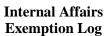


SPOKANE POLICE DEPARTMENT

FRANK STRAUB, JR. CHIEF OF POLICE





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

#2c	Child Victim of Sexual Assault Child victims or child witnesses	This redaction protects information revealing the identity (name, address, location, or photograph) of child victims of sexual assault who are under age eighteen. 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	Records by Juvenile Justice or Care Agencies). <i>Deer v. DSHS</i> , <i>122 Wn.App</i> . 84, 94 (2004) RCW 42.56.240(5) (Investigative, law enforcement, and crime victims) RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
ACCESS		parents/guardians.	
#3a	Information from WACIC/NCIC (ACCESS): Criminal history information	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): License Plate Information	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): Vehicle Registered owner information	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): Wanted persons information	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): Officer safety information	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): Gun information	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

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

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

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

Photos #8a	Photos showing a deceased person	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. 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
#8b	Photos showing highly	Disclosure would violate a person's	(Employment and licensing), 42.56.210(1) (Certain personal and other records exempt) RCW 42.56.050 (Invasion
	sensitive material	right to privacy, and be highly offensive to a reasonable person.	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) Hangartner v. Seattle, 151 Wn.2d 439 (2004).
#13a	Name/Identity of accused police officers	This redaction protects names/identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	Bainbridge Island Police Guild v. City of Puyallup, 172 Wash.2d 398 (2011)
#13b	Date of birth of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	Bainbridge Island Police Guild v. City of Puyallup, 172 Wash.2d 398 (2011)
#13c	Personal work, home, or cell phone number of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	Bainbridge Island Police Guild v. City of Puyallup, 172 Wash.2d 398 (2011)
#13d	Residential address of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	Bainbridge Island Police Guild v. City of Puyallup, 172 Wash.2d 398 (2011)
#13e	E-mail address of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	Bainbridge Island Police Guild v. City of Puyallup, 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)

Incident Summary Page 1 of 4

Spokane Police Department Use Of Force Report

Incident Entered By: Sergeant Charles Reynolds

Incident Details

Date Received Date of Occurrence Time of Occurrence

 4/15/2015
 4/1/2015
 03:47

 Record ID #
 Incident No
 IA No

 8757
 15-105941
 F15-033

Date/Time Entered 4/15/2015 20:22

Incident Summary

For your review. See attached documents. The Use of Force is reasonable and within Department Policy.

In compliance with policy per Assistant Chief Dobrow 05.11.15.

Incident Location

• 2211 Perry, Direction: N, Spokane, WA 99207 -: Northeast

Use of Force Specific Information

Reason for Use of Force Service Being Rendered

Fleeing (Felony) Call For Service

Weather Condition Lighting Condition Distance to Citizen

c-7-12 feet

Citizen Injured Citizen Taken to Hospital Citizen Arrested

Yes Yes Yes Yes

More than 1 Citizen Involved

No

Citizen's Build Citizen's Height
Medium 5'10" to 6'0"

Officer Assessment of Citizen Condition During Incident

None Detected

Officer(s) Injured Officer(s) Taken to Hospital

No No

Reporting/Involved Citizen Information

Timothy A Banks

DOB: 7/21/1977 Race: White Gender: Male

Address

Incident Summary Page 2 of 4

- 2211 Perry, Direction: N, Spokane, WA 99207
- 114 Hutchinson ST, Direction: N, Spokane, WA 99212

Phone

• (509) 535-4443

Types of Resistance Citizen Used Against Officer(s)

• Active Resistance

Injuries sustained by this citizer

Injuries sustained by this citizen			
Injury	Regio		Injury Locations
d-Injury Requiring ER	4	1	
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Charges against this citizen

- Felony Property Crime
- Warrant

Involved Officers

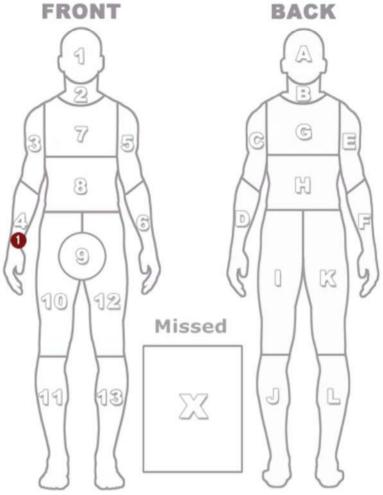
Officer Craig Hamilton - Payroll Number: #5c

Force used by this officer against the citizen

• K9 Application - Was force effective: Yes

Incident Summary Page 3 of 4





Injuries sustained by this officer

Injury	Regions	Injury Locations
No injuries noted or visible		

Attachments

Date Attached	Attachment Description	Attachment Type
4/15/2015	CAD	pdf
4/15/2015	reports	pdf
4/15/2015	deployment	pdf
4/15/2015	Kanine UOF	pdf
4/16/2015	Sgt review on IA additional	doc

Chain of Command History

Sent Dt	From	То	СС	Approved
4/16/2015	Sergeant Charles Reynolds	Lieutenant Matthew Cowles	(none)	V

Incident Summary Page 4 of 4

Sender's Ins	structions: For your review		
Recipient's (Comments/Response: In rev	iew of the attached documents, th	is use of force (canine contact)
is within polic	y. M. Cowies		
4/24/2015	Lieutenant Matthew Cowles	Captain Daniel Torok	(none)
		are documents relating to a use of questions. Very Respectfully, Matt	force (canine contact) for your
Recipient's (Comments/Response: I conc	ur that the use of force (k9) was v	vithin policy.
4/29/2015	Captain Daniel Torok	Asst Chief Patrick Dobrow	(none)
Sender's Ins	structions: for review		
Recipient's (Comments/Response: The U	OF, K9 contact, was within policy.	
Entering Offi	cer Signature Line		
Sergeant Char	les Reynolds		
Chain of Com	nmand Signature Lines		
Lieutenant Ma	tthew Cowles		
Captain Danie	l Torok		
 Asst Chief Pati	rick Dobrow		



Spokane Police Department Internal Investigation



CONFIDENTIAL

I.A. #: Additional

Report #15-105941

After reading the attached documentation and debriefing Ofc. Hamilton I find that Ofc. Hamilton's deployment of K-9 "Leonidas" as a searching and apprehension tool was reasonable, within State and Federal Law, within Department Policy and met Department expectations.

Due to the nature of the call and the displayed violence of the suspect, utilizing a K-9 as a searching and apprehension tool made it safer for the involved citizens, the officers and the suspect.

Sgt. CJ Reynolds #558

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Spokane Police Department

									Re	ef. # U-CR15413130
id Us.			K-9	DEP	LOYM	ENT	T REI	POR		
G	Date/Tir	ne Reported	01 8		ime Arrived		100000	Time Cle		Agency #
GEZER	4/1/2015	3:13:00 AM		4/1/2015	3:13:00 A	И	4/1/20	15 5:07:	00 AM	15-105941
R E	Session Activi	ty Type	E (LE			x II	i ye ji le	Handler	11 100 0	K-9
R	Domesti	c Violenc	ce				Cra	ig Hami	lton	Leonidas
A L	Event Summary Information	conducting	j a bu	ilding sear	ch of the ho					ffender. After ding under a travel
M - sc	Conse	nt Type	Wai	rant by K-9	Warran	t#	# Arres	ts	High	est Charge
C	N	/A			N/A		1			elony
R	Requesting Ag	jency	ĮĮ.			. YA	To any		Requesti	ng Officer/Party
REQ	Spd								Arı	redondo
ď	Services Requ	ested	3 5		6.7 E D.F.		30 ₁₀₀ 1 1 1		Requ	est Method
	Building Se	arch								Radio
W	Ground Condi	tion	fill.	Weather Co	ondition 1	10		Weathe	r Condition 2	WALL SHIP OF STATE
EAT	Dirt			Fair				N/A		
T	Temp	erature		Wind S	peed		Wind Dir	ection		Humidity
Н	;	35		7			SSI	N		70%
			III.	DI	EPLOYMEN	IT AC	TIVITIES			
	Amt Activ	ities Performed	Loc.	Info	Action Perf./	Value		ficiency	MURHA:	Time/ District
*	1 Build	ding Search			Assisted Of	ficer		rformed operly		
	Residence -	- 2211 N. Perr	y - Sp	okane - WA						
		bedroom inside						the room	was empty	. I did find a large
*	1 Trac	k			Assisted Of	ficer		rformed operly		
	Residence -	- 2211 N. Perr	y - Sp	okane - WA						
-81	Person Loca	ted			Dist.20.00 Ft		Ag	e: minute	es. Turns:	
	Scent Item: N	/A								
		my announcem nd dove under							went past th	e travel trailer then
	gilly w Bark!		Mg.k	s	USPECT IN	IFOR <u>I</u>	MATION	Y W P		
	Name/ Address			A CONTRACTOR		DO	B/ Phone		SSN	Incarcerated at
*	Banks,Tim	othy A				7/:	21/1977			Spokane County Jail

On 04-01-15 at about 0313 hours, I responded to a domestic dispute at 2211 N. Perry. Several officers were already on scene and had requested the assistance of a K9.

The information in the call was that the complainant had received a call from her friend who lives at the Perry address. Her friend told her that her ex-boyfriend, Timothy A. Banks, was at her house assaulting her. She had sent her some pictures of her swollen face and bloodied lip and eye.

In addition to the DV assault being reported, Banks had a confirmed felony warrant for 2nd degree assault (substantial bodily harm), and another for DOC escape. He was also listed as a "violent offender." Ofc. S. Arredondo stated a firearm had been retrieved once before from the house after search warrant had been served.

I responded with K9 Leonidas (Leo). We are a WAC certified police patrol dog team and have been for nearly 6 1/2 years. We are also accredited through the Washington State Police Canine Association (WSPCA). In addition, I'm a Master Trainer with the WSPCA. Leo is my second working dog in nearly 11 years as a K9 handler.

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

Just as I pulled up to the house, I heard officer's advise that the female victim had come out the front door and was crying. I briefly spoke with her and she said Banks was hiding in the far back bedroom. However, prior to searching the room, I was told the bedroom window was open and it was possible he had jumped out and escaped.

The victim assured me there was nobody else inside the house. She said he did have knives in the room but she didn't know of any firearms. I made several loud announcements from only a few feet away from the door that led into the bedroom. There was no response so we opened the door and cleared the room with Leo. While clearing the room, I saw a large fixed blade knife on the bed (approx. 6" blade) along with a sword type weapon. The room was clear along with the rest of the house, other than the attic.

While I waited for an officer to arrive with a pole camera to help clear the attic, prior to searching it with Leo, I decided to attempt a track for the suspect, incase he did make it out the window. There were several officers on the front of the house when he would have jumped out so we knew he didn't go towards the front but there was only one officer on the back so that was the likely route.

I went to the back of the house and decided to cast Leo and attempt a track for the following reasons:

CRIME:

There was probable cause to arrest the suspect for the violent felony crime of 1st degree burglary - DV, which had just occurred. There were 2 confirmed felony warrants for his arrest; one for the violent crime of 2nd degree assault and the other was a DOC escape warrant.

RESISTANCE:

The suspect was actively resisting arrest by jumping out a bedroom window and then hiding.

THREAT:

Banks was listed as a "violent offender" locally. He has a history of violent crimes, to include, 1st degree burglary, 1st degree assault (w/ a firearm), 2nd degree assault (w/ a deadly weapon), 2nd degree assault (substantial bodily harm), 3rd degree assault, attempt to elude and many other arrests. He has a history of being armed and I found some very deadly fixed blade weapons in the room he had escaped from. It was unknown if he was armed at the time but it was safe to assume so due to his history. It was unknown if he was laying in wait to ambush searching officers. He was displaying an extreme level of desperation to escape capture thereby increasing his threat towards the police, the victim, and nearby residents. It's likely he would not have been captured without the use of the K9.

From the back yard, near the rear of the house, and next to a travel trailer that was parked in the back yard, I yelled another K9 announcement. I yelled, "Attention in the area, this is the Spokane Police K9 Unit. Timothy Banks, you are being tracking by a police dog. Give up now or when he finds you he will bite you.

You are under arrest!"

There was no response so I cast Leo and we began tracking. Leo took off very strong W/B from the house and right next to the travel trailer heading towards the back of the yard. It was extremely dark in the back yard and there were also several vehicles parked back there. I had Leo about half way out on my 15' tracking line. We worked towards the front of the travel trailer then Leo stopped, turned around and crawled under the travel trailer to where I could no longer see him. I then heard a male scream as if Leo had made contact under the trailer. The space was confined and only about 18" between the ground and bottom of the trailer. I yelled for the suspect to show his hands. I wasn't going to take Leo off the bite until I could see he wasn't armed, due too his extremely violent history. Leo pulled him out from under the trailer to where I could see Leo had control of Banks' right wrist. Banks was cooperative and showed his left had as well. I then took control of Leo and ordered him to release, which he immediately did.

There were a couple other officers with me at the time and they took Banks into custody without further incident.

Ofc. Zimmerman transported Banks to Deaconess Hospital where his minor injury was treated. His injury consisted of some compression marks on his right wrist. That was the only place Leo made contact.

Banks told me he had jumped out the window and hopped the fence that led into the back yard. He told me he saw an officer in the back yard so he crawled up under the travel trailer and hid. I asked him if he heard me yell my K9 announcement, especially since I was merely feet away from where he was hiding? He told me he did hear it but "[he] was hoping the dog would go on by [him]."

Cpl. Daniel took photographs of Banks' injury. Cpl. Daniel was also the only supervisor out in the field at the time and he was obviously aware of the contact.

Banks was eventually transported to the SCSO jail and booked for 1st burglary - DV, and his 2 felony warrants.

See the other reports for further information.

DISTANCE: about 7'
TIME: about 10 seconds

I CERTIFY (OR DECLARE) UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

Ofc. C. Hamilton 713 K-14

Officer's	Approved By	
Signature	Date	04/01/15 05:06

FORM D-100 Page 3 of 3

Spokane Police Department

K9 Use of Force Report

General Use of Force Information

Case # 15-105941

Location 2211 N. Perry

Date Occurred 4/1/2015

Date of Report 4/6/2015 9:48:00 PM

Reviewed By

Review Date

Report Type Apprehension

Handler Craig Hamilton

K-9 Leonidas

Imm. Supervisor Sgt. Reynolds

Subject Information

Subject's Name Banks, Timothy A

DOB 7/21/1977

Age 37

SSN

Gender M

Address

City

Zip Code

State

Phone #

Medical Information

Visible Injuries present? Yes

Subject refuse treatment? No

Treatment Required? Yes

Exam/ Treatment Location Deaconess Hospital

Examined by Doctor? Yes

Examining Doctor

Explanation of Treatment N/A

Time of Exam 4:00 AM

K-9 Specific Information

Verbal warning given prior to engagement? Yes

Number of bites or engagements 1

Subjects actions leading to the Use of Force Banks had committed a violent felony then jumped out a window of a house after officers arrived on scene. Banks then chose to hide under a travel trailer and failed to give up after K9 announcements were given. Banks was within earshot of the announcements.

Reason no Verbal warning given? N/A

Off leash apprehension made? No

On leash contact made? Yes

K-9 obeyed handler's commands? Yes

K-9 Assaulted? No

K-9 Injured? No

List K-9's Injuries N/A

K-9 Treatment costs

Examining Veterinarian

Report Narrative

On 04-01-15 at about 0313 hours, I responded to a domestic dispute at 2211 N. Perry. Several officers were already on scene and had requested the assistance of a K9.

The information in the call was that the complainant had received a call from her friend who lives at the Perry address. Her friend told her that her ex-boyfriend, Timothy A. Banks, was at her house assaulting her. She had sent her some pictures of her swollen face and bloodied lip and eye.

In addition to the DV assault being reported, Banks had a confirmed felony warrant for 2nd degree assault (substantial bodily harm), and another for DOC escape. He was also listed as a "violent offender." Ofc. S. Arredondo stated a firearm had been retrieved once before from the house after search warrant had been served.

I responded with K9 Leonidas (Leo). We are a WAC certified police patrol dog team and have been for nearly 6 1/2 years. We are also accredited through the Washington State Police Canine Association (WSPCA). In addition, I'm a Master Trainer with the WSPCA. Leo is my second working dog in nearly 11 years as a K9 handler.

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

Just as I pulled up to the house, I heard officer's advise that the female victim had come out the front door and was crying. I briefly spoke with her and she said Banks was hiding in the far back bedroom. However, prior to searching the room, I was told the bedroom window was open and it was possible he had jumped out and escaped.

The victim assured me there was nobody else inside the house. She said he did have knives in the room but she didn't know of any firearms. I made several loud announcements from only a few feet away from the door that led into the bedroom. There was no response so we opened the door and cleared the room with Leo. While clearing the room, I saw a large fixed blade knife on the bed (approx. 6" blade) along with a sword type weapon. The room was clear along with the rest of the house, other than the attic.

While I waited for an officer to arrive with a pole camera to help clear the attic, prior to searching it with Leo, I decided to attempt a track for the suspect, incase he did make it out the window. There were several officers on the front of the house when he would have jumped out so we knew he didn't go towards the front but there was only one officer on the back so that was the likely route.

I went to the back of the house and decided to cast Leo and attempt a track for the following reasons:

CRIME:

There was probable cause to arrest the suspect for the violent felony crime of 1st degree burglary - DV, which had just occurred. There were 2 confirmed felony warrants for his arrest; one for the violent crime of 2nd degree assault and the other was a DOC escape warrant.

RESISTANCE:

The suspect was actively resisting arrest by jumping out a bedroom window and then hiding.

THREAT:

Banks was listed as a "violent offender" locally. He has a history of violent crimes, to include, 1st degree burglary, 1st degree assault (w/ a firearm), 2nd degree assault (w/ a deadly weapon), 2nd degree assault (substantial bodily harm), 3rd degree assault, attempt to elude and many other arrests. He has a history of being armed and I found some very deadly fixed blade weapons in the room he had escaped from. It was unknown if he was armed at the time but it was safe to assume so due to his history. It was unknown if he was laying in wait to ambush searching officers. He was displaying an extreme level of desperation to escape capture thereby increasing his threat towards the police, the victim, and nearby residents. It's likely he would not have been captured without the use of the K9.

From the back yard, near the rear of the house, and next to a travel trailer that was parked in the back yard, I yelled another K9 announcement. I yelled, "Attention in the area, this is the Spokane Police K9 Unit. Timothy Banks, you are being tracking by a police dog. Give up now or when he finds you he will bite you. You are under arrest!"

There was no response so I cast Leo and we began tracking. Leo took off very strong W/B from the house and right next to the travel trailer heading towards the back of the yard. It was extremely dark in the back yard and there were also several vehicles parked back there. I had Leo about half way out on my 15' tracking line. We worked towards the front of the travel trailer then Leo stopped, turned around and crawled under the travel trailer to where I could no longer see him. I then heard a male scream as if Leo had made contact under the trailer. The space was confined and only about 18" between the ground and bottom of the trailer. I yelled for the suspect to show his hands. I wasn't going to take Leo off the bite until I could see he wasn't armed, due too his extremely violent history. Leo pulled him out from under the trailer to where I could see Leo had control of Banks' right wrist. Banks was cooperative and showed his left had as well. I then took control of Leo and ordered him to release, which he immediately did.

There were a couple other officers with me at the time and they took Banks into custody without further incident.

Ofc. Zimmerman transported Banks to Deaconess Hospital where his minor injury was treated. His injury consisted of some compression marks on his right wrist. That was the only place Leo made contact.

Banks told me he had jumped out the window and hopped the fence that led into the back yard. He told me he saw an officer in the back yard so he crawled up under the travel trailer and hid. I asked him if he heard me yell my K9 announcement, especially since I was merely feet away from where he was hiding? He told me he did hear it but "[he] was hoping the dog would go on by [him]."

Cpl. Daniel took photographs of Banks' injury. Cpl. Daniel was also the only supervisor out in the field at the time and he was obviously aware of the contact.

Banks was eventually transported to the SCSO jail and booked for 1st burglary - DV, and his 2 felony warrants.

See the other reports for further information.

I CERTIFY (OR DECLARE) UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.	DISTANCE: about 7' TIME: about 10 seconds	
A .	I CERTIFY (OR DECLARE) UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.	
Ofc. C. Hamilton 713 K-14		

Handler's Signature (X)

```
05/12/15 07:42:31 PRINT REQUESTED BY TERMINAL PADN07
Incident History for: #SP150105941 Xref: #SP150105959
             04/01/15 02:59:28
                                BY 91105
                                            82
Entered
             04/01/15 03:00:05 BY PCC01
                                            1123
Dispatched
             04/01/15 03:00:05
Enroute
Onscene
             04/01/15 03:04:12
             04/01/15 06:27:25
Closed
                                            (DOMESTIC VIOLENCE)
Initial Type: DV
                        Final Type: DV
Initial Priority: 2 Final Priority: 2
                    Source: 9 Primary Unit: A431
Disposition: 1E
Police BLK: SPB4LO
Group: P4
                 Beat:
                            Map Page: 32
Loc: 2211 N PERRY ST , SPK btwn E MONTGOMERY AV & E CARLISLE AV <1300> (V)
                              Addr: ANON
                                                             Phone: ANON
Name: ANON
                                  FEMALE CALLED COMPL AND SAID EX BOYFRIEND IS T
/025928 (82
            ) ENTRY
                                 HERE AT HER HOME ASSAULTING HER. UNK WEAPONS I
                                 NVOLVED. SENT A PIC TO COMPL WITH FACE SWOLLEN
                                  , LIP AND EYE BLEEDING, MEDICS MAY BE NEEDED.
                                  , Incident data pushed to folder
/025928
                  $FCSEND
/025930
         (*****) $FCACK
                                  , Processed Successfully
                                          ARREDONDO, JOHN
        (1123)
                  DISPER
                         A431
                                 #614
/030005
                                          ARREDONDO, STEPHEN
                                  #679
                                  TXT: THE EX: BANKS, TIMOTHY - UNK AGE, NO DESC
/030053
        (82
            ) SUPP
                                  . VIC: MULNAR, STEPHANIE 40 YRO. BELIEVES TIMO
                                  THY DOES HEROIN. UNK WEAPONS IN THE HOME.
                                  TXT: LOC IS A HOUSE DIVIDED IN 2 UNITS. STEPHA
                  SUPP
/030146
                                 NIE LIVES IN THE UPPER UNIT. DOOR IS THE FRONT
                                  OF THE HOME. STEPHANIE'S CELL #509-290-9985.
                                  ###
/030250 (1123 )
                 MISC
                                            STEPHANIE R MOLNAR 3/13/75
                                                       #7a
                ) *ONSCNE
                          A431
/030412
         (614
                                  [2211 N PERRY ST , SPK]
/030537
         (1123
               )
                  ASSTER
                          A434
                                  #750
                                          ANDERSON, JERRY C
                                  [2211 N PERRY ST , SPK]
        (747)
               ) *ASSTER
                          A433
/030549
                                          BISHOP, DEREK
                                   #747
                                  [2211 N PERRY ST , SPK]
/030725
        (1190
               ) *ASSTER
                         A437
                                   #1190 BROOKS, WINSTON
                                   #1194
                                          LOWE, JEFF
                                                                          #7a
                                         ...TIMOTHY A M BANKS 7/21/77
/030746
        (1123
              )
                  MISC
                                                       #7a
                                  T/PCC05
/030845
                   CALLBK
                                  , PLEASE CONF/HOLD ON BANKS, TIMOTHY A 7/21/77
                                  T/PCC01
/031257
        (761
               ) CALLBK
                                  , CONF/HELD
                                  , CAN HEAR THEM IN THERE YELLING AT EACH OTHER
                ) MISC
                          A431
/031331
         (1123)
/031332
         (750
               ) *ONSCNE
                         A434
                                  [2211 N PERRY ST , SPK]
/031343
         (1123
              ) ASSTER
                         K14
                                  #713
                                         HAMILTON, CRAIG
/031408
         (747
                ) *ONSCNE
                          A433
                          A437
/031419
               ) *ONSCNE
         (1190
                                  ,THEY DO HAVE A DOG INSIDE THAT IS BARKING.
                          A431
```

/032006

(1123)

MISC

/032153 /032314 /032318		MISC MISC ONSCNE	A431 K14 K14	,HAVE A COUPLE COME TO THE FRONT ,RESTRICTED
/032318	(1240) *ASSTER	A438	[2211 N PERRY ST ,SPK] #1240 ZIMMERMAN, MARK
/032647 /032809	(1123) MISC ONSCNE	A437 A438	OUT FRONT W/THE FEMALE
/032809		MISC	A431	, HEARD HIM MOVING STUFF INSIDE
/034451		MISC	A434	, CHECKING THE ATTIC HERE.
/034725 /034826		MISC MISC	K14 K14	, HAVE HIM OUT BACK , ONE IN CUSTODY. BACK TO NORMAL TRAFFIC
/035537	(1240) *TRANS	A438	[DEACONESS] M/O
/040057	(1123) ASSTER	P303	[2211 N PERRY ST ,SPK] #767 DANIEL, JEREMY
/040204	(713) *CHGLOC	K14	[DEAC]
/040239 /040527	(1123 (1240) MISC) *TRANSC	A431 A438	,###########
/040659	(1069) \$CROSS	11150	#SP150105959
/040748	(767) *ONSCNE	P303	
/040757 /040804	(750 (713) *CLEAR) *ONSCNE	A434 K14	, PSTAT/ASST
/040934	(747) *CLEAR	A433	, PSTAT/ASST
/041132	(1190) *CLEAR	A437	, PSTAT/ASST
/041322 /041705	(767 (1069) *CHGLOC) \$CROSS	P303	[DEAC] #SP150105959
/041705	(100)	DUP		#SP150105959
/041705		DUP		NAM: ANON
				ADR: ANON PHO: ANON
/041758	(614) *NEWLOC	A431	[NW]
/042104	(767) *ONSCNE	P303	
/044423 /044522	(1069) \$PREMPT ASSTOS	P303 P303	[DEAC]
/ 044322		ADDIOD	1303	#767 DANIEL, JEREMY
/051612	(713) *CLEAR	K14	,PSTAT/ASST, PSTAT/RPT K9 B/S AND K9 TRACK W/A CAPTURE
/051827	(1240) *TRANS	A438	[JAIL] M/O
/051911 /052349	(767 (1240) *CLEAR) *TRANSC	P303 A438	,PSTAT/ASST PIX M/1
/052354	(1210	*TRANSC	A438	[STATION] M/1.3
/052902	(1123) CALLBK		T/PCC01 ,RECORDS WILL SEND OVER THE LOCAL WARRANT ON B
/053026		MISC	A438	ANKS. ,###############
/053026		MISC	A430	,
/054333	(1240) \$PREMPT	A438	
/055217	(1123) MISC		,PER A438 - SUBJ WAS ARRESTED FOR 1ST BUR G, DOC WARRANT AND 2ND ASSAULT WARRANT
/062725	(614) *CLEAR	A431	DSP: 1E ,PSTAT/CFS PSTAT/FEL
/062725		CLOSE	A431	

05/12/15 07:42:47 PRINT REQUESTED BY TERMINAL PADN07 Incident History for: #SP150105959 Xref: #SP150105941

Entered 04/01/15 04:06:59 BY PCC03 1069 Closed 04/01/15 04:17:05

Initial Type: CHKEV Final Type: CHKEV (CHECK FOR EVIDENCE)
Initial Priority: 3 Final Priority: 3

Disposition: DUP Source: V Primary Unit:

Police BLK: SPD7CH

Group: P8 (P4) Beat: Map Page: 33
Loc: 800 W 5TH AV ,SPK -- DEACONESS HOSPITAL ,SPK btwn S WALL ST & S LINCOLN ST

Addr: ANON Phone: ANON Name: ANON

(1069) COPY	,PICS #SP150105941
•	··
CONTRL	GRP: P4> P8
CHANGE	LOC: 2211 N PERRY ST ,SPK> 800 W 5TH AV ,S
	PK,
	BLK: SPB4LO> SPD7CH,
	SRC:> V
HOLD	
\$CROSS	#SP150105941
DUP	#SP150105941
CANCEL	
CLOSE	
	\$CROSS CONTRL CHANGE HOLD \$CROSS DUP CANCEL

INCIDENT REPORT

Spoka	ne Polic	e/Spok	ane Co	ounty She	eriff									Page 1
	ME/SUBSTATION				EVIDENCE	NUMBER			ENT NUMBE					
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			RESI	ONDING TO (Office	er Assaull)				1	ASSIGN	MENT (Officer Assault)		
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REPORTED Wed (04/01/2015	02:59		URRED ON Pd 04/01/20	DATE/TIME 015 02:30	Wed 0		1/2015		DE	STRICT			
DISPATCH T		ARRIVED T			EARED TIME	7704		EPORT DAT	111777	PORT	пме	EST TOT	AL PR	ROPERTY LOS
							0	4/01/20	15 0	4:26	n	20		
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Suspeci	t Arrested, L	Jseful Ph	sical E	vidence										
RELATEDIN	CIDENT NUMBER	9										INCIDENT XRE	F	
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	REPORTING OFF Inmerman	CERS												
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A-1	Ranks		v Alle	n Michae	1		M	RACE/ET				DATE OF 07/21		
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IALITY												535-4443		
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TICADA TADA	ALL TO LO										- 1	Transient		
ADDITIONAL	PHONES													
(Cell) 92	22-3388, (Ho	me) 535-	1443											
CHARGE LE			DESCRIPTIO		DOL 4 DV 4 D	/A CC A / !!	T					UCRINCIO	COD	E
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CITATION #			OATE	TIME	BOOKED W	V: ICRE						DATE		TIME
					Spoka	ne Count	y Ja	il				04/01/201	5	03:48
ARRESTLOC	CATION							STATEMENT WORAL	CHARGE		SUSPEC	T ARMED WITH		
100	Perry, Spoka	Section 1						WRITTE	N XDEN	ED				
Notified	D NAME/RELAT	IONSHIP OF F	ERSON NO	TIFIED DATE & T	GEIRITON EMI	NOTIF	IED 9	Y	(DISPOS	SITION O	F JUVENILE		
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and the control to see the control			1 26 1 10 1 10	PROPERTY AND THE STATE OF THE S	IEV NO. FAKE	OTHER ID								
DRIVER'S LIC	ENSE 4b	☐ FAK	E	#4a	LI PARE					#3k				

IDNO MAME OF REPORTING OFFICER			DISTRIBUTION		
#614 - Arredondo, John					
APPROVAL	DATE//IME				
#766 - Dahle, Zachary	04/01/2015	09:29			
Incident Report #1				04/01/2015 09	:38:22 711

INCIDENT REPORT CONTINUED

Spoka	ne Police/Spoi	kane Co	unty Sheriff			Page Z
	ASSIFICATION ARY-RESIDNTL			ATTEMPTED	15-105941	
CODE V-1	Molnar, Steph				RACE/ETHNIC/TY W-White	DATE OF BIRTH/AGE 03/13/1975 40
НЕІСНТ 5'01"	WEIGHT BUILD 135 Medium	Brown	EYES HAZ - Haz	e/	TORS	
CONFIDENT	ADDRESS: STREET, CITY:		er, Spokane, WA 99207		IAL STATUS	PHONE
PLACE OF EI	MPLOYMENT/SCHOOL/ADRE	SS		OCCUPATI Not en	on nployed	EMPLOYER PHONE
	addresses P <mark>erry Street, Spoka</mark>	ne, WA 99	207			ADDRESS TYPE
400itional (509) 89						
DRIVER'S LIC	CENSE #1b	AKE STATE	SOCIAL SECURITY NO FAKE	OTHER ID		
	IP TO SUSPECT Vas Girlfriend	100	TIM OF Office # 9A.52.020(1)(B) BU	RGLARY-1D(A	SSAULT)	OFNOR # A-1
NARRAT	WE	araita dan		or the second		Land Williams

On 04-01-15, 0300 hours, Ofc. S. Arredondo and I were dispatched to 2211 N. Perry on a report of a domestic violence assault. While enroute, radio advised an anonymous caller called 911 and told the operator that Stephanie Molnar called her and said her (Molnar's) boyfriend, Timothy Banks, was at her (Molnar's) home and he was assaulting her. The complainant said Molnar sent her a picture of her bloody lip and swollen face. Radio advised Banks was a "DOC Violent Offender" and had a 2nd Degree Assault warrant.

Upon arrival, I recognized the home. The last time I responded to that address, I arrested a male for unlawful possession of a firearm. I decided to request additional units based on that information.

While standing on the north side of the home, I heard Banks yell at Molnar. Banks sounded like he was walking around the home. Molnar was on the northwest corner of the home and she sounded stationary. I heard Molnar tell Banks to get out of her home, several times. Banks responded no each time.

Once adequate officers arrived, Ofc. Brooks knocked on the back door. There was no response. Ofc. Brooks knocked several more times and finally Molnar yelled that she could not open the back door because it was barricaded. I yelled that police would breach the door if she or Banks failed to open the door. Molnar told police to go to the front door.

Molnar opened the door and said Banks was inside the home. Molnar's dog (pit bull) was barking. I told Molnar to secure her dog. Molnar walked to the back of the home. After a short time had passed, I yelled for Banks and Molnar to exit the home. Molnar walked to the front door and said Banks was hiding in the bedroom located on the southwest corner. I told Molnar to lock her pit bull in the bathroom, which was in the opposite direction of the bedroom Banks was in. K9 Ofc. Hamilton

Incident Report #1		CONTINUED ON NEXT PAGE
		04/01/2015 09:38:22.808

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3 ATTEMPTED INCIDENT NUMBER INCIDENT CLASSIFICATION 15-105941 BURGLARY-RESIDNTL

knocked on the bedroom door and directed Banks to exit. There was no response. After several more knocks, Ofc. Bishop opened the bedroom door and we saw that the window was open. We entered the bedroom and learned that Banks had exited the home thru the window. K9 Hamilton searched the surrounding area and Banks was taken into custody shortly afterwards.

I re-contacted Molnar, who advised Banks did not live with her. Molnar said she was sleeping and awoke to a knock on the front door. Molnar said before she could answer the door. Banks entered. uninvited. Molnar said the front door did not lock. Molnar said Banks told her that her friend was outside and he began to yell at her. Molnar said she told Banks to leave. Molnar said Banks told her to shut the "fuck" up or he would knock her out. Molnar said she stood up and told Banks to "go for it!" Molnar said Banks punched her square in the face/nose. Molnar said she did not fall but stumbled backwards. Molnar said from that point on, it was a "full on fight!"

Molnar said Banks knocked her to the floor. Molnar said Banks placed both of his hands around her neck and applied pressure. Molnar said she almost passed out but she was able to place her foot against Banks neck and push him away. Molnar said she velled at Banks to leave but he refused. Molnar said she ran to the bathroom and locked herself in. Molnar said Banks sat in the kitchen, Molnar said she was afraid to leave the bathroom because she felt Banks would assault her again.

Molnar had some red marks on the left side of her lower collar bone. Molnar had a small red mark above her right eye and some dried blood on her bottom lip. Molnar said her injuries were a result of being assaulted by Banks. Photos were taken.

While in the bathroom, Molnar said Banks continuously threatened to send his sisters over to her home to "beat her ass!" Molnar said she was not afraid of Banks' sisters but she was deathly afraid of Banks, Molnar cried and said Banks was going to kill her once he got out of jail.

I asked Molnar if she and Banks were boyfriend and girlfriend. Molnar said no. I asked Molnar why would Banks go to her home at 0230 hours. Molnar said she and Banks were "fuck buddy's!" Molnar reiterated that Banks was not her boyfriend and he did not live with her. Molnar said they were fuck buddy's, only. Molnar said she did not invite Banks over and he entered her home, uninvited, Molnar said Banks has never had keys to her home.

I gave Molnar a report number. I advised Molnar on how to obtain a NCO. Molnar did not want to speak with a DV Advocate. This incident did not meet the requirement for a LAP intervention.

Banks was booked into jail for 1st Degree Burglary and two felony warrants.

See reports from other SPD Officers.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF

Incident Report #1 CONTINUED ON NEXT PAGE 04/01/2015 09:58:22 929

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 4

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL

AFFEMPTED INCIDENT NUMBER 15-105941

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:04-01-15 PLACE:Spokane, WA

Incident Report #1

END OF INCIDENT REPORT

04/01/2015 09:38:22.929

SUPPLEMENTAL REPORT

			FUIDENCE I	NUMBER		INCIDENT NUMBER	₹		
SPD						15-10594	11		
REPORT PURPOSE					REPORTED Wed	O4/01/2015	TIME 02:59	INCIDENT XREF	
INCIDENT CLASSIFICATION #1 BURGLARY-RESIDNTL			ATTEMPTED	INCIDENT	CLASSIFICA	ATION #2		1	ATTEMPTE
INCIDENT CLASSIFICATION #3			ATTEMPTED	INCIDENT	CLASSIFICA	ATION #4			ATTEMPTE
DISPATCH TIME AR	RIVED TIME	CLEA	ARED TIME			RT DATE 01/2015		06:04	
PRIMARY CHARGE					10			UCR/NIBRS (CODE
ADDITIONAL CHARGES 9A.52.020(1)(A) BURGL	.ARY-1D(ARMED)							EST TOTAL	PROPERTYLO
VICTIM/WITNESSES/OTHE	Cyclist, O-Other, MI	Individual, PS-Pay	senger, VIII-Victors - Bu	D-Driver, G- Month, G-Su	tjegsl Guardan spect, RU-Runs	#1-Institutional W-Wine vay, RO-Registered Own	ss CON-Corti or Al-Missing	act, V-Deceased, OW-Own- PE-Pedestrian, PC-Pedestr	or of rian -
A-1 NAME LAST FIRST Banks, Tin	nothy Allen N	/lichael			20000	CE/ETHNICITY V-White		07/21/1	
HEIGHT WEIGHT BUILD 6'00" 180 Mediu	m Brown		eyes BLU - Blue		DESCRIPTO	ORS			
CONFIDENT ADDRESS STREET, IALITY 114 N Hutchir	CITY STATE ZIP 1 son Road, Spoka	ne, WA 9	9212		RESIDENTIA	L STATUS		535-4443	
PLACE OF EMPLOYMENT/SCHCOL/,	ADRESS				OCCUPATIO	N		EMPLOYER PHONE	
ABDITIONAL PHONES (Cell) 922-3388, (Home)	535-4443								
CHARGE LEVEL	DESCRIPTION						23.17	DEWNCIC CO	DOE
Felony Class A	9A.52.020(1)(A) BURG	GLARY-1D(ARMED)			/220	
WARRANT #	BAIL		On-View		st			MULTIPLE ARREST	FEE SEGMENTS
CITATION #	DATE	TIME	Spokan		ity Jail			04/01/2015	™E 03:30
						CHARGES FRAL DADMIT VENTTEN DENIE	TED,	ECT ARMED WITH	
	okane, WA 99208					The second secon			
ARREST LOCATION 2211 N Perry Street, Sp. UV PARIGRO NAME/RELATIONS/ UV PARIS NO YES NO		DATE & TIM	E NOTIFIED	NOT	IFIED BY	D	ISPOSITION	OF JUVENILE	
2211 N Perry Street, Sp. uv Parigho NAME/RELATIONS/	IIP OF PERSON NOTIFIED	DATE A TIMI CIAL SECURITY #4a		OTHER IE		C	ISPOSITION	OF JUVENILE	

On 04-1-15 at approx. 0259 hours, I (Zimmerman) arrived at 2211 N. Perry St. Regarding a domestic situation. Radio aired Timothy Banks had assaulted his girlfriend.

I arrived on scene and secured a perimeter on the southeast corner of the residence. Banks was found hiding in the back yard of the residence by a K9 team. See K9 Hamilton's report for further.

I transported Banks to Deaconess Hospital for evaluation. While en-route to Deaconess, Banks told me he did not assault his girlfriend Stephanie Molnar and her injuries were from a previous fight she had got into on 03-31-15 at approx 1300 hours. He stated the female's name that assaulted Molnar went by the name of "Makayla". Banks stated he lived at the residence and his Molnar had hit him

ID NO /NAME OF REPORTING OFFICER		DISTRIBUTION
#1240 - Zimmerman, Mark		
APPROVAL	DATE/TIME	
#766 - Dahle, Zachary	04/01/2015 09:32	
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Supplemental Report #1		04/01/2015 09:38:37:051

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

ATTEMPTED INCIDENT NUMBER

BURGLARY-RESIDNTL

□ 15-105941

Page 2

in the head with an ash tray and the only reason for him hiding was because he knew he had a warrant for his arrest. He stated he never touched Molnar.

Tobserved a red bump on the back of Bank's head which was consistent with his story. The bump appeared to be fresh.

The E.R. Doctor at Deaconess released Banks with no serious medical conditions.

I transported Banks to Spokane County Jail and booked him for Burglary 1st and his warrant.

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: M. Zimmerman NUMBER: #1240 A438

Supplemental Report #1

END OF ADDITIONAL REPORT

04/01/2015 09:38:37 067

SUPPLEMENTAL REPORT

CONTRACTOR OF THE PROPERTY OF	lice/Spokane Cou	inty Siletin				Page 1
AGENCY NAME/SUBSTA	TION	EVIDENCE N	NUMBER	INCIDENT NUMBER		
SPD				15-105941		
REPORT PURPOSE			REPORT	TED ON DATE TIM	ME INCIDENT XRE	F
			Wed	04/01/2015 03	3:13	
INCIDENT CLASSIFICATI	ION #1	ATTEMPTED	INCIDENT CLASSIF	ICATION #2		ATTEMPTED
BURGLARY-RE	SIDNTL		WARRANT A	ARREST		
INCIDENT CLASSIFICATI	ON #3	ATTEMPTED	INCIDENT CLASSIF	ICATION #4		ATTEMPTED
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	11.1-	PORT DATE 4/06/2015	REPORT TIME 21:32	
PRIMARY CHARGE					UCRINIER	S CODE
NARRATIVE					CONTRACTOR	

On 04-01-15 at about 0313 hours, I responded to a domestic dispute at 2211 N. Perry. Several officers were already on scene and had requested the assistance of a K9.

The information in the call was that the complainant had received a call from her friend who lives at the Perry address. Her friend (the victim) told her that her ex-boyfriend, Timothy A. Banks, was at her house assaulting her. She had sent her some pictures of her swollen face, bloodied lip and eye.

In addition to the DV assault being reported, Banks had a confirmed felony warrant for 2nd degree assault (substantial bodily harm), and another for DOC escape. He was also listed as a "violent offender." Ofc. S. Arredondo stated a firearm had been retrieved once before from the house after a search warrant had been served.

I responded with K9 Leonidas (Leo). We are a WAC certified police patrol dog team and have been for nearly 6 1/2 years. We are also accredited through the Washington State Police Canine Association (WSPCA). In addition, I'm a Master Trainer with the WSPCA. Leo is my second working dog in nearly 11 years as a K9 handler.

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

Just as I pulled up to the house, I heard officers advise that the female victim had come out the front door and was crying. I briefly spoke with her and she said Banks was hiding in the far back bedroom. However, prior to searching the room, I was told the bedroom window was open and it was possible he had jumped out and escaped.

The victim assured me there was nobody else inside the house. She said he did have knives in the room but she didn't know of any firearms. I made several loud announcements from only a few feet away from the door that led into the bedroom. There was no response so we opened the door and cleared the room with Leo. While clearing the room, I saw a large fixed blade knife on the bed (approx. 6" blade) along with a sword type weapon. The room was clear along with the rest of the house, other than the attic.

ID NO MAME OF REPORTING OFFICER	-	DISTRIBUTION
#713 - Hamilton, Craig		
APPROVAL	DATE/TIME	
#529 - Carpenter, Paul	04/07/2015 00:37	
Supplemental Report #1		04/07/2015 00;48:15/361

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff INCIDENT CLASSFICATION ATTEMPTED INCIDENT NUMBER

BURGLARY-RESIDNTL

ATTEMPTED INCIDENT NOMBER

15-105941

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While I waited for an officer to arrive with a pole camera to help clear the attic, prior to searching it with Leo, I decided to attempt a track for the suspect, incase he did make it out the window. There were several officers on the front of the house when he would have jumped out so we knew he didn't go towards the front but there was only one officer on the back so that was the likely route.

I went to the back of the house and decided to cast Leo and attempt a track for the following reasons:

CRIME:

There was probable cause to arrest the suspect for the violent felony crime of 1st degree burglary - DV, which had just occurred. There were 2 confirmed felony warrants for his arrest; one for the violent crime of 2nd degree assault and the other was a DOC escape warrant.

RESISTANCE:

The suspect was actively resisting arrest by jumping out a bedroom window and then hiding.

THREAT:

Banks was listed as a "violent offender" locally. He has a history of violent crimes, to include, 1st degree burglary, 1st degree assault (w/ a firearm), 2nd degree assault (w/ a deadly weapon), 2nd degree assault (substantial bodily harm), 3rd degree assault, attempt to elude and many other arrests. He has a history of being armed and I found some very deadly fixed blade weapons in the room he had escaped from. It was unknown if he was armed at the time but it was safe to assume so due to his history. It was unknown if he was laying in wait to ambush searching officers. He was displaying an extreme level of desperation to escape capture thereby increasing his threat towards the police, the victim, and nearby residents. It's likely he would not have been captured without the use of the K9.

From the back yard near the rear of the house and next to a travel trailer that was parked in the back yard, I yelled another K9 announcement. I yelled, "Attention in the area, this is the Spokane Police K9 Unit. Timothy Banks, you are being tracking by a police dog. Give up now or when he finds you he will bite you. You are under arrest!"

There was no response so I cast Leo and we began tracking. Leo took off very strong W/B from the house and right next to the travel trailer heading towards the back of the yard. It was extremely dark in the back yard and there were also several vehicles parked back there. I had Leo about half way out on my 15' tracking line. We worked towards the front of the travel trailer then Leo stopped, turned around and crawled under the travel trailer to where I could no longer see him. I then heard a male scream as if Leo had made contact under the trailer. The space was confined and only about 18" between the ground and bottom of the trailer. I yelled for the suspect to show his hands. I wasn't going to take Leo off the bite until I could see he wasn't armed, due too his extremely violent

Supplemental Report #1 CONTINUED ON NEXT PAGE

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

ATTEMPTED | INCIDENT NUMBER

Page 3

INCIDENT CLASSIFICATION

BURGLARY-RESIDNTL

□ 15-105941

history. Leo pulled him out from under the trailer to where I could see Leo had control of Banks' right wrist. Banks was cooperative and showed his left had as well. I then took control of Leo and ordered him to release, which he immediately did.

There were a couple other officers with me at the time and they took Banks into custody without further incident.

Ofc. Zimmerman transported Banks to Deaconess Hospital where his minor injury was treated. His injury consisted of some compression marks on his right wrist. That was the only place Leo made contact.

Banks told me he had jumped out the window and hopped the fence that led into the back yard. He told me he saw an officer in the back yard so he crawled up under the travel trailer and hid. I asked him if he heard me yell my K9 announcement, especially since I was merely feet away from where he was hiding? He told me he did hear it but "[he] was hoping the dog would go on by [him]."

Cpl. Daniel took photographs of Banks' injury. Cpl. Daniel was also the only supervisor out in the field at the time and he was obviously aware of the contact.

Banks was eventually transported to the SCSO jail and booked for 1st burglary - DV, and his 2 felony warrants.

See the other reports for further information,

DISTANCE: about 7'
TIME: about 10 seconds

I CERTIFY (OR DECLARE) UNDER THE PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

Ofc. C. Hamilton 713 K-14

Supplemental Report #1

END OF ADDITIONAL REPORT

04/07/2015 00 46 15 392

SPOKANE FOLICE RES 1 : 2015 APR 1 AM 9 55

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

DATE: 04-01-15	REPORT NUMBER: 1	5-105941	
CHARGES REQUESTED:	1st Degree Burglary- Domest	tic Violence	Van264
DEFENDANT: Timothy L Ba	anks 7-21-77	Programme of the control of the cont	
STATUS:In Custody			
DATE/TIME OF CRIME: 04-01 LOCATION OF CRIME: 221 INVESTIGATOR: J Arredon APPROVED BY:	-15 @ 0230 1 N Perry		
WITNESSES 1) Stephanie R Molnar 2) Ofc Zimmerman #1240 3) Ofc. J Arredondo #614 4) Ofc. Hamilton	ADDRESS 2211 N Perry 1100 W Mallon 1100 W Mallon 1100 W Mallon	PHONE # 290-9985 242-8400x201240 242-8400x20679 242-8400x20713	
EVIDENCE CONSISTS OF:	Statements, photographs	*	
SUBM	IITTED TO PROSECUTORS (DFFICE	
RECEIVED BY:	DATE:	TIME:	

STATEMENT OF INVESTIGATING OFFICER AFFIDAVIT OF FACTS

STATE OF WASHINGTON COUNTY OF SPOKANE

REPORT NUMBER: 15-105941

DEFENDANT: Timothy L Banks 7-21-77

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

Victim Molnar can testify that:

- 1) She lives at 2211 N Perry, Spokane, WA 99207.
- 2) On 04-01-15 at about 0230hrs, the def arrived to 2211 N Perry uninvited
- 3) She said the def is her "fuck buddy!"
- 4) The def knocked on her front door, and entered without being invited in.
- 5) The front door was unlocked.
- 6) She was sleeping on a mattress in the living room when the def arrived.
- 7) She got into an argument and the def punched her in the face knocking her backwards.
- 8) They were involved in a physical fight in which the def knocked her to the floor and started to choke her with two hands around her neck
- 9) She was able to fight the def off and ran into the bathroom and locked the door.
- 10) She had dried blood on her bottom lip and a red mark above her right eye.
- 11) She said her injuries were a result of being assaulted by the def.

Ofc Hamilton can testify that:

- 1) He responded to 2211 N Perry on 04-01-15 at about 0230hrs reference a domestic incident.
- 2) Radio advised the def had 2 felony warrants.
- 3) He located the def hiding in the backyard under a travel trailer.

Ofc Zimmerman #1240 can tesify that:

- 1) He responded to 2211 N Perry on 04-01-15 at about 0230hrs reference a domestic incident
- 2) He took the def's statement.

Ofc Arredondo #614 can testify that:

- 1) On 04-01-15, at about 0230hrs, I responded to 2211 N Perry, Spokane, WA in reference to a domestic violence assault.
- 2) Radio advised the def had 2 felony warrants.
- 3) I heard the def yelling at the victim.
- 4) I heard the victim tell the def to get out of her house and the def said no.
- 5) I took the victim's statement.
- 6) The victim had dried blood on her bottom lip, red marks on her lower collar bone, and a red mark above her right eye.
- 7) The victim said the def punched her in the face.
- 8) The victim said the def did not live with her.
- 9) The victim said the def entered her home, uninvited.
- 10) The victim said her front door was unlocked.
- 11) The def fled thru a window once police knocked on the door.
- 12) The def was booked into jail for 1st Degree Burglary.

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: 4-1-15

PLACE: SPOKANE, WASHINGTON

SIGNATURE: Flucturelo +614

PHOTOLOG

г	7	AGENCY NAME	GROSS REFERENCE NUMBER(S) INCIDENT MUMBER
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