was able to remove my arm. Erickson moved Damian back into the bedroom and took Damian down on top of the bed and pile of dirty clothes.

Damian continued to resist with his arms and he was kicking and flailing his legs. Manwill was taking control of Damian's right arm. Erickson had the neck restraint on and was asking for compliance. Damian was screaming that he could not breathe. I did notice at two different points during this rapidly evolving incident, Damian's bottom lip turned purple. At no time during the incident did Damian lose consciousness.

Pineiro entered the room and began screaming at us to let Damian go. I told her to go back in the living room.

I took control of Damian's legs by kneeling over them. I told Damian several times to stop resisting. I assisted Manwill in handcuffing Damian.

When they stood Damian back up, to our surprise, Damian began running out the bedroom door again. Erickson applied the neck restraint again and I instructed Manwill to apply wrist lock pressure. Damian did comply just outside the bedroom door.

Lt. Anderson responded to the scene. He was advised of the arrest. See Manwill's arrest report and Erickson's additional report.

OFFICER/NUMBER/CALL SIGN

Honaker/435/E144

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 15-023698	
REPORT PURPOSE		REPORTED ON DATE Thu 01/22/2015	TIME 06:23	INCIDENT XREF
INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 RESISTING 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 01/22/2015	REPORT TIME 08:02
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 01/22/15 at 0648 hrs. I responded to assist Officer Manwill #1219 and Officer Honaker # 435 on a reported DV assault between a male and female. Officer Manwill was in the FTO training car with Ofc. Honaker. She and Officer Honaker arrived on scene at 0653 hrs., and I arrived on scene at 0702 hrs. Officer Manwill was already contacting the female complainant, Alina Pineiro. Ofc. Honaker was standing by with the male, Damian Martinez. He asked that I wait with Martinez while he observed Ofc. Manwill's interview.

It should be noted that couple's young daughter (almost 2 years old) was traveling around in the apartment, and their two-month-old daughter was sitting in a bassinet in the back bedroom. At one point the infant started to fuss, and Martinez asked if he could console the child. At this point, Pineiro was still extremely upset, and Martinez appeared calm. I allowed Martinez to comfort the infant, and followed him into the back bedroom.

Officer Manwill developed probable cause to arrest Martinez for City Assault DV. She entered the back bedroom. Martinez set the child down back into the bassinet. Officer Manwill asked Martinez to walk towards her. Martinez asked something to the effect of, "Am I going with you? (referring to going to jail)" Martinez began breathing heavily, apparently beginning to become upset. He did not move towards Officer Manwill as directed. Officer Manwill again asked Martinez to step towards her (over some clothes and bedding that was on the floor), and advised that he was under arrest. Martinez still refused to move forward, at which time I began moving towards his left side. I also informed Martinez that he was under arrest.

I established left arm control of Martinez, though he began tensing his upper body, and began attempting to move his left arm out in front of him (in an apparent attempt to cause me to lose control of his left arm). The footing was uneven due to the clothes and blankets that were on the ground, and Martinez began moving towards the doorway of the bedroom. Officer Manwill was on Martinez's right side. As Martinez pulled us through the doorway, he was able to free his right arm, then turn towards me (causing me to lose control of his left arm). Martinez had his hands raised up to approximately shoulder height. I reached towards Martinez's right arm to control it, but he pulled the arm away. Officer Honaker was able to brace Martinez's upper body against the wall just outside of the doorway.

ID NO./NAME OF REPORTING OFFICER #465 - Erickson, James		DISTRIBUTION	
APPROVAL #150 - Reisenauer, Charles	DATE/TIME 01/22/2015 15:43		

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED

INCIDENT NUMBER
15-023698

Due to the fact that Martinez was under arrest for DV assault, and his active attempts to resist arrest, I moved behind him and applied a Lateral Neck Restraint on Martinez. I told Martinez to stop resisting the arrest, and quit fighting. Martinez continued to tense his upper body and swing his arms away from the officers that were attempting to gain control of them. We moved as a pile towards the back bedroom, and I guided Martinez down onto the bed there (still having the LNR applied). Martinez continued to struggle against us as we attempted to gain control of him. He began kicking his feet once he was on the bed, and continue to tense his upper body. His right arm was controlled at one point, but his left arm was still free. I continued to apply the LNR until Martinez finally relinquished his left arm to be controlled by officers. Officer Manwill and Ofc. Honaker were able to handcuff Martinez (DL and PS), and we were able to stand Martinez up. Martinez continued to tense up several times. At one point Martinez attempted to quickly walk out of the back bedroom; at which time I again applied a loose LNR- telling him to be cooperative.

As a result of Martinez's resistive struggle there was a 3" x 4" dent in the drywall just outside of the back bedroom door. Martinez did not appear to be injured. It should be noted that as a result of the struggle, I sprained the back of my right hand; resulting in some transient pain, but nothing that required medical attention.

Ofc. Manwill transported Martinez to jail where he was booked for City Assault DV and Resisting Arrest.

Lt. Anderson responded for the Use of Force report. Cpl. Schaal took photos of Pineiro's injury and the damage to the wall (see his photo log).

J. Erickson #465 B142