



SPOKANE POLICE DEPARTMENT

FRANK STRAUB, JR.
CHIEF OF POLICE

**Internal Affairs
Exemption Log**



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

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

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

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

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

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

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



Spokane Police Department Use Of Force Report

Incident Entered By: Sergeant Eric Kannberg

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
2/22/2015	2/22/2015	01:45
Record ID #	Incident No	IA No
8683	15-61016	F15-011
Date/Time Entered		
3/2/2015 09:31		

Incident Summary

See additional.

In compliance with policy per Assistant Chief Dobrow 04.09.15.

Incident Location

- 7019 Audubon DR, Direction: N, Spokane, WA 99207 - : Northwest

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Assaulting Officer	Call For Service	
Weather Condition	Lighting Condition	Distance to Citizen
Clear	Exterior Lighting	b-3-7 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
No	Yes	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Medium	6'1" to 6'3"	
Officer Assessment of Citizen Condition During Incident		
Alcohol and/or Drugs		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Reporting/Involved Citizen Information

Robby J Domarus

DOB: 8/6/1986 Race: White Gender: Male

Address

- 1524 North ST, Direction: E, Spokane, WA 99207

Phone

- (509) 251-0059

Types of Resistance Citizen Used Against Officer(s)

- Assaultive

Charges against this citizen

- Felony - Person Crime
- Misdemeanor - Person Crime
- Resisting Arrest

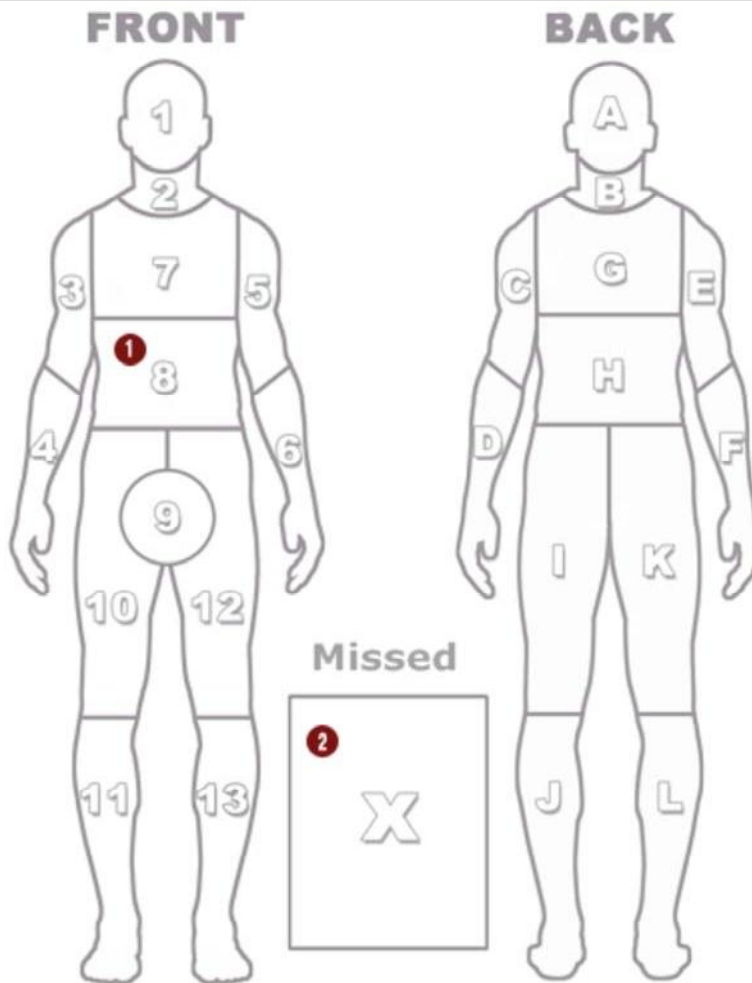
Involved Officers

Officer John Arredondo - Payroll Number: #5c

Force used by this officer against the citizen

- TASER-Probe - Was force effective: No

Force Used	Effective?	Regions	Points of contact
TASER-Probe	No	8, X	1, 2



Citizen Witnesses

#1a
DOB: #1b - **Race:** White - **Gender:** Female

Address

• #1d

Phone

• #1c

Officer Witnesses

Officer Craig Hamilton - Payroll Number: #5c
Lieutenant Thomas Hendren - Payroll Number: #5c
Sergeant Troy Teigen - Payroll Number: #5c
Officer Sean Wheeler - Payroll Number: #5c

Attachments

Date Attached	Attachment Description	Attachment Type
3/11/2015	TASER Information	pdf
3/11/2015	Reports	pdf
3/11/2015	Photo Examples	docx
3/11/2015	Additional	doc

Chain of Command History

Sent Dt	From	To	CC	Approved
3/11/2015	Sergeant Eric Kannberg	Lieutenant Dean Sprague	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: For your review				
Recipient's Comments/Response: Force options utilized (Taser, K-9, takedown techniques) were appropriate given the circumstances, and were within department policy, case law and use of force guidelines. Due to defendant's high pain tolerance and likely substances on board, pain compliance was only minimally effective. Injuries to defendant were consistent with articulation of uses of force in officer reports, and were minor.				
3/12/2015	Lieutenant Dean Sprague	Captain Craig Meidl	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Forward through north PSA patrol chain of command.				
Recipient's Comments/Response: [Forwarded by Captain Craig Meidl]				
3/12/2015	Captain Craig Meidl	Asst Chief Patrick Dobrow	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Based on the location of the initial contact of the suspect (secreted out of view under a truck in a building in violation of an OP), and the concerns outlined in the officers' reports, the initial deployment of the K9 was appropriate. Based on the suspect's behavior, demeanor, and verbal responses to officers after he moved out from under the truck, officers had reason to believe that the suspect was preparing to assault officers (several pre-assaultive behaviors were present to justify this belief) and would in fact assault officers if they approached him. Officers are not required to wait to be assaulted if they have reason to believe an assault is imminent. Based on these facts, the attempted deployment of the Taser was within policy (though the application was ineffective). The second deployment of the K9 with the intent to be a "distraction" or cause the "surrender" of the suspect under these specific circumstances does not appear to be the most effective method of utilizing a K9. Though admittedly these are dangerous, tense, and volatile circumstances, the number of officers present and the tools available to them should be considered to avoid the use of a K9 as a distraction or tool to force surrender through application when the suspect is in the open,				

surrounded by officers, and his hands are visible (ie, not secreted or reaching for a possible weapon). This is not meant to imply that officers should put themselves in a situation where they will obviously be assaulted but for the K9, but other tools should be considered (ie, additional deployments of a Taser, OC-10).

Recipient's Comments/Response: The use of force (Taser) was reasonable and within policy. The K9 contact, though not in violation of policy, may not have been the only option available. I agree with Capt. Meidl that other measures, should have been tried before the use of the K9. Still within policy.

Entering Officer Signature Line

Sergeant Eric Kannberg

Chain of Command Signature Lines

Lieutenant Dean Sprague

Captain Craig Meidl

Asst Chief Patrick Dobrow



Spokane Police Department
Internal Investigation



CONFIDENTIAL

IA#
Additional

Complaint Being Investigated

Use of Force

Complainant Interview Summary

Mr. Domarus refused to talk about the incident. While in the hospital he stated "Your TASER's bunk bro." He also asked for street drugs: Meth, Heroin and Oxycodone, and stated he last used heroin 10 hours ago.

Officer Interview Summary

Officers contacted [REDACTED] #1a at 7019 N. Audubon reference a DV order violation. A NCO showed Mr. Domarus (ex-Husband) was restrained from being at the residence or within 2 blocks of the residence. Officers located Mr. Domarus secreted under his vehicle in an attached garage. Mr. Domarus was given verbal commands to exit the garage and refused. A K9 made contact with Mr. Domarus and he fought with the K9, grabbing the dog by the mouth. The K9 was then pulled back. Mr. Domarus crawled out from under the truck and stood. He then began walking toward officers stating, "Fuck you. I own this home." Mr. Domarus was told multiple times he was under arrest and he continued to say "Fuck you." He stood 6-02, 220 lb., with his hands balled into fists and his chest out. He refused to get on the ground as ordered. He was given warnings that a TASER would be deployed and he refused to follow commands. The K9 was sent on Mr. Domarus again and the dog attached to his left leg with no effect. Officer J. Arredondo then deployed his TASER for the following reasons:

Crime: Mr. Domarus committed the crime of DV order violation, DV burglary and resisting arrest.

Resistance: Mr. Domarus was hiding in a garage in a place he was restrained from by a court order. He refused to follow officers' commands. He had all ready fought with a K9. He was aggressing on officers with clenched fists and refusing to follow lawful commands.

Threat: Mr. Domarus stood in front of officers stating, "Fuck you" and began aggressing towards the officers. His fists were balled up, and his chest was out as he began slowly moving forward in an aggressive posture.

The TASER was deployed in probe mode; however, there was a malfunction and only one probe deployed from the TASER, striking Mr. Domarus. The sound from the TASER caused Mr.

Domarus to stiffen up and stumble forward. This allowed officers to grab onto Mr. Domarus and take him to the ground. He was then placed in handcuffs after a short struggle.

Mr. Domarus was transported to the hospital for medical treatment from the K9 application. He was later booked into jail.

Witness Interview Summary

#1a stated Mr. Domarus showed up at her residence knocking on the door trying to get in. He stated he had been in a car accident and wrecked his vehicle. Mr. Domarus has not lived at the residence and she had a no contact order against him.

Physical Evidence

Photos, TASER cartridge, TASER deployment documentation.

Investigative Summary

Officers confronted a DV suspect in a garage who was under arrest for violating a court order, residential burglary and resisting arrest. A K9 was deployed as Mr. Domarus had secreted himself under a vehicle in a garage, a position of advantage. He then fought with the K9, grabbing the K9 by the mouth. Mr. Domarus crawled out from under the vehicle and began aggressing on officers, refusing to follow lawful commands. He had his hands balled up, his chest out and slowly stepped forward towards officers. He was advised he was under arrest and ordered to get down, and he refused to comply. He was advised he would be TASED; however, he refused to follow commands. The K9 was deployed again and made contact with Mr. Domarus, but there was no effect. He was saying, "Fuck you. I own this home." By Mr. Domarus' words and actions he was displaying an imminent assault on the officers. A TASER was then deployed following SPD POLICY 309.

The TASER malfunctioned and only one dart fired from the TASER cartridge. The dart that exited the TASER cartridge hit Mr. Domarus; however, this dart caught up in his clothing and did not make contact with him. There were no injuries noted from the TASER deployment and Mr. Domarus did not receive any electrical shock from the TASER. The noise from the TASER deployment caused Mr. Domarus to stop his forward movement and tense up, allowing officers to take physical control of him and take him to the ground.

Mr. Domarus created a situation that was tense, uncertain and rapidly evolving, putting officers in fear of great bodily injury. He described the TASER usage as "Bunk" and was requesting illicit drugs at the hospital. He was willfully violating a court order, refused to follow lawful commands and began aggressing on officers with clenched fists. Officer J. Arredondo's actions were objectively reasonable based on the totality of the circumstances. His actions were within departmental guidelines and state law.

Sgt. Kannberg #271

Incident History for: #SP150061016

Entered 02/22/15 23:52:26 BY 91104 911209
Dispatched 02/22/15 23:54:11 BY PCC01 1210
Enroute 02/22/15 23:54:11
Onscene 02/22/15 23:59:48
Closed 02/23/15 04:18:34

Initial Type: DV Final Type: DVOPV (DV-PROTECTION ORDER VIOLATION)
Initial Priority: 2 Final Priority: 2
Disposition: 1E Source: 9 Primary Unit: A431
Police BLK: SPA1BS
Group: P1 Beat: Map Page: 24
Loc: 7019 N AUDUBON DR ,SPK btwn W WOODSIDE AV & W WEILE AV <3000> (V)
Name: #1a #1b Addr: SAME Phone: #1c

'235226 (911209) ENTRY HAS NCO AGAINST XHUSB. HE IS OUTSIDE NOW. TRYI
NG TO KICK IN THE FRONT DOO R. NO KNOWN WEAPON
S. NO ASLT. HE IS INTOX. COMP INSIDE.
'235226 \$FCSEND ,Incident data pushed to folder
'235228 (*****) \$FCACK ,Processed Successfully
'235254 (911209) SUPP TXT: XHUSB:DOMARUS, ROBBIE J 080686
'235311 SUPP TXT: ROBBIE:WM 603/THN UNK CLOTHING.
'235328 SUPP TXT: UNK IF HE ARRIVED ON FOOT OR IN VEH. IF I
T WAS A VEH IT WOULD BE DBL DODG E PICK UP TRU
CK
'235339 SUPP TXT: HE STOPPED KICKING THE DOOR.
'235343 (1210) MISC ,,,,,,SERVED NCO #14-384902
'235352 (911209) SUPP TXT: HE IS STILL OUTSIDE.
'235411 (1210) DISPER A431 #614 ARREDONDO, JOHN
'235411 ASSTER K14 #713 HAMILTON, CRAIG
'235429 (911209) CHANGE NAM: EMILY --> #1b #1b
'235507 (1210) CHANGE TYP: DV --> DVOPV
RSP: PP --> PPP
PRI: 2 --> 2
'235515 REMINQ A431 WANT,A431,,,,, #1a #1b
'235517 (911209) SUPP ,,,,,,
'235525 (1210) REMINQ A431 WANT,A431,,,,,,DOMARUS,ROBBY,J,1986,08,06,,,,
'235547 (452) *ASSTER K15 [7019 N AUDUBON DR ,SPK]
#452 LESSER, DANNY
'235948 (713) *ONSCNE K14
:** New Date: 02/23/15 ***
'000101 (1210) ONSCNE K15 , AREA
'000212 NEWLOC K14 [7011 N AUDUBON]
'000216 MISC K14 ,W/THE MALE
'000304 MISC K14 ,MAY NOT BE HIM. SAID MALE RAN TO THE NORTH. C
LAIMING TO BE NEXT DOOR NEIGHBORT
'000334 (443) *ASSTER P307 [7019 N AUDUBON DR ,SPK]
#443 KAKUDA, BLAINE
'000406 (482) *ASSTER L182 [7011 N AUDUBON]
#482 HENDREN, THOMAS
'000413 (975) *ASSTER A311 [7019 N AUDUBON DR ,SPK]
#975 MATTHEW, YESHUA
'000415 (1210) MISC K14 ,WOODSIDE TO THE SOUTH. MAY HAVE RUN NW
'000507 (881) *ASSTER A435 [7011 N AUDUBON]
#881 WHEELER, SEAN
'000518 (1230) *ASSTER A436 [7019 N AUDUBON DR ,SPK]
#1230 ANDERSON, CAITLYN

/011020	(271	)	*MISC	L220	,PSTAT/ASST
/011023			*CLEAR	L220	
/011905	(973	)	*ASSTER	X351	[HOLY FAMILY]
					#973 DONALDSON, NATHAN
/011923	(1210	)	\$PREMPT	K15	
/012103	(614	)	*REMINQ	A431	MWANT,,,,,,,,,DOMARUS,ROBBYJ,1986,08,06,,,,,,,,,
					''''
/012146	(973	)	\$PREMPT	X351	
/012919	(881	)	*TRANS	A435	[JAIL] M/0.0
/013016	(1210	)	CHGLOC	L211	[FLW A435]
/013016			CHGLOC	A436	[FLW A435]
/013018	(1230	)	*CHGLOC	A436	[JAIL]
/013249	(443	)	*ONSCNE	P307	
/013449	(713	)	*CLEAR	K14	,PSTAT/ASST, PSTAT/RPT
/013820	(1230	)	*ONSCNE	A436	
/013926	(881	)	*TRANSC	A435	M/4.3
/013933	(1210	)	NEWLOC	L211	
/013940	(329	)	*CLEAR	L211	
/014751	(443	)	*CHGLOC	P307	[NW]
/015258			*ONSCNE	P307	
/015442	(482	)	*CLEAR	L182	,PSTAT/ASST PSTAT/RPT
/015747	(1230	)	*CHGLOC	A436	[PROPERTY]
/020712			*ONSCNE	A436	
/020823	(881	)	*CHGLOC	A435	[LOGAN]
/020844			*ONSCNE	A435	
/022151	(614	)	*ONSCNE	A431	
/022605	(1160	)	OK	A431	
/022605			OK	P307	
/023624	(1230	)	*CLEAR	A436	,PSTAT/ASST PSTAT/RPT
/023740	(443	)	*CLEAR	P307	,PSTAT/ASST PHOTOS
/025309	(1160	)	OK	A435	
/041135	(881	)	*MISC	A435	,PSTAT/ASST PSTAT/RPT
/041138			*CLEAR	A435	
/041834	(614	)	*CLEAR	A431	DSP: 1E
					,PSTAT/CFS PSTAT/FEL PSTAT/MISD PSTAT/MISD
/041834			CLOSE	A431	

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 15-061016	
INCIDENT TYPE Arrest, Domestic Violence		INCIDENT CLASSIFICATION #1 BURGLARY-RESIDNTL		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #2 COURT ORDER VIOLATION <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #4	
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Sun 02/22/2015 23:52	DATE/TIME	OCCURRED ON Sun 02/22/2015 23:42	DATE/TIME	OCCURRED TO Mon 02/23/2015 01:45	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 02/23/2015	REPORT TIME 01:08	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE 9A.52.025(1) BURGLARY-RESIDENTIAL					UCR/NIBRS CODE / 220
ADDITIONAL CHARGES 26.50.110(1) VIOLATION OF ORDER, 9A.76.040 PUB OFFICER(RESIST ARREST)					
LOCATION OF INCIDENT 7019 N Audubon, Spokane, WA 99208				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS Suspect Arrested					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS Ofc. Wheeler, Lt Hendren, K9 Hamilton					
VICTIM/WITNESSES/OTHERS <small>Complainant, CV-Complainant - Victim, A-Arrested Person, D-Driver, G-Legal Guardian, IN-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, PG-Pedestrian, Cyclist, O-Other, MIR-Person Mentioned</small>					
CODE CV-1	NAME: LAST, FIRST, MIDDLE #1a			SEX F	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE #1b 28	HEIGHT 5'03"	WEIGHT 120	BUILD Light	HAIR Blonde or	EYES BLU - Blue
DESCRIPTORS	CONFIDENTIALITY <input type="checkbox"/>		ADDRESS: STREET, CITY STATE ZIP #1d		RESIDENTIAL STATUS
PHONE	PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION Employed
EMPLOYER PHONE		ADDITIONAL PHONES (Cell) #1c			
REALTIONSHIP TO SUSPECT Victim was Ex-Wife	VICTIM OF Offns. # 9A.52.025(1) BURGLARY-RESIDENTIAL			OFNDR. # A-1	
VICTIM/WITNESSES/OTHERS					
CODE A-1	NAME: LAST, FIRST, MIDDLE Domarus, Robby J			SEX M	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE 08/06/1986 28	HEIGHT 6'02"	WEIGHT 225	BUILD Heavy	HAIR Blonde or	EYES HAZ - Hazel
DESCRIPTORS	CONFIDENTIALITY <input type="checkbox"/>		ADDRESS: STREET, CITY STATE ZIP 1524 E North, Spokane, WA 99207		RESIDENTIAL STATUS
PHONE	PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION Not employed
EMPLOYER PHONE		ADDITIONAL ADDRESSES P.O. Box 1175, Spokane, WA 99207			
ADDRESS TYPE		ADDITIONAL PHONES (Cell) (509) 251-0059			
ID NO./NAME OF REPORTING OFFICER #614 - Arredondo, John				DISTRIBUTION	
APPROVAL #013 - Giannetto, Anthony		DATE/TIME 02/23/2015 07:57			

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL		ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-061016	
CHARGE LEVEL Felony Class B	DESCRIPTION 9A.52.025(1) BURGLARY-RESIDENTIAL		UCR/NCIC CODE /220	
WARRANT #	BAIL	TYPE OF ARREST Summoned/Cited		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION 26.50.110(1) VIOLATION OF ORDER		UCR/NCIC CODE /90Z	
WARRANT #	BAIL	TYPE OF ARREST Summoned/Cited		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Misdemeanor	DESCRIPTION 9A.76.040 PUB OFFICER(RESIST ARREST)		UCR/NCIC CODE /13A	
WARRANT #	BAIL	TYPE OF ARREST Summoned/Cited		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION #	DATE	TIME	BOOKED WHERE Spokane County Jail	DATE 02/23/2015
ARREST LOCATION 7019 N Audubon, 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 <input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE	OTHER ID	
VEHICLES				
CODI V-1	CIRCUMSTANCES Investigative Information	LICENSE NO. B95258U	STATE WA	LIC. YEAR 03/2015
VIN/HIN 1B7GG42N82S548832				
YEAR 2002	MAKE Dodge	MODEL Dakota	BODY STYLE	TOP/FRONT/ONLY COLOR Blue
BOTTOM/REAR COLOR				
SPECIAL FEATURES/DESCRIPTION				
DECAL NUMBER	REGISTERED OWNER Domarus, Robby J			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 1524 E North, Spokane, WA 99207			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 <input type="checkbox"/> Window <input type="checkbox"/> Interior <input type="checkbox"/> Top <input type="checkbox"/> Underside		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	

NARRATIVE

On 02-22-15, at about 2354 hours, K9 Ofc. Hamilton, Lt Hendren and I were dispatched to 7019 N. Audubon on a report of a DVOP Violation. While enroute, radio advised **#1a** called 911 and told the operator that her ex-husband, Robby Domarus, was at her address and he was trying to kick the front door open. **#1a** said she had a NCO against Domarus. Radio confirmed **#1a** was the Petitioner to NCO 4Z0930640 and Domarus was the respondent. Radio said NCO 4Z0930640 prohibited Domarus from entering or coming within 2 city blocks of 7019 N. Audubon.

Upon arrival, I contacted **#1a**, who was shaking and said she was concerned for her safety.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-061016
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#1a said Domarus arrived to her home, #1d, at about 2345 hours and began knocking on her slider door. #1a said she told Domarus that he was not suppose to be at her home and told him to leave. #1a said Domarus told her that he wrecked his truck and asked her to come outside and look at it. #1a said she called 911. #1a said Domarus saw her and heard her talking to 911.

I walked to the back door and exited the home. I looked at the back door and the screen door, but did not see any signs of forced entry. I then walked to the sliding glass door and did not see any damage to the door/lock. I heard some noise coming from inside the garage. I walked over to the (small) garage door and turned the door handle. The door was unlocked. I pushed the door open about an inch and shut the door. I advised K9 Ofc. Hamilton about the door.

After additional officers arrived, K9 Ofc. Hamilton opened the small garage door. Inside was a truck that had some blue colored tarps covering a load of wood. The Ofc. Hamilton's K9 hit on the tarp. The tarp was removed and Domarus was hiding under the truck. K9 Ofc. Hamilton told Domarus that he was under arrest and to come out of the garage. Domarus refused. I too yelled at Domarus that he was under arrest for DVOP Violation and to come out of the garage. Domarus ignored what I had to say.

I re-contacted #1a and asked her if her garage was attached to her home. #1a said yes. I asked #1a if entry into her home could be made thru the garage. #1a said no. I told #1a to remain inside her home.

I re-contacted officers and saw that Domarus had crawled out from under the truck. Domarus stood in front of the small garage door with his hands balled into fists. I told Domarus that he was under arrest for DVOP Violation and Residential Burglary. Domarus yelled, "Fuck you! I own this home!" I and other officers repeatedly told Domarus that he was under arrest. Domarus continued to say "fuck you!"

Domarus hands remained balled up and his body was ridged. Domarus looked at each officers, as if he was trying to decide who he was going to assault. Ofc. Hamilton's dog made contact with Domarus' left leg. I told Domarus that he was under arrest. Domarus did not yell nor did he flinch when Ofc. Hamilton's K9 was making contact with his leg. Officer again told Domarus that he was under arrest. Again Domarus yelled fuck you.

I deployed a Taser application that had very little if any affect on Domarus. However, the sound of the Taser appeared to be a good distraction as Officers were able to take control of Domarus' arms. Domarus immediately tightened his muscles and would not allow officers to handcuff him. I and other officers told Domarus to stop resisting arrest. Domarus ignored me and the other officers. Domarus was taken to the ground and after a short struggle, he was placed into the prone position and handcuffed (DL). Ofc. Wheeler remained with Domarus.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-061016
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I re-contacted #1a and advised her that Domarus was taken into custody. #1a cried and again said she was concerned for her safety. I asked #1a if the door to the garage was normally locked. #1a said that door did not lock. #1a asked if Domarus' truck was inside the garage. I told #1a that I saw a truck loaded with wood. #1a asked if there was another truck inside her garage. I told #1a that I was unsure. #1a walked outside, opened her garage door and there was an additional truck inside her garage. #1a said the truck inside her garage was Domarus. I asked #1a if Domarus knew the key code to her garage door and she said yes. #1a asked if she could have Domarus' truck towed off of her property. I told her yes, as Domarus had no standing at her home.

Radio confirmed the 2002 Dodge Dakota, WA plate B95258U, was registered to Domarus. There was fresh damage to Domarus' front right bumper/wheel. Cpl Kakuda took photos of Domarus' truck.

#1a said she and Domarus had a history of DV. #1a said she and Domarus had been divorced for 4 years. #1a said the Def does not and has not lived with her for about 4 years. #1a said she and Domarus had two child in common, #2d and #1a said was the custodial parent to both children. #1a said Domarus was arrested 2 weeks ago for violating the NCO they had between them. #1a said like two weeks ago, Domarus showed up uninvited. #1a said Domarus is aware that he is not suppose to be within 2 city blocks of her home.

I gave #1a a report number and told her that #1a would be booked into jail for Residential Burglary-DV, DVOP Violation and Resisting Arrest. #1a said she would contact her DV Advocate in the morning.

A Triple III was conducted and Domarus had no prior DVOP Violation convictions. I viewed NCO 4Z0930640 and confirmed #1a was the Petitioner and Domarus was the Respondent to that order. I saw where NCO 4Z0930640 stated Domarus was not to come within 2 city blocks of 7019 N. Audubon and any wilful violation by Domarus would subject him to a mandatory arrest. (See Attached)

Ofc. Wheeler booked Domarus into jail for Residential Burglary-DV, DVOP Violation, and Resisting Arrest.

See Ofc. Wheeler's additional.

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 15-061016	
REPORT PURPOSE			REPORTED ON DATE Sun 02/22/2015	TIME 23:52
INCIDENT CLASSIFICATION #1 COURT ORDER VIOLATION		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 BURGLARY-RESIDNTL	
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 03/04/2015	REPORT TIME 21:08
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

Prior to deploying a Taser application, I turned on my Taser Gun, which activated the red laser light. Lt Hendren, Ofc. Wheeler and I were standing about 5 to 6 feet away from Domarus. Lt Hendren and I told Domarus that he was under arrest, several times. Domarus yelled, "Fuck you," over and over. Domarus pushed his chest forward, and cocked both arms backwards. I aimed the red laser light at Domarus' right side of his body, just below his chest and just above his waist line. Domarus said fuck you. Lt Hendren said "taze" him. I pulled the trigger, once. I heard a pop and then the sound of the taser cycling. Officers took control of Domarus' arms and he was taken to the ground. The line that was attached to the probe got tangled around my leg. I turned off my Taser Gun, as I did want to feel the application/current. I was unsure if a full cycle was completed or if I turned off the application prior to it finishing.

I looked at the Taser Cartridge and saw that one of the probes did not deploy (Cartridge Malfunction). I spoke with Ofc. Wheeler, who advised the other probe attached itself to Domarus' shirt but not his body. Ofc. Wheeler said Domarus never complained of any pain. The cartridge was placed onto property by Ofc. Potter.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT ALL STATEMENTS MADE HEREIN ARE TRUE AND ACCURATE AND THAT I AM ENTERING MY AUTHORIZED USER ID AND PASSWORD TO AUTHENTICATE IT.

OFFICER: J. Arredondo
 NUMBER: 614
 DATE: 03-04-15
 PLACE: Spokane, WA

ID NO./NAME OF REPORTING OFFICER #614 - Arredondo, John		DISTRIBUTION	
APPROVAL #244 - Lee, Thomas	DATE/TIME 03/04/2015 23:33		

Supplemental Report #1

03/04/2015 23:38:34.030

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 15-061016	
REPORT PURPOSE			REPORTED ON DATE Mon 02/23/2015	TIME 00:17
INCIDENT CLASSIFICATION #1 COURT ORDER VIOLATION		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 BURGLARY-RESIDNTL	
INCIDENT CLASSIFICATION #3 RESISTING ARREST		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 02/23/2015	REPORT TIME 02:13
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 022315 at approx. 0005 hours, I was dispatched to assist officer's with a domestic violence order violation at 7019 N. Audubon Dr. and the suspect, Robby Domarus, may have fled on foot. Radio dispatched me to a perimeter spot at Weile and Audubon Dr. Once I arrived on-scene I completed a K9 announcement and added the information to the call.

While sitting on perimeter as the K9 started the track, Lt. Hendren requested an officer come to the residence because they believed the suspect was in the garage. I was only approx. one house to the north so I headed towards the back of the garage where I could hear Officers yelling. When I came around into the back yard, Officer's had their attention directed at a door on the rear of the garage. I could see and hear K9 Officer Hamilton giving the suspect commands to come out from underneath a vehicle keeping his hands where we could see them.

The suspect, Robby Domarus, crawled out from underneath the truck and was yelling how this was his house. Domarus stood up and started walking out of the garage towards myself and other Officers. Domarus was extremely volatile and started flaring his arms out as if he wanted to fight. Domarus was told by Officers that he was under arrest and needed to get on the ground. Domarus stood very tall with his chest pushed out, spreading his feet out getting in a balance athletic position and said, "no, fuck you." Domarus said this statement several more times and we was told to get on the ground and comply with the commands. Domarus continued to take small steps towards all of us while posturing as if he wanted to fight. He was clinching his fists and becoming more and more agitated.

Ofc. J. Arredondo had his taser out and K9 Officer Hamilton had his dog. Domarus appeared to care less about what type of force would be used against him to safely get him into custody. Ofc. Hamilton and Ofc. Arredondo eventually applied force to Domarus, which then caused him to stumble forward. Myself and Lt. Hendren moved in to take control of his arms so we could place him in handcuffs. Domarus continued to resist arrest attempting to pull his arms away as we pushed him to the ground. Domarus then rolled to his back so he was facing us. I told Domarus to stop resisting and I eventually was able to get arm control on his left arm. I pulled up on his left arm and rolled him to his stomach where I placed him in a prone cuffing position and handcuffed (dl) him. Ofc. J. Arredondo advised Domarus of the charges he was under arrest for. Domarus continued to yell and curse about how the house was his and he wanted to speak with his wife Emily. I walked him to my

ID NO./NAME OF REPORTING OFFICER #881 - Wheeler, Sean		DISTRIBUTION	
APPROVAL #329 - Teigen, Troy	DATE/TIME 02/23/2015 04:46		

Supplemental Report #1

02/23/2015 08:43:38.496

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION COURT ORDER VIOLATION	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-061016
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patrol car and searched him incident to arrest.

As I was placing him in the back seat of my patrol car, Domarus started to stand back up refusing to get in the patrol car. I was able to push down on his head and get him about half way into the vehicle. Cpl. Kakuda assisted me from the other side of the vehicle to help pull Domarus into the patrol car. The moment I shut the rear door, Domarus immediately started kicking the rear driver side door. When he stopped kicking the door he began slamming his head against the shield divider. I advised Radio he was slamming his head against my shield. I then transported Domarus to Holy Family ER for a K9 contact. While transporting Domarus he was very up and down emotionally. One minute he would be calm and the next he would explode with anger and profanity.

When we arrived on scene at Holy Family Domarus started to calm down some. He was treated by ER staff for the K9 contact and was later discharged around 0130 hours. I then transported and booked Domarus for Officer J. Arredondo into the Spokane County jail for Residential Burglary, DVOPV-No Contact order, and Resisting Arrest.

See other Officer reports for further information.

I certify under penalty of perjury under the laws of the State of Washington that all statements made herein are true and accurate and that I am entering my authorized user ID and password to authenticate it.

Officer: S. Wheeler

Number: 881

Date: 02/23/2015

Place: Spokane County, WA

Ofc. Wheeler #881

A435

Supplemental Report #1	END OF ADDITIONAL REPORT
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02/23/2015 08:43:38.527

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 15-061016	
REPORT PURPOSE			REPORTED ON DATE Sun 02/22/2015	TIME 23:52
INCIDENT CLASSIFICATION #1 BURGLARY-RESIDNTL		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 COURT ORDER VIOLATION	
INCIDENT CLASSIFICATION #3 DOMESTIC DSPT-FMLY		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4 RESISTING ARREST	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 02/23/2015	REPORT TIME 00:51
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 2/23/15 at about 0004 I responded to 7019 N Audubon to assist officers with a domestic violence order violation. Dispatch advised that #1a called to report that her ex-husband was outside trying to kick in the front door. Dispatch advised that there was a valid and served no contact order that restrained the ex-husband, Robbie Domarus, from that address. K9 Officer Hamilton was on scene at the victim's address requesting assistance. A neighbor had advised that the suspect was last seen at the back of the residence.

Officer Hamilton and I began a track of the suspect from the backyard, but it did not appear that he was able to pick up on the scent of the suspect. Officer J. Arredondo was at the victim's address and requested that we check the attached garage for the suspect.

Upon reaching the walkway door, at the rear of the residence, to the garage, it was clear that Officer Hamilton's K9 was alerting the presence of the suspect. Officer Hamilton had opened the walkway door and made multiple announcements for the suspect to surrender and that if he did not he would release his K9 and that the K9 would bite the suspect. There was no response from inside the garage on any of the announcements.

Officer Hamilton deployed his K9 and he immediately located the suspect who was hiding under a pickup in the garage. The suspect was lying just a few feet inside the door. I could see that the suspect was Robbie Domarus as I had viewed a photo of Domarus while enroute to the call.

It appeared that Domarus was fighting with the K9. At one point I saw him grab the snout of the dog with both hands. I yelled for the suspect to stop fighting with the dog and threatened to deploy a Taser if he continued to fight with the dog. I began to draw my Taser when Domarus released the dog and Officer Hamilton pulled the K9 back outside the garage.

I began giving Domarus commands and told him to stand up, turn around and put his hands behind his back. I heard Officer Arredondo advise Domarus that he was under arrest for burglary. Domarus was not cooperative and responded to Officer Arredondo's advisement "It's my house." He stood up and walked out of the garage, facing officers.

Domarus is approximately 6-02 and around 220 lbs. He appeared to be under the influence of

ID NO./NAME OF REPORTING OFFICER #482 - Hendren, Tom		DISTRIBUTION	
APPROVAL #329 - Teigen, Troy	DATE/TIME 02/23/2015 04:30		

Supplemental Report #1

02/23/2015 08:43:11.152

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION
BURGLARY-RESIDNTL

ATTEMPTED

INCIDENT NUMBER
15-061016

either alcohol, drugs or a combination of substances. He responded to my commands to turn around and put his hands behind his back by yelling "fuck you." He was completely uncooperative and appeared hostile. His posture was of someone preparing to fight. He stood, facing officers, with his chest puffed out and hands down to his side with his fists clenched. He refused to follow multiple commands to surrender, get on the ground or turn around and put his hands behind his back. Officer Arredondo had drawn his Taser and put the laser sight on Domarus's chest. I told him multiple times that if he did not comply he would be tased. He responded with something similar to "fuck you" or "fuck off." It was clear he was not going to comply.

We were investigating a domestic violence incident, where the court had already issued an order due to past violence. There was probable cause to arrest the suspect for the order violation, residential burglary and resisting arrest. He was wearing pants and had not been frisked for weapons. It was unknown if he had any weapons on his person. He was also very close to the garage and we did not know if there were any weapons inside the garage that he could access. His demeanor was that of a person ready to fight. He was obviously under the influence of some type of substance. He was also bigger than the majority of officers on scene. He also had shown no pain compliance or indications of being willing to peacefully surrender after the initial K9 deployment.

The only way for officers to approach the suspect and to go hands on was to move toward the front of Domarus, risking an assault. Officer Hamilton chose to deploy his K9 a second time in an attempt to gain compliance and take the suspect into custody.

The K9 had virtually no effect on Domarus. He stood, facing us, in the same aggressive stance, as the dog made contact with his lower extremities. He continued to respond in the same manner to officers and did not react to the contact by the K9.

I have never seen a suspect who was being contacted by a K9 have no response to the actions of the dog. It was obvious that Domarus's pain threshold was very high and pain compliance techniques would be ineffective as well as dangerous for officer to attempt.

Domarus was warned an estimated 3 or 4 times by officers that he would be tased if he did not follow commands. He never complied with any commands. Officer Arredondo deployed his Taser in dart mode.

It appeared that the Taser was working correctly as Domarus initially appeared to tense up and stumble forward. Officer Wheeler and I immediately moved up to take control of the suspect and did so before he fell to the ground. As I grabbed a hold of Domarus's left arm it appeared that the Taser was not working correctly. Domarus's left arm was tense and he was not cooperative. He remained rigid and tried to resist any attempt to take control of him.

We struggled to pull him to the ground and get him into a prone position. We were finally successful

Supplemental Report #1

CONTINUED ON NEXT PAGE

02/23/2015 08:43:11.184

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-061016
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with getting him into a prone position and I assisted with handcuffing Domarus. It should be noted that he was very strong and I had difficulty with moving his arms behind his back. He remained tense and struggled with officers until he was placed in a prone position. No additional tactics were used to gain control of Domarus.

Sgt Teigen had assisted with the final handcuffing of Domarus. As he and I were both involved with the arrest, I requested for Sgt Kannberg to respond to conduct the administrative use of force report.

I followed as officers escorted Domarus to the front of the residence and a waiting patrol car. At the car, I asked Domarus if he felt the Taser and he replied that he did not. I was later advised that one of the darts did not deploy correctly and the second dart did not appear to have connected with Domarus. It appears that his reaction was due to the multiple warnings he would be tased, the sound of the Taser firing and the sound of the Taser cycling.

Domarus was transported to Holy Family ER for treatment prior to being transported to jail. I briefly entered the victim's residence to speak with Officer Arredondo. I saw that the victim was visibly upset and appeared to be very fearful of Domarus.

Hendren #482

Supplemental Report #1	END OF ADDITIONAL REPORT
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02/23/2015 08:43:11.184

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 15-061016	
REPORT PURPOSE			REPORTED ON DATE Sun 02/22/2015	TIME 23:52
INCIDENT CLASSIFICATION #1 COURT ORDER VIOLATION		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 BURGLARY-RESIDNTL	
INCIDENT CLASSIFICATION #3 RESISTING ARREST		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 02/24/2015	REPORT TIME 02:54
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 02-22-15 at about 2352 hours, I was dispatched to a domestic violence protection order violation at 7019 N. Audubon. The complainant/victim, #1a, called 911 and reported that she has a No Contact Order against her exhusband and he was at her house, intoxicated, and trying to kick in her front door.

I responded with K9 Leonidas (Leo). We are a WAC certified police patrol dog team and have been for over 6 years. We are also accredited with the Washington State Police Canine Association (WSPCA). I am accredited as a Master Handler with the WSPCA, as well as, being a Master Trainer with the WSPCA. Leo is my second working dog in nearly 11 years as a K9 handler.

I responded in a fully marked "Spokane Police K9" car and was wearing the uniform of the day. Leo was wearing a harness with "POLICE" marked on both shoulders along with a Spokane Police patch affixed to his left side. We were clearly identifiable as police.

The suspect was identified as Robby J. Domarus. He was the respondent on a valid and served DV No Contact Order. He was restrained from being within 2 blocks of this residence and was not to have any contact with the victim/protected person, #2d

I was able to pull up a recent booking photo of Domarus and knew what he looked like.

I arrived on scene and didn't see the suspect in the front yard. I did, however, speak with a resident at 7011 N. Audubon, which is the neighboring house to the south. He told me he didn't see him but did hear someone in the victim's back yard.

As I walked up with Leo at my side, I saw the female victim looking out the front window of her house. I motioned for her to come out and talk to me. She stepped out on the front porch and looked like she was frightened. I asked her if she saw where he went? She told me no but did confirm he was trying to kick in the door to her house and he was last in the back yard.

Lt. Hendren met up with me as a perimeter was being set up with responding patrol units. From the south side of the house, I yelled a loud announcement, "Attention in the area, this is the Spokane Police K9 Unit. Suspect, you are being tracked by a police dog. You need to give up now or when

ID NO./NAME OF REPORTING OFFICER #713 - Hamilton, Craig		DISTRIBUTION
APPROVAL #329 - Teigen, Troy	DATE/TIME 03/03/2015 04:50	

Supplemental Report #1

03/03/2015 04:58:19.467

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION
COURT ORDER VIOLATION

ATTEMPTED

INCIDENT NUMBER
15-061016

he finds you he will bite you!" There was no response so I began casting around the south side of the house and the back yard, which is where he was last seen. I could also hear several perimeter units give the standard SPD K9 announcement over the patrol car's PA systems.

I was not able to get a track leaving the yard and then Ofc. J. Arredondo advised he heard some movement in the attached garage and the man door from the back yard to the garage was unlocked.

Lt. Hendren and I, along with Leo, met up with Ofc. Arredondo at the back garage man door. Just inside the doorway, was the back end of an old pickup truck that had been backed into the garage. The bed of the truck was full of stuff and there was a tarp hanging off the back almost to the garage floor. I also saw a blue truck parked inside the garage that matched the description of the truck the victim said he would be driving if he had driven there.

As soon as Leo and I stepped up to the doorway, Leo had a strong change of behavior, which led me to believe the suspect was possibly inside. From just outside of the doorway, I yelled, "Attention in the garage, this is the Spokane Police K9 Unit. Anyone inside, you need to come out now or I'll send in my dog and when he finds you, he will bite you." Leo barked and I paused for about 30 seconds to listen for a response but never got one. I yelled the same announcement once again but added, "Robby, you are under arrest and need to come out now or my dog will bite you!" There was still no response at all.

I decided to search the garage with Leo for the following reasons:

CRIME:

We were actively investigating an in-progress domestic violence order violation and attempted residential burglary, with the victim inside the house. There was probable cause to arrest the suspect, Domarus, for violation of a domestic violence no contact order if he was in fact inside the attached garage. In addition there was the felony crime of residential burglary - DV.

THREAT:

The suspect posed an immediate threat to the victim/protected person of the No Contact Order. He was reportedly intoxicated and attempted to kick in the doors of the victim's house, which he was restrained from, while she was inside. He also posed an immediate threat to the searching officer's. It was believed he was most likely inside the attached garage but failed to respond to any announcements and K9 warnings even with Leo barking, which raised his threat level because it was unknown what his intent was. It was unknown at the time if he was armed and waiting to ambush officers. The garage was dark and nothing could be seen inside without the use of flash lights. The garage was also full with two trucks and other property, which provided several hiding locations. The suspect's truck was also inside the garage, which easily could have contained weapons, which he had access to.

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION
COURT ORDER VIOLATION

ATTEMPTED

INCIDENT NUMBER

15-061016

RESISTANCE:

The suspect was actively resisting arrest by hiding and failing to give up. I gave him several warnings and provided him a reasonable amount of time to respond but he chose not to.

After getting no response from inside the garage, I let Leo soften the area just inside the doorway, due to his extreme change of behavior. I still had my 15' tracking line attached to his harness and let him work in a couple feet. He immediately went under the rear bumper of the old truck and just out of my sight. I began to pull him back so I could unhook the line but when I did, I saw the suspect's right arm extend out and Leo had control of it around the forearm area. The suspect made no sound at all, which is extremely rare and in my experience shows signs that the suspect is in more of a "fight" mindset rather than "flight" or surrendering.

We were still just feet apart but I couldn't see his upper body due to the tarp and truck. However, he kind of came out with Leo and I yelled for him to show his hands. He did and was laying on his right side with his head towards us and arms slightly extended. He then began intentionally smashing Leo's head and face into the concrete garage floor and grabbed him around his snout. Leo did not come off the arm and I yelled several times, "Stop fighting my dog!" I was able to pull Leo back towards me and he came off the suspect's arm. Domarus crawled out from under the truck with some determination and stood up tall. He was also yelling things like, "Fuck you guys, this is my house!" I yelled that he was under arrest and he continued yelling that this was his house and that he wasn't under arrest.

Domarus' build was solid. He stood about 6'02" tall and at least 200 lbs with an athletic build. He was much larger than me and most of the officer's at the call, let alone Lt. Hendren, Ofc. Arredondo and I.

Domarus walked out of the man door and into the back yard, which was poorly lit. He refused our numerous lawful orders to get onto the ground. Instead he argued that he wasn't under arrest as he worked himself up as the seconds went by. He stood tall but was pacing back and for a little bit with his fists clinched. At one point, he actually turned around as if he was going to go back into the garage. I noticed the back door that led into the victim's house was only feet away from Domarus and we were not between the two. I saw someone had their Taser on target with the red laser on his upper body area. Domarus' posture and behavior was such that it was obvious he wasn't going to comply and his aggressive behavior was escalating that I felt immediate action needed to be taken. Again, we were only a few feet apart but couldn't move away due to the immediate danger that left the victim in if he were to make it inside the back door.

I decided to send Leo once again to contact Domarus in an attempt to distract his attention or get him to surrender for the following reasons:

CRIME:

Supplemental Report #1

CONTINUED ON NEXT PAGE

03/03/2015 04:58:19.514

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 4

INCIDENT CLASSIFICATION
COURT ORDER VIOLATION

ATTEMPTED

INCIDENT NUMBER
15-061016

There was probable cause to arrest him for DVOPV and residential burglary - DV. Now there was also PC for resisting arrest.

THREAT:

Domarus posed an extreme threat to the victim, which was just inside the house and he was only a few feet away from the back door. Domarus' behavior was extremely hostile and escalating. He was also posturing as if he was going to fight us if we moved in to go hands on at that point. He made it very clear he didn't believe he was under arrest and that it was his house.

RESISTANCE:

Domarus was resisting arrest by failing to give up after multiple commands, instead, postured as if he wanted to fight.

Once I sent Leo again, Leo made contact with Domarus' right thigh. However, it didn't seem to even phase Domarus. He stood strong and tall as if nothing had happened with his fists still clinched. This was extremely unusual and very dangerous for everyone involved. He kept yelling, "Fuck you guys!"

I saw the red Taser dot was still on his upper body. It didn't appear Leo was having much effect other than maybe as a distraction. I yelled for the officer with the Taser to go ahead and deploy the Taser, with Leo still on the bite. Ofc. Arredondo did so and I could hear the darts deploy and the crackling of the Taser. It looked to me like the use of force was effective and I thought Domarus tensed and began to take a couple steps forward and begin to fall. I believe Ofc. Wheeler and Lt. Hendren were able to grab Domarus by his arms and I took control of Leo and had him release his hold. I moved back out of the way with Leo and then watched Domarus continue to resist arrest and fighting against being turned over to his stomach as he sat upright on the ground while trying to keep his arms in front of him. At the same time, Domarus was repeatedly screaming, "Is this what you want, #1a?" The struggle continued for about 30 seconds or so until eventually they were able to get him handcuffed.

Even after he was handcuffed, Domarus continued screaming at #2d and was also trying to call his dog to him. He tried calling his dog several times but I believe it was probably inside the house. It seemed like he was doing this in hopes his dog would be another hindrance for us at the time.

I met Ofc. Wheeler at Holy Family ER where Domarus' minor injuries were treated. Domarus continued with his belligerent and uncooperative behavior at the hospital and had to be restrained to the bed for treatment.

His injuries were minor and consisted of some rakes on the back of his head, raking on his right thigh, rakes on his right shin/lower leg area, and some rakes on his back. His right forearm and wrist had some rakes and a couple small punctures. He also had some scrapes on his right knee

Supplemental Report #1

CONTINUED ON NEXT PAGE

03/03/2015 04:58:19.529

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 5

INCIDENT CLASSIFICATION COURT ORDER VIOLATION	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-061016
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but they appeared to be from the concrete.

Cpl. Kakuda took photos of the injuries and the location he was found.

After talking to Domarus a little at the hospital, he told me he was laying in the fetal position under his truck. He told me Leo first contacted him on the back of his head and back and then transitioned to his forearm. The other contacts were due to the fighting and struggling during the incident.

Domarus also mentioned that he would easily pick up my dog and smash him to the ground if he wanted. Domarus claimed he never heard me make any of my announcements, even though we were only a few feet away. He denied being asleep as he was hiding.

After his injuries were treated he was transported to the SCSO jail and booked for residential burglary - DV, violation of a DV no contact order, and resisting arrest.

See the other reports for further information.

Ofc. Craig Hamilton 713
K-14

Supplemental Report #1	END OF ADDITIONAL REPORT
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03/03/2015 04:58:19.545

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 15-061016	
REPORT PURPOSE			REPORTED ON DATE Mon 02/23/2015	TIME 00:17
INCIDENT CLASSIFICATION #1 COURT ORDER VIOLATION		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2	
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 02/23/2015	REPORT TIME 04:48
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 022315 at approximately 0017 hours I responded to a DVOPV call at 7019 N Audubon. Prior to my arrival other officers were on scene and actively looking for the suspect, Robby J Domarus, who they believed to still be in the immediate area. As I was exiting my vehicle in front of the residence I could hear a commotion coming from the back yard of 7019 N Audubon. I then heard Officer Hamilton yell "stop fighting or you'll get bit again". I also heard over the radio that officers had made contact with the suspect in the garage. I ran to the backyard and by the time I got there Domarus was on the ground, just outside of the garage door and I could see he was still actively resisting but there were at least two officers trying to control his arms. Domarus' feet and legs were free and he was kicking with his boots so I grabbed his legs, crossed them, and put my bodyweight on them to hold them down so Domarus couldn't get up or kick the other officers. Officer Wheeler and Lt Hendren were then able to get handcuffs on Domarus.

I noticed that the garage was attached to the house but the door he had been hiding behind entered out onto the patio. The entire backyard and back of the house was dark and flashlights were needed in order to see anything. Domarus is a large individual and certainly required several officer in order to control his violent behavior.

Domarus was escorted to a patrol vehicle and searched by Officer Wheeler and myself. Domarus was behaving like someone that was drunk, drugged, or deranged. Once inside the patrol car Domarus immediately started kicking at the bars covering the rear window. He did this several times despite several warning that he would be hobbled if he continued. I followed Officer Wheeler to Holy Family hospital where Domarus was treated for a Taser application and K-9 contact. While following I could see Domarus kick at the rear windows at least three times. After the hospital treatment Officer Wheeler booked Domarus into SCSO jail.

Sgt Teigen #329

ID NO./NAME OF REPORTING OFFICER #329 - Teigen, Troy		DISTRIBUTION	
APPROVAL #013 - Giannetto, Anthony	DATE/TIME 02/23/2015 07:53		

Supplemental Report #1

02/23/2015 08:45:51.535

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 15-061016	
REPORT PURPOSE			REPORTED ON DATE Mon 02/23/2015 00:30		INCIDENT XREF
INCIDENT CLASSIFICATION #1 COURT ORDER VIOLATION		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 02/23/2015	REPORT TIME 06:03
PRIMARY CHARGE					UCR/NIBRS CODE
VICTIM/WITNESSES/OTHERS <small>C-Complainant; CV-Complainant's Victim; A-Arrested Person; D-Driver; G-Legal Guardian; IN-Institution; W-Witness; CON>Contact; V-Deceased; OW-Owner of Property; V-Victim-Individual; PS-Passenger; VB-Victim's Business; S-Suspect; RU-Runaway; RO-Registered Owner; M-Missing; PE-Pedestrian; PC-Pedestrian-Cyclist; LO-Other; MIR-Person Mentored</small>					
CODE CON-1	NAME: LAST, FIRST, MIDDLE Heath, Elizabeth M			SEX F	RACE/ETHNICITY W-White
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE 07/21/1950 64
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 411 E Shiloh Hills, Spokane, WA 99208			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (509) 362-1903					
NARRATIVE					

On February 23, 2015 at approximately 0030hrs, I responded to 7019 N Audubon to assist Ofc J Arrendondo on a call for a DV/Court Order Violation.

Upon my arrival I spoke to the victim's mother, Ms Elizabeth M Heath, who stated she received an urgent phone call from her daughter, #1a #1a told Elizabeth that her ex-husband was attempting to break into #1a house. Elizabeth drove to #1a house and stayed on the phone with #1a. #1a was crying and sounded to be in fear for her life. When Elizabeth arrived at her daughter's house police were already on scene. Elizabeth stated there is a history of DV assault between #1a and her ex-husband.

Ofc Arredondo discharged his taser during the incident. I submitted the used cartridge to property for evidence.

Ofc Anderson
Team 14 #1230
2/23/15

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT ALL STATEMENTS MADE HEREIN ARE TRUE AND ACCURATE AND THAT I AM ENTERING MY AUTHORIZED USER ID AND PASSWORD TO AUTHENTICATE IT.

OFFICER: Anderson
NUMBER: 1230

ID NO./NAME OF REPORTING OFFICER #1230 - Anderson, Caitlyn		DISTRIBUTION	
APPROVAL #013 - Giannetto, Anthony	DATE/TIME 02/23/2015 07:58		

Supplemental Report #1

02/23/2015 08:46:02.556

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION COURT ORDER VIOLATION	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-061016
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DATE: 2/23/15

PLACE: Spokane City, WA

Supplemental Report #1	END OF ADDITIONAL REPORT
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02/23/2015 08:46:02.572

RECEIVED
SPOKANE POLICE RECORDS

2015 FEB 23 AM 8 52

**SPOKANE POLICE DEPARTMENT
CHARGING REQUEST AND WITNESS LIST
Superior Court State of Washington**

DATE: 02-22-15

REPORT NUMBER: 15-061016

CHARGES REQUESTED: Residential Burglary-DV, DVOP Violation, Resisting Arrest

DEFENDANT: Robby J. Domarus, W/M, 08-06-86
STATUS: In Custody

VICTIM(S): [REDACTED] #1b W/F, [REDACTED] #1b
DATE/TIME OF CRIME: 02-22-15/2353 Hours
LOCATION OF CRIME: 7019 N. Audubon
INVESTIGATOR: Ofc. J. Arredondo #614
APPROVED BY: Sgt Giannetto #013

WITNESSES

[REDACTED] #1a
Ofc. Wheeler
K9 Ofc. Hamilton
Ofc. J. Arredondo
Cpl Kakuda

ADDRESS

[REDACTED] #1b
1100 W. Mallon
1100 W. Mallon
1100 W. Mallon
1100 W. Mallon

PHONE #

[REDACTED] #1c
242-8400x20881
242-8400x20713
242-8400x20614
242-8400x20443

EVIDENCE CONSISTS OF:

SUBMITTED TO PROSECUTORS OFFICE

RECEIVED BY: _____ DATE: _____ TIME: _____

**STATEMENT OF INVESTIGATING OFFICER
AFFIDAVIT OF FACTS**

STATE OF WASHINGTON
COUNTY OF SPOKANE

REPORT NUMBER: 15-061016

DEFENDANT: Robby J. Domarus, W/M, 08-06-86

The undersigned, a law enforcement officer, competent to testify, states as follows: That he/she believes a crime was committed by the above named defendant/defendants in the City and County of Spokane, State of Washington, because:

#1a can testify:

- *The Def is her ex-husband.
- *She lives at **#1b**.
- *The Def does not live with her.
- *She is the Petitioner to NCO 4Z0930640 and the Def is the Respondent.
- *The Def is prohibited from coming within 2 city blocks of her home.
- *On 02-22-15, at about 2345 hours, the Def knocked on her sliding door.
- *She told the Def to leave and he refused to leave.
- *The Def was arrested about 2 weeks ago for violating NCO 4Z0930640.

Ofc. Wheeler can testify:

- *On 02-23-15, at about 0005 hours, he responded to the area of 7019 N. Audubon, Spokane, WA 99208 in reference to a DOVP Violation.
- *He heard SPD officers tell the Def that he was under arrest for DVOP Violation.
- *The Def tightened his muscles in his arms and would not allow SPD officers to place him into handcuffs.
- *He told the Def to stop resisting arrest, several times. The Def ignored his requests.

Cpl Kakuda can testify:

*On 02-23-15, at about 0003 hours, he responded to the area of 7019 N. Audubon, Spokane, WA 99208 on a report of a DVOP Violation.

*He took photos of the garage located at 7019 N. Audubon.

K9 Ofc. Hamilton can testify:

*On 02-22-15, at about 2354 hours, he responded to the area of 7019 N. Audubon, Spokane, WA 99208 in reference to a DOVP Violation.

*He saw the Def hiding inside the garage located at 7019 N. Audubon.

*He advised the Def that he was under arrest. The Def replied, "Fuck you!"

*The Def would not allow SPD officers to place him into handcuffs.

Ofc. J. Arredondo can testify:

*On 02-23-15, at about 0008 hours, he responded to the area of 7019 N. Audubon, Spokane, WA 99208 in reference to a DOVP Violation.

*I took [REDACTED] #1a statement.

*I viewed NCO 4Z0930640, which showed [REDACTED] #1a as the Petitioner and the Def as the Respondent.

*NCO 4Z0930640 stated the Def was prohibited from coming within 2 city blocks of 7019 N. Audubon. The order further stated any willful violation by the Def would subject him to a mandatory arrest.

*I saw the Def inside the garage located at 7019 N. Audubon.

*I advised the Def that he was under arrest for Residential Burglary-DV and DVOP Violation. The Def responded, "Fuck you!"

*The Def tightened the muscles in his arms and would not allow SPD officers to handcuff him.

*The Def was taken into custody and booked into jail by Ofc. Wheeler for Residential Burglary-DV, DVOP Violation, and Resisting Arrest.

*A Triple III showed the Def did not have any prior DVOP Violation convictions.

*The Def was arrested about 2 weeks ago for violating NCO 4Z0930640.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (9A.72.085)

DATE: _____ PLACE: SPOKANE, WASHINGTON SIGNATURE: Arredondo, J #614

02-22-15

PHOTOLOG

AGENCY NAME 15-61016		CROSS REFERENCE NUMBER(S)		INCIDENT NUMBER 15-61016			
D A T A	INCIDENT CLASSIFICATION Court order violation		LOCATION OF INCIDENT 7019 N. Audubon Dr.		MONTH 02	DAY 22	YEAR 15
	INVESTIGATOR Ofc. Arredondo #619		PHOTOGRAPHED BY Kakuda 443				
NAME (LAST, FIRST, MIDDLE)				RACE	SEX	DOB	

NUMBER	DESCRIPTION	PHOTO #	THROUGH #
		()
1-2	photos taken at 7019 N. Audubon Dr. - Robby J. Domarus DOB-080686 (right thigh) * Sgt. Teigen's hand in photos		92
3	address		
4-18	garage back door - tarp on back of truck - back concrete patio - tarp on patio (initially in garage)		
19-35	suspect's (Domarus) truck parked inside of garage (WA Plate # B95258U) - front passenger's side damage		
36-91	Robby J. Domarus DOB-080686 - right forearm (photos 37-45) - back of head (right side) photos 46-52 - right forearm - back of head (left side) photos 57-59 - back (photos 60-65) - right leg (photos 66-73) - left leg (photos 74-85) - right forearm (photos 86-91)		
92	photo log		

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15-061016
Armedondo, J. Hill

1211

RECEIVED
SPOKANE POLICE RECORDS

SPOKANE MUNICIPAL COURT FOR THE STATE OF WASHINGTON
 Case No. 420930640
 Report No. 14-384902

CITY OF SPOKANE, Plaintiff,
 vs.
Robby J Domarcus
 Defendant (First, Middle, Last)

Pre-Trial Post-Conviction
 Replacement Order (paragraph 10)

DOMESTIC VIOLENCE NO-CONTACT ORDER
 Clerk's Action Required: Paragraph 9

1. Protected Person's Identifiers:

Name (First, Middle, Last)		
[REDACTED] #1a		
DOB	Gender	Race
#1b	F	W

If Protected Person Is a minor, use initials instead of name and complete a Law Enforcement Sheet (LEIS)

Defendant's Identifiers:

Date of Birth			
8/6/86			
Gender		Race	
M		W	
Height	Weight	Hair	Eyes
6'04"	225	Blonde	HAZ

2. No-Contact Order, Defendant:

- A. do not cause, attempt, or threaten to cause, bodily injury to, assault, sexually assault, harass, stalk, or keep under surveillance the protected person;
- B. do not contact the protected person, directly, indirectly, in person or through others, by phone, mail, or electronic means, except for mailing or service of process of court documents through a third party, or contact by the defendant's lawyers;
- C. do not knowingly enter, remain, or come within 2 blocks of the protected person's residence, school, workplace, other: [REDACTED] #1a
- D. other: Any known location of the protected person

3. Firearms and Weapons, Defendant:

- do not obtain or possess a firearm, other dangerous weapon or concealed pistol license. Defendant shall **immediately surrender** all firearms and other dangerous weapons within the defendant's possession or control and any concealed pistol license to the Spokane Police Department. (Pre-trial Order, RCW 9.41.800. See findings made in paragraph 7, below.)
- do not obtain, own, possess or control a firearm. (Post-Conviction, RCW 9.41.040)

4. This no-contact order expires on: 11/19/2019 (Five years from today's date if no date entered)

WARNING! Violation of the provisions of this order with actual notice of its terms is a criminal offense under Chapter 26.50 RCW and will subject a violator to arrest; any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony. **You can be arrested even if the person protected by this Order invites or allows you to violate this order's prohibitions.** You have the sole responsibility to avoid violating this order's provisions. Only the court can change this Order upon written application. (Additional warnings on page 2 of this order.)

14R00635ra / H17422618

SPD
1777560

FINDINGS OF FACT

- 5. Based upon the record both written and oral, the court finds that the defendant has been charged with, arrested for, or convicted of a domestic violence offense, and issues this Domestic Violence No-Contact Order under Chapter 10.99 RCW to prevent possible recurrence of violence.
- 6. The court finds that the defendant's relationship to the person protected by this order is an Intimate Partner (former/current spouse; parent of common child; or former/current cohabitants as intimate partners) or Other family or household member as defined by Chapter 10.99 RCW: _____
- 7. (Pretrial order) For crimes not defined as a serious offense, the court makes the following mandatory findings pursuant to RCW 9.41.800: The Defendant used, displayed, or threatened to use a firearm or other dangerous weapon in a felony; The Defendant is ineligible to possess a firearm due to a prior conviction pursuant to RCW 9.41.040; or Possession of a firearm or other dangerous weapon by the defendant presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.

ADDITIONAL ORDERS

- 8. Civil Standby: The appropriate law enforcement agency shall, at a reasonable time and for a reasonable duration, assist the defendant in obtaining personal belongings located at: _____
- 9. The clerk of the court shall forward a copy of this order on or before the next judicial day to SPD & SC SO where the above-named protected person(s) lives, which shall enter it in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.
- 10. This order replaces all prior no-contact orders protecting the same person issued under this cause number.

ADDITIONAL WARNINGS TO THE DEFENDANT:

This order does not modify or terminate any order entered in any other case. The defendant is still required to comply with other orders.
 Willful violation of this order is punishable under RCW 26.50.110. State and federal firearm restrictions apply. 18 U.S.C. § 922(g)(8)(9); RCW 9.41.040.
 Pursuant to 18 U.S.C. § 2265, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

Acknowledgment of Receipt

Signed in open court on 11-19-14

[Signature]
Defendant

[Signature]
Judge/Court Commissioner

The protected person shall be provided with a certified copy of this order.

Interpreter Certificate Attached.

2/24/15 1626 | 1111		002-15-0061016	
ARRESTING OFFICER: <i>Clark</i>		OFFICER'S NUMBER: <i>1762</i>	
DEPARTMENT: <input type="checkbox"/> SPOKANE POLICE <input checked="" type="checkbox"/> SPOKANE SHERIFF <input type="checkbox"/> SPOKANE VALLEY POLICE <input type="checkbox"/> OTHER _____			
ARRESTEE'S NAME (LAST, FIRST MIDDLE AKA): <i>Romanus, Robby J</i>		RACE <i>W</i>	ETH
ARREST LOCATION: <i>1100 W Mallon (Jail)</i>		SEX <i>M</i>	DOB <i>8/6/86</i>
#1 COURT: <i>SOP</i> CHARGE: <i>Residential Burglary</i> DATE: <i>2/24/15</i> JUDGE: <i>Sypolt</i>		#2 COURT: CHARGE: DATE: JUDGE:	
WARRANT #: <i>15-1-00683-6</i>	BOND: \$ <i>10,000.⁰⁰</i>	WARRANT #:	BOND: \$
SERVICE FEES <i>30.⁰⁰</i>	SERVICE RETURN <i>7.⁰⁰</i>	SERVICE FEES	SERVICE RETURN
MILEAGE <i>0</i>	TOTAL <i>37.⁰⁰</i>	MILEAGE	TOTAL
#3 COURT: CHARGE: DATE: JUDGE:		#4 COURT: CHARGE: DATE: JUDGE:	
WARRANT #:	BOND: \$	WARRANT #:	BOND: \$
SERVICE FEES	SERVICE RETURN	SERVICE FEES	SERVICE RETURN
MILEAGE	TOTAL	MILEAGE	TOTAL
#5 COURT: CHARGE: DATE: JUDGE:		#6 COURT: CHARGE: DATE: JUDGE:	
WARRANT #:	BOND: \$	WARRANT #:	BOND: \$
SERVICE FEES	SERVICE RETURN	SERVICE FEES	SERVICE RETURN
MILEAGE	TOTAL	MILEAGE	TOTAL
#7 COURT: CHARGE: DATE: JUDGE:		#8 COURT: CHARGE: DATE: JUDGE:	
WARRANT #:	BOND: \$	WARRANT #:	BOND: \$
SERVICE FEES	SERVICE RETURN	SERVICE FEES	SERVICE RETURN
MILEAGE	TOTAL	MILEAGE	TOTAL
NARRATIVE: <i>warrant service</i>			
OFFICER NAME <i>Clark</i>	ID NUMBER <i>1762</i>	OFFICER NAME	ID NUMBER
		APPROVED BY <i>[Signature]</i>	

215 FEB 25 AM 9:30

W/E

Examples of photos. Photo disk available upon request.

Facial:



Back:



Right Knee:



Left Leg:



Right Forearm:





Taser Information

Dept. SPOKANE CITY POLICE
 DEPARTMENT
 Serial X12000ND5
 Model TASER X26P
 Firmware Version Rev. 04.010
 Device Name X12000ND5
 Health Active

Report Generated by

Name Meyer, Richard
 Badge ID 607
 Local Timezone Pacific Standard Time (UTC -08:00)
 Generated On 05 Mar 2015 19:22:25

Device (X26P)

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
1	21 Nov 2013 06:49:44	Power Magazine Change	0xFF S/N:	Battery capacity: 0%	
2	21 Nov 2013 06:49:44	Firmware Update	FW Bundle, Rev. 03.041, 4/15/2013		
3	21 Nov 2013 06:49:44	Firmware Update	MC, Rev. 03.041, 4/15/2013		
4	21 Nov 2013 06:49:44	Firmware Update	LDR, Rev. 03.041, 4/15/2013		
5	21 Nov 2013 06:49:44	Firmware Update	CAM, Rev. 01.020, 3/14/2013		
6	21 Nov 2013 06:49:44	Armed		30	0
7	21 Nov 2013 06:50:33	Armed		30	0
8	21 Nov 2013 06:54:30	Power Magazine Change	Manufacturing S/N: DPM000 Battery capacity: 94%		
9	21 Nov 2013 06:54:30	Armed		29	94
10	21 Nov 2013 06:54:34	Trigger	5		94
11	21 Nov 2013 06:54:40	Trigger	5		94
12	21 Nov 2013 06:54:45	Trigger	5		94
13	21 Nov 2013 06:54:51	Trigger	5		94
14	21 Nov 2013 06:54:56	Trigger	5		94
15	21 Nov 2013 06:55:01	Trigger	5		94
16	21 Nov 2013 06:55:07	Trigger	5		94
17	21 Nov 2013 06:56:07	Trigger	5		94
18	21 Nov 2013 06:56:13	Trigger	5		94
19	21 Nov 2013 06:56:21	Trigger	5		94
20	21 Nov 2013 06:56:26	Trigger	5		94
21	21 Nov 2013 06:56:32	Trigger	5		94
22	21 Nov 2013 06:56:37	Trigger	5		94
23	21 Nov 2013 06:56:42	Trigger	5		94
24	21 Nov 2013 06:56:48	Trigger	5		94
25	21 Nov 2013 06:56:54	Trigger	5		94
26	21 Nov 2013 06:56:59	Trigger	5		94

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
260	16 Jan 2015 06:21:57	Trigger	1		35
261	16 Jan 2015 06:21:59	Safe	3	23	35
262	16 Jan 2015 06:22:08	Armed		23	35
263	16 Jan 2015 06:22:11	Trigger	1		35
264	16 Jan 2015 06:22:12	Safe	4	23	35
265	02 Feb 2015 21:01:40	Armed		23	35
266	02 Feb 2015 21:05:44	Safe	244	28	34
267	07 Feb 2015 11:05:31	Armed		24	34
268	07 Feb 2015 11:05:31	Trigger	2		34
269	07 Feb 2015 11:05:34	Safe	3	23	34
270	15 Feb 2015 13:58:10	Armed		27	34
271	15 Feb 2015 13:58:10	Safe	0	26	34
272	23 Feb 2015 00:06:57	Armed		25	34
273	23 Feb 2015 00:07:18	Trigger	5		34
274	23 Feb 2015 00:09:02	Safe	125	30	33
275	23 Feb 2015 02:04:04	Armed		29	33
276	23 Feb 2015 02:04:09	Safe	5	29	33
277	27 Feb 2015 10:08:11	Armed		24	33
278	27 Feb 2015 10:08:12	Safe	1	24	33
279	03 Mar 2015 20:22:32	USB			Unknown
280	03 Mar 2015 20:34:08	Time Sync	From '03 Mar 2015 20:34:08' to '03 Mar 2015 20:44:36'		
281	03 Mar 2015 20:45:55	Time Sync	From '03 Mar 2015 20:45:55' to '03 Mar 2015 20:45:55'		
282	03 Mar 2015 20:48:42	Time Sync	From '03 Mar 2015 20:48:42' to '03 Mar 2015 20:48:42'		
283	03 Mar 2015 20:48:57	Time Sync	From '03 Mar 2015 20:48:57' to '03 Mar 2015 20:48:57'		
284	03 Mar 2015 20:51:54	Time Sync	From '03 Mar 2015 20:51:54' to '03 Mar 2015 20:51:54'		
285	03 Mar 2015 20:52:24	Time Sync	From '03 Mar 2015 20:52:24' to '03 Mar 2015 20:52:24'		
286	03 Mar 2015 20:53:25	Time Sync	From '03 Mar 2015 20:53:25' to '03 Mar 2015 20:53:26'		
287	04 Mar 2015 19:02:36	Armed		24	33
288	04 Mar 2015 19:02:37	Safe	1	24	33
289	04 Mar 2015 19:06:24	USB			Unknown
290	04 Mar 2015 19:08:48	Time Sync	From '04 Mar 2015 19:08:48' to '04 Mar 2015 19:08:51'		
291	04 Mar 2015 19:10:20	Time Sync	From '04 Mar 2015 19:10:20' to '04 Mar 2015 19:10:19'		
292	04 Mar 2015 19:10:39	Time Sync	From '04 Mar 2015 19:10:39' to '04 Mar 2015 19:10:39'		
293	04 Mar 2015 19:11:43	Time Sync	From '04 Mar 2015 19:11:43' to '04 Mar 2015 19:11:43'		
294	04 Mar 2015 19:12:05	Time Sync	From '04 Mar 2015 19:12:05' to '04 Mar 2015 19:12:04'		
295	04 Mar 2015 19:12:51	Armed		30	33
296	04 Mar 2015 19:12:53	Safe	2	29	33
297	04 Mar 2015 19:12:56	Armed		30	33
298	04 Mar 2015 19:13:09	Safe	13	30	33

Pulse Log Graph

Serial #: X12000ND5
Date Time: 23 Feb 2015 00:07:18

Cartridge 1

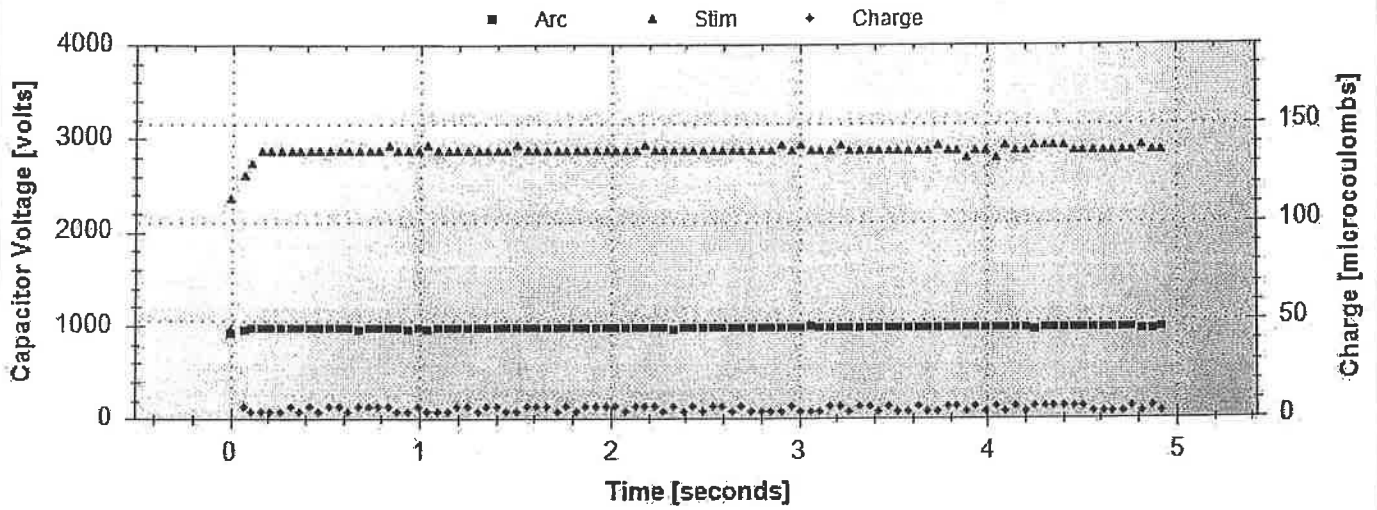


Table indicates output voltage of the capacitor(s) measured inside the Conducted Electrical Weapon.
Table does not reflect actual voltage or charge delivered into target.