



# SPOKANE POLICE DEPARTMENT

Patrick M. Dobrow  
Interim Chief of Police

## Internal Affairs Exemption Log



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

		public except by court order.	13.50.100 (4) (a) and (b) (Keeping and Release of Records by Juvenile Justice or Care Agencies). <i>Deer v. DSHS</i> , 122 Wn.App. 84, 94 (2004)
#2c	Child Victim of Sexual Assault	This redaction protects information revealing the identity (name, address, location, or photograph) of child victims of sexual assault who are under age eighteen.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
#2d	Child victims or child witnesses	Information re a child witness / victim is protected to assure the rights under law: to not have name, address, nor photograph disclosed by any law enforcement agency w/o permission of the child or parents/guardians.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
<b>ACCESS Database Info</b>			
#3a	Information from WACIC/NCIC (ACCESS): <b><u>Criminal history information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3b	Information from WACIC/NCIC (ACCESS): <b><u>License Plate Information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3c	Information from WACIC/NCIC (ACCESS): <b><u>Vehicle Registered owner information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3d	Information from WACIC/NCIC (ACCESS): <b><u>Wanted persons information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3e	Information from WACIC/NCIC (ACCESS): <b><u>Officer safety information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3f	Information from	WACIC/NCIC/III - information from	28 USC § 534 For criminal

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

<b>Info</b>			
#4a	Social Security Number	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.	RCW 42.56.050 (Invasion 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)
<b>Employees Files</b>			
#5a	<b>Photos</b> of Spokane Police Department or other criminal justice employees	Photographs in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030 are protected from disclosure for their safety and privacy.	RCW 42.56.250(8) (Employment and licensing)
#5b	<b>Birthdates</b> of criminal justice employees	Birthdates in the personnel files of employees and workers of criminal	RCW 42.56.250(8) (Employment and

		justice agencies as defined in RCW 10.97.030 are protected from disclosure for their safety and privacy.	licensing)
#5c	Personal Information in employee files	Personal information in files maintained for employees, appointees, or elected officials of any public agency is protected to the extent that disclosure would violate their right to privacy.	RCW 42.56.230(3) (Personal information), RCW 42.56.250(3) (Employment and licensing)
#5d	Employee training files	Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination	RCW 42.56.250(1).
<b>Criminal History</b>			
#6a	Criminal history <u>not</u> from ACCESS- Non-Conviction Data	Criminal history which has not led to a conviction or other adverse disposition is protected by state law and only released to Criminal Justice Agencies for law enforcement purposes.	RCW 10.97 (Criminal Procedure)
<b>Officer Safety or Intelligence</b>			
#7a	Intelligence, sensitive security, or tactical information	Record includes sensitive intelligence, security or tactical information the non-disclosure of which is essential to effective law enforcement.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7b	Undercover Officer identification	Contains information which could reveal the identity of an undercover officer, who undertakes ongoing dangerous / confidential undertakings to effect law enforcement purposes. Protected to preserve the life and personal safety of officer and family.	RCW 42.56.240(1) Specific intelligence information the nondisclosure of which is essential to effective law enforcement.
#7c	ID Records revealing covert law enforcement activity	Any record pertaining to a vehicle license plate, driver's license, or identicard revealing the identity of an individual performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigative activity.	RCW 42.56.230(7)(c) (Personal Information)
#7d	Law Enforcement Information Sheet	Contains confidential data used for law enforcement purposes. Disclosure has no legitimate value to the public and can endanger an individual's safety. Contains specific intelligence information the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7e	Confidential Informant information	Contains identifying information which could reveal the identity of a confidential informant. Considered intelligence information, used in a	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims).

		confidential manner for law enforcement purposes, protected to 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.	Ashley v. Public Disclosure <i>Comm'n</i> , 16 Wn.App. 830, 836 (1977).
<b>Photos</b>			
#8a	Photos showing a deceased person	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8b	Photos showing highly sensitive material	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8c	Photo Montages	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
<b>Protected by Law</b>			
#9	Medical Records	Medical records consist of confidential and privileged information highly personal and restricted. The disclosure of medical records is regulated by state and federal law and not public information. Right to Privacy: Disclosure would be highly offensive to a reasonable person.	RCW 42.56.360 (Health care), 70.02.005 (Findings) and HIPPA (45 CFR 164.502). RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#10a	Jail records	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as this information is only available to criminal justice agencies as defined in RCW 43.43.705.	RCW 70.48.100 (Jail register)
#10b	Jail booking photos	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as	RCW 70.48.100 (Jail register)

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



## Spokane Police Department Use Of Force Report

**Incident Entered By:** Sergeant Thomas Lee

### Incident Details

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<b>Date Received</b>	<b>Date of Occurrence</b>	<b>Time of Occurrence</b>
7/6/2015	7/5/2015	23:55
<b>Record ID #</b>	<b>Incident No</b>	<b>IA No</b>
8896	15-228839	F15-055
<b>Date/Time Entered</b>		
7/6/2015 17:31		

### Incident Summary

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Officers Kirby and D. Lesser responded to a 9-1-1 call from [REDACTED] #1a who said she was arguing with her adult son and that he'd damaged property. Arriving officers found [REDACTED] #1a and her son arguing loudly with each other as well as overturned furniture in the yard.

The son, Deshone Porter, briefly retreated into the house but quickly exited and twice assaulted his mother in front of the officers. He was yelling, appeared out of control and assumed a fighting stance.

Nearly simultaneously Ofc. Kirby applied a Level 1 LNR to Deshone while Ofc. Lesser fired his taser one time. Kirby then guided Deshone to the ground. A level 2 LNR was not necessary and Deshone was handcuffed without further force.

Deshone was arrested for DV assault and DV malicious mischief.

Officers Stone and Briggs arrived after Deshone was in custody. He was transported to jail by Ofc. Stone while Ofc. Briggs spoke with [REDACTED] #1a who was very upset. She said she would only speak to a supervisor.

I responded and she greeted me in a calm manor. She apologized for calling police and said Deshon is a nice person when he's not on drugs. She was concerned about the use of the Taser and convinced it had been fired twice. I discussed with her other force options and the fact we didn't know Deshon's capabilities but observed his assaultive behavior. She repeatedly said he should not have been tased twice but continually apologized for his behavior and having to call police. I assured her that I would investigate to see how many times the taser was fired and address the issue with the officers. Ofc. Lesser told me it was fired one time and that was confirmed when I performed a download of his taser.

Cpl. Busch arrived and took photographs of Deshone and the yard area.

No officer was injured.

Neither Kirby or Lesser wear body cameras.

I went to jail and contacted Deshone who was clearly under the influence of drugs and/or alcohol. He was alternately screaming and crying. He was sweaty and agitated. Deshon seldom stopped screaming long enough for me to ask a question. After repeated questioning and re-questioning, Deshon said, "They (officers) jumped me." Asked why, he replied, "I dunno, it wasn't exigent circumstances, I guess they had probable cause."

Deshone asked several times for Ofc. Busse and Cpl. Blessing to respond. When told they were unavailable, he put his head in his hands and resumed crying.

Deshone complained that his eyes hurt from being pepper sprayed - all officers denied using pepper spray and there was no evidence of such use.

Deshone also said his ribs, back and toe hurt but he did not answer how he got hurt.

Both the jail nurse and I examined Deshone and the only sign of any injury were the two marks left by the taser probes.



Deshone was booked for DV assault and DV malicious mischief. He was also booked for PCS-meth after a jail officer found meth in Deshone's wallet.

This use of force was justified and within policy.

Sgt. T. Lee

In compliance with policy per Assistant Chief Dobrow 09.14.15.

## Incident Location

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- 2615 Thor ST, Direction: N, Spokane, WA 99207 - : Northeast

## Use of Force Specific Information

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### Reason for Use of Force

Assaulting Citizen

### Service Being Rendered

Call For Service

### Weather Condition

Clear

### Lighting Condition

Dark

### Distance to Citizen

b-3-7 feet

### Citizen Injured

Yes

### Citizen Taken to Hospital

No

### Citizen Arrested

Yes

### More than 1 Citizen Involved

No

### Citizen's Build

Medium

### Citizen's Height

5'10" to 6'0"

### Officer Assessment of Citizen Condition During Incident

Alcohol and/or Drugs

### Officer(s) Injured

No

### Officer(s) Taken to Hospital

No

## Reporting/Involved Citizen Information

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### Deshone M Porter

DOB: 11/25/1993 Race: Black Gender: Male

#### Address

- 2615 Thor ST, Direction: N, Spokane, WA 99207

#### Phone

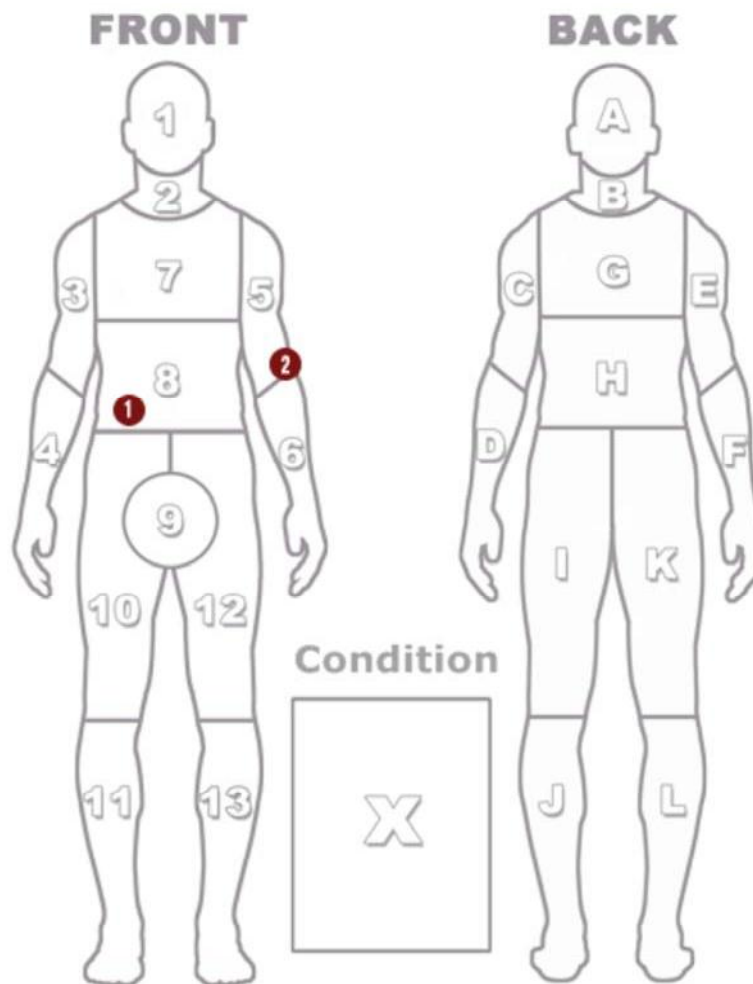
- (509) 217-7423

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

- Assaultive

### Injuries sustained by this citizen

Injury	Regions	Injury Locations
c-Injury Requiring Medics	5, 8	1, 2

**Charges against this citizen**

- Misdemeanor - Person Crime
- Misdemeanor - Property Crime

**Involved Officers**

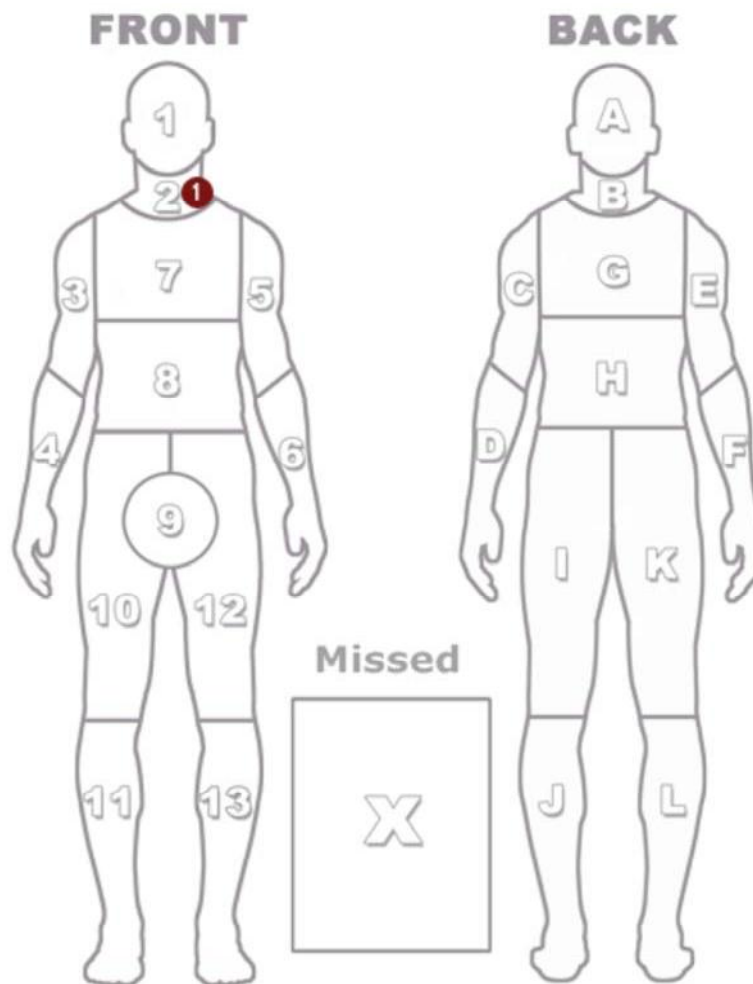
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**Officer Aaron Kirby - Payroll Number:** #5c

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

- LNR-Level 1 - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
LNR-Level 1	Yes	2	1

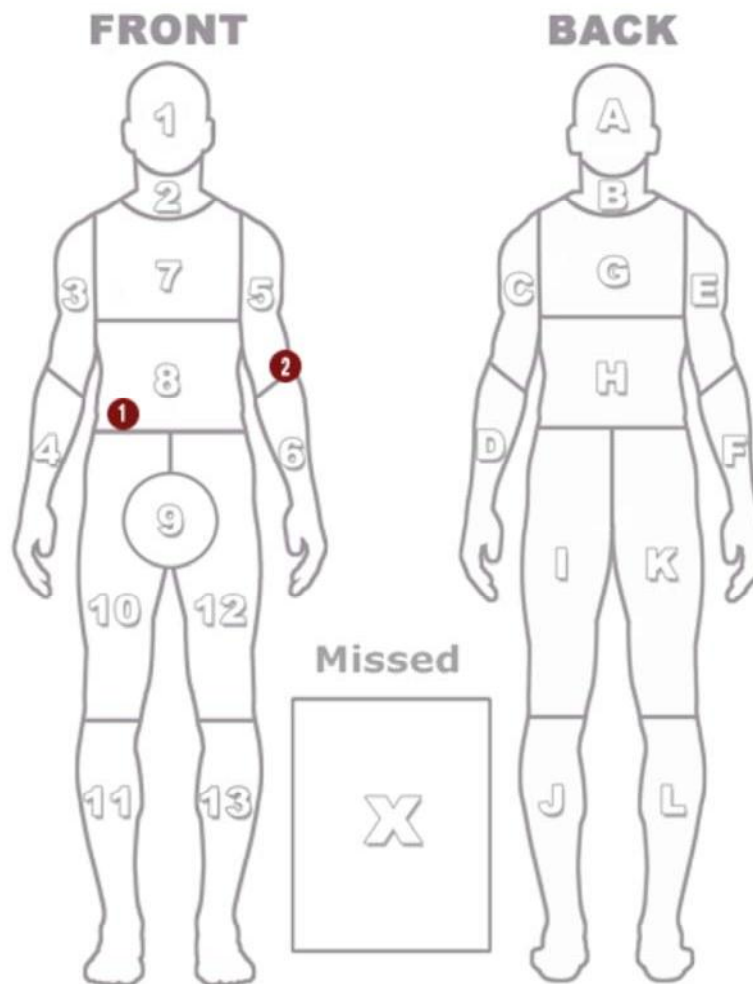


**Officer Daniel Lesser - Payroll Number:** #5c

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

- TASER-Probe - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
TASER-Probe	Yes	5, 8	1, 2



## Citizen Witnesses

#1a  
DOB: #1b - Race: Black - Gender: Female

### Address

- #1d

### Phone

- #1c

## Attachments

Date Attached	Attachment Description	Attachment Type
7/6/2015	CAD printout	pdf
7/6/2015	Officer reports	pdf
7/6/2015	Taser printout	pdf
7/6/2015	APC	pdf
7/6/2015	Photo of Deshone at scene	JPG
7/6/2015	Taser probe strike #1	JPG
7/6/2015	Taser probe strike #2	JPG

8/2/2015

Summary of incident by Sgt. Lee

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## Chain of Command History

Sent Dt	From	To	CC	Approved
7/6/2015	Sergeant Thomas Lee	Lieutenant Joseph Walker	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> Lt. Please review this use of force. Thank you.				
<b>Recipient's Comments/Response:</b> Lt Cowles it appears this use of force should have been sent to you. It involves a taser deployment by a K9 officer				
7/6/2015	Lieutenant Joseph Walker	Lieutenant Matthew Cowles	(none)	<input type="checkbox"/>
<b>Sender's Instructions:</b> Lt Cowles this is a taser deployment by a K9 officer. It should have been sent to you for your review thanks Walker				
<b>Recipient's Comments/Response:</b> Sgt. Lee, If you would please copy and paste your assessment into an IA additional word document please. It's present format is too cumbersome to be accepted. -Thanks, it is just too hard to read in Blue-Team. Matt				
7/16/2015	Lieutenant Matthew Cowles	Sergeant Thomas Lee	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> Hi Tom, Please see comments, Thanks, Matt				
<b>Recipient's Comments/Response:</b> Lt. Cowles: Blue Team is not user friendly when it comes to narratives. I've copied my case summary into a Work doc as requested. It's attached and is the last item listed. I hope this is easier to read. Sgt. Lee.				
8/2/2015	Sergeant Thomas Lee	Lieutenant Matthew Cowles	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> Lt. This has been modified and is available for your review.				
<b>Recipient's Comments/Response:</b> In Review of the attached documents: the use of force, Taser Probe Deployment, was reasonable and necessary within Policy. M. Cowles #604				
9/7/2015	Lieutenant Matthew Cowles	Captain Daniel Torok	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> Captain, Please see the attached documentation of a Use of Force by K-9 Officer Lesser (Taser Probe Deployem), for your review. Please let me know if there are any questions. Very Respectfully, Matt				
<b>Recipient's Comments/Response:</b> I concur with Lt. Cowles that the force used was consistent with policy.				
9/14/2015	Captain Daniel Torok	Asst Chief Patrick Dobrow	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> for review				
<b>Recipient's Comments/Response:</b> The use of force was reasonable and within policy.				

### Entering Officer Signature Line

\_\_\_\_\_  
Sergeant Thomas Lee

### Chain of Command Signature Lines

\_\_\_\_\_  
Lieutenant Joseph Walker

\_\_\_\_\_  
Lieutenant Matthew Cowles

Sergeant Thomas Lee

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Captain Daniel Torok

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Asst Chief Patrick Dobrow

To: Lt. Cowles

From: Sgt. Lee

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Officers Stone and Briggs arrived after Deshone was in custody. He was transported to jail by Ofc. Stone while Ofc. Briggs spoke with [REDACTED] #1a who was very upset. She said she would only speak to a supervisor.

I responded and she greeted me in a calm manor. She apologized for calling police and said Deshone is a nice person when he's not on drugs. She was concerned about the use of the Taser and convinced it had been fired twice. I discussed with her other force options and the fact we didn't know Deshon's capabilities but observed his assaultive behavior. She repeatedly said he should not have been tased twice but continually apologized for his behavior and having to call police. I assured her that I would investigate to see how many times the taser was fired and address the issue with the officers. Ofc. Lesser told me it was fired one time and that was confirmed when I performed a download of his taser.

Cpl. Busch photographed Deshone and the yard area. Neither Kirby or Lesser wore body cameras. I went to jail and contacted Deshone who was clearly under the influence of drugs and/or alcohol. He was alternately screaming and crying. He was sweaty and agitated. Deshone seldom stopped screaming long enough for me to ask a question. After repeated questioning and re-questioning, Deshone said, "They (officers) jumped me." Asked why, he replied, "I dunno, it wasn't exigent circumstances, I guess they had probable cause." Deshone asked several times for Ofc. Busse and Cpl. Blessing to respond. When told they were unavailable, he put his head in his hands and resumed crying. Deshone complained that his eyes hurt from being pepper sprayed - all officers denied using pepper spray and there was no evidence of such use. Deshone also said his ribs, back and toe hurt but he did not answer how he got hurt. Both the jail nurse and I examined Deshone and the only sign of any injury were the two marks left by the taser probes.

Besides DV assault and DV malicious mischief, he was also booked for PCS-meth after a jail officer found meth in Deshone's wallet.

This use of force was justified and within policy.

Incident History for: #SP150228839

Entered 07/05/15 23:55:18 BY 91119 911221  
 Dispatched 07/05/15 23:56:12 BY PCC01 1123  
 Enroute 07/05/15 23:56:12  
 Onscene 07/05/15 23:59:26  
 Closed 07/06/15 02:27:11

Initial Type: DV Final Type: DV (DOMESTIC VIOLENCE)

Initial Priority: 2 Final Priority: 2

Disposition: 1E Source: 9 Primary Unit: L244

Police BLK: SPB4MI

Group: P4 Beat: Map Page: 40

Loc: 2615 N THOR ST ,SPK btwn E MARIETTA AV & E GRACE AV <3300> (V)

Name: FEMALE Addr: SAME Phone: #1c

/235518 (911221) ENTRY ARGUING WITH SON WHO IS THROWING PROPERTY IN FRONT YARD. NO ASLT. NO WEAPON. HE IS INTOX.  
 /235518 \$FCSEND ,Incident data pushed to folder  
 /235520 (\*\*\*\*\*) \$FCACK ,Processed Successfully  
 /235533 (911221) SUPP TXT: COMP TALKING TO SON IN BG. ARGUING WITH EACH OTHER.  
 /235555 (1123 ) HOLD  
 /235556 (911221) SUPP TXT: CAN HEAR HIM YELLING IN THE BG.  
 /235612 (1123 ) DISPER B321 #1015 KIRBY, AARON  
 /235612 ASSTER B328 #1085 STONE, DAVID  
 /235629 (911221) SUPP TXT: COMP VERY HARD TO UNDERSTAND, CANNOT HEAR HER WITH HIM YELLING IN BG.  
 /235709 (1085 ) \*REMINQ B328 MVEH,741YFI,,,,,,,,,,,,,,,,,,,,,  
 /235735 (911221) SUPP TXT: SHE IS SCREAMING AT HIM TO GET OUT OF THE HOUSE. SOUNDS LIKE THERE IS ANOTHER FEMALE INSIDE AS WELL. THINGS BEING THROWN IN BG.  
 /235823 SUPP TXT: NO ONE TALKING TO 911.  
 /235830 (452 ) \*ASSTER K15 [2615 N THOR ST ,SPK]  
 #452 LESSER, DANNY  
 /235906 (911221) SUPP TXT: SOUNDS LIKE THEY MAY HAVE GONE BACK OUTSIDE, MOVING AWAY FROM THE PHONE. OPEN LINE LOTS OF YELLING STILL.  
 /235926 (452 ) \*ONSCNE K15  
 \*\*\* New Date: 07/06/15 \*\*\*  
 /000016 (1015 ) \*ONSCNE B321  
 /000052 (911221) SUPP TXT: LE ONSCENE, OFFLINE. ###  
 /000251 (1123 ) MISC K15 ,HAD TASER DEPLOYMENT  
 /000258 ASSTER L288 [2615 N THOR ST ,SPK]  
 #607 MEYER, RICHARD  
 /000258 ASSTER P317 [2615 N THOR ST ,SPK]  
 #625 BUSCH, KEVIN  
 /000405 CALLBK K15 T/PCC05  
 ,PLEASE HAVE MEDICS RESPOND FOR A CONC/BREATHING MALE W/TASER DEPLOYMENT. PRONGS ARE UNKNOWN AT THIS TIME  
 /000421 (761 ) CALLBK T/PCC01  
 ,FIRE ADV  
 /000532 (1177 ) \*ASSTER B325 [2615 N THOR ST ,SPK]  
 #1177 BRIGGS, NICK  
 /000621 (244 ) \*ASSTER L244 [2615 N THOR ST ,SPK]  
 #244 LEE, TOM  
 /000705 (625 ) \*REMINQ P317 MVEH,ADF4161,,,,,,,,,,,,,,,,,,,,,  
 /000911 (1123 ) ONSCNE B328  
 /000922 MISC B328 ,HE WAS SLAMMING HIS HEAD ON THE WINDOW IN PAT



ROL CAR

/001011	(607	)	*PREMPT	L288	
/001327	(1177	)	*ONSCNE	B325	
/001331	(625	)	*ONSCNE	P317	
/002052	(244	)	*ONSCNE	L244	
/002335	(1123	)	MISC	B328	,ENROUTE TO JAIL W/A UNCOOPERATIVE MALE
/002346	(761	)	CALLBK		T/PCC01
					,JAIL ADV
/002346	(1123	)	TRANS	B328	[JAIL]
					, W/UNCOOPERATIVE MALE
/002803			REMINQ	B321	WANT,B321,,,,,,PORTER,DESHONE,M,1993,11,25,,,
					,,,,,,
/002906			CALLBK	B328	T/PCC05
					,PLEASE CONF/SEND ON DESHONE M PORTER 11/25/93
/003015			REMINQ	B321	WANT,B321,,,,,,#1a#1b,,,,,
					,,,,,
/003028			REMINQ	B321	WANT,B321,,,,,,#1a#1b,,,
					,,,,,2
/003204	(625	)	*CHGLOC	P317	[SIG 1]
/003209	(761	)	CALLBK		T/PCC01
					,CONF/SENT
/003252	(244	)	*CHGLOC	L244	[JAIL]
/003319	(1015	)	*NEWLOC	B321	[CAR PAPER]
/003438	(1177	)	*CHGLOC	B325	[PROP]
/003559	(1085	)	*TRANSC	B328	[JAIL]
					,MALE
/003742	(1123	)	MISC	B328	,HE WAS STILL BANGING HIS HEAD ON SHIELD
/003829	(452	)	*CHGLOC	K15	[SIG 1]
/003919	(1123	)	PREMPT	B325	
/004230	(625	)	*ONSCNE	P317	
/004304	(244	)	*ONSCNE	L244	
/004758	(1123	)	ASSTER	B325	#1177 BRIGGS, NICK
/004802			NEWLOC	B325	[PROPERTY]
/004814	(1177	)	*NEWLOC	B325	[PROP]
/004856	(452	)	*ONSCNE	K15	
/004955	(1123	)	MISC	B328	,MALE WILL ALSO BE IN CUSTODY FOR PCS METH
/005649			OK	B321	
/005649			OK	B325	
/005649			OK	B328	
/005649			OK	K15	
/005649			OK	L244	
/005649			OK	P317	
/005741	(244	)	*NEWLOC	L244	[SGT OFC]
/010002	(1085	)	*CHGLOC	B328	[PROP]
/010305			*MISC	B328	,TOTAL MILEAGE TO JAIL WAS 4.5
/011011			*ONSCNE	B328	
/011404	(1177	)	*MISC	B325	,PSTAT/ASST PUT TASER CARTRIDGE AND PROBES ONT
					O PROPERTY
/011406			*CLEAR	B325	
/012404	(625	)	*CLEAR	P317	,PSTAT/VIDY PSTAT/ASST PIX
/013257	(452	)	*CLEAR	K15	,PSTAT/ASST PSTAT/RPT
/014527	(1015	)	*CLEAR	B321	DSP: 1E
					,PSTAT/CFS PSTAT/RPT PSTAT/MISD PSTAT/MISD
/014955	(1085	)	*CLEAR	B328	,PSTAT/ASST PSTAT/RPT PSTAT/WAR PSTAT/WAR PSTA
					T/WAR PSTAT/WAR PSTAT/FEL
/022711	(244	)	*CLEAR	L244	
/022711			CLOSE	L244	

# INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>15-228839</b>	
INCIDENT TYPE <b>Arrest, Domestic Violence</b>		INCIDENT CLASSIFICATION #1 <b>ASSAULT-SIMPLE</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <b>MALICIOUS MISCHIEF</b>
		INCIDENT CLASSIFICATION #3 <b>DOMESTIC DSPT-FMLY</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4 <b>DRUGS-POSSESS</b>
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON <b>Mon 07/06/2015</b>	DATE/TIME <b>23:55</b>	OCURRED ON <b>Sun 07/05/2015</b>	DATE/TIME <b>23:55</b>	OCURRED TO <b>Mon 07/06/2015</b>	DATE/TIME <b>01:40</b>
DISPATCH TIME <b>23:56</b>	ARRIVED TIME <b>23:59</b>	CLEARED TIME <b>01:40</b>	REPORT DATE <b>07/06/2015</b>	REPORT TIME <b>00:43</b>	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE <b>M-10.11.010 CITY ASSAULT</b>					UCR/NIBRS CODE <b>/13B</b>
ADDITIONAL CHARGES <b>M-10.12.020(A)(1) MALICIOUS MISCHIEF (PROPERTY), 69.50.4013(1) CNTL SUB(POSS-FEL)</b>					
LOCATION OF INCIDENT <b>2615 N Thor Street, Spokane, WA 99207</b>				LOCATION NAME (IF APPLICABLE)	
ENTRY POINT	METHOD	WEAPON/TOOL/FORCE USED	SECURITY	EVIDENCE	
TYPE OF PREMISE (FOR VEHICLES STATE WHERE PARKED) <b>Residence/Home</b>					
SOLVABILITY FACTORS <b>Suspect Arrested, Useful Physical Evidence, Witness to Crime</b>					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS <b>Ofc D Lesser</b>					
<b>VICTIM/WITNESSES/OTHERS</b> <small>V-Deceased, OW-Owner of Property, C-Complainant, PE-Pedestrian, W-Witness, M-Missing, MIB-Person Mentioned, O-Other, PS-Pedestrian - Cyclist, NI-Institutional, PS-Partner, RO-Registered Owner, RU-Runaway, S-Suspect, V-Victim - Individual, VB-Victim - Business, G-Legal Guardian, D-Driver, CV-Complainant is Victim, A-Arrested Person, CON-Contact</small>					
CODE <b>A-1</b>	NAME: LAST, FIRST, MIDDLE <b>Porter, Deshone M</b>			SEX <b>M</b>	RACE/ETHNICITY <b>B-Black</b>
HEIGHT <b>5'11"</b>	WEIGHT <b>154</b>	BUILD <b>Light</b>	HAIR <b>Black</b>	EYES <b>BRO - Brown</b>	DATE OF BIRTH/AGE <b>11/25/1993 21</b>
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>2615 N Thor Street, Spokane, WA 99207</b>			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES <b>(Cell) (509) 217-7423</b>					
CHARGE LEVEL <b>Gross Misdemeanor</b>	DESCRIPTION <b>M-10.11.010 CITY ASSAULT</b>				UCR/NCIC CODE <b>/13B</b>
WARRANT #	BAIL	TYPE OF ARREST <b>On-View of Arrest</b>			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL <b>Gross Misdemeanor</b>	DESCRIPTION <b>M-10.12.020(A)(1) MALICIOUS MISCHIEF (PROPERTY)</b>				UCR/NCIC CODE <b>290/290</b>
WARRANT #	BAIL	TYPE OF ARREST <b>On-View of Arrest</b>			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>

ID NO./NAME OF REPORTING OFFICER <b>#1015 - Kirby, Aaron</b>	DISTRIBUTION
APPROVAL <b>#244 - Lee, Thomas</b>	DATE/TIME <b>07/06/2015 02:02</b>

Incident Report #1

07/06/2015 02:03:36.045

# INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION <b>ASSAULT-SIMPLE</b>				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER <b>15-228839</b>	
CHARGE LEVEL <b>Felony Class C</b>		DESCRIPTION <b>69.50.4013(1) CNTL SUB(POSS-FEL)</b>				UCR/NCIC CODE <b>/35A</b>	
WARRANT #		BAIL		TYPE OF ARREST <b>On-View of Arrest</b>		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CITATION #		DATE <b>07/06/2015</b>	TIME <b>00:04</b>	BOOKED WHERE <b>Spokane County Jail</b>		DATE <b>07/06/2015</b>	TIME <b>00:04</b>
ARREST LOCATION <b>2615 N Thor Street, Spokane, WA 99207</b>				STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED	SUSPECT ARMED WITH	
JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED		NOTIFIED BY		DISPOSITION OF JUVENILE
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE	OTHER ID <b>(ID Card) #4b</b>			
CODE <b>V-1</b>	NAME: LAST, FIRST, MIDDLE <b>#1c</b>			SEX <b>F</b>	RACE/ETHNICITY <b>B-Black</b>		DATE OF BIRTH/AGE <b>#1b</b>
HEIGHT <b>5'06"</b>	WEIGHT <b>183</b>	BUILD <b>Heavy</b>	HAIR <b>Brown</b>	EYES <b>BRO - Brown</b>	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>#1d</b>			RESIDENTIAL STATUS		PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE	
ADDITIONAL PHONES <b>(Cell) #1c</b>							
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE	OTHER ID <b>#4b</b>			
RELATIONSHIP TO SUSPECT <b>Victim was Mother</b>		VICTIM OF Ofns. # <b>M-10.11.010 CITY ASSAULT</b>				OFNDR. # <b>A-1</b>	
CODE <b>W-1</b>	NAME: LAST, FIRST, MIDDLE <b>#1a</b>			SEX <b>M</b>	RACE/ETHNICITY <b>B-Black</b>		DATE OF BIRTH/AGE <b>#1b</b>
HEIGHT <b>5'11"</b>	WEIGHT <b>180</b>	BUILD <b>Light</b>	HAIR <b>Black</b>	EYES <b>BRO - Brown</b>	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>#1d</b>			RESIDENTIAL STATUS		PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE	
ADDITIONAL PHONES <b>(Cell) #1c</b>							
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE	OTHER ID <b>#4b</b>			
NARRATIVE							

On 07-05-15 at about 2355 hours, Officer D Lesser and I responded to a disturbance at 2615 N Thor. A female called from the location reporting that she was arguing with her son. 911 could hear arguing in the background. There was not a lot of information given as the caller called 911 then continued to argue and not speak with the 911 operator.

# INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION  
ASSAULT-SIMPLE

ATTEMPTED



INCIDENT NUMBER

15-228839

I was familiar with the location having responded there before in the past. I knew there was an married male and female. The female had an adult son who also lives in the home. This was not the first argument I had been to at the location. Intoxication had been a factor in past arguments.

When Officer Lesser and I arrived at the location, the argument was still going on. As we walked up to the home, an adult female was outside in the front yard. She was yelling at a male just inside the front door. The male inside the house was yelling too. The male was yelling about some gang and Tupac. It was not making a lot of sense.

The female was later identified as #1a. Her son was later identified as Deshone Porter.

#1a saw us approach and recognized we were there. She still continued to yell at her son. I approached the home on the left side of the front door. I stuck my head in the door and called to Porter to come outside. He recognized me as a police officer and briefly de-escalated. Porter began walking to the door as if he was going to talk to me. At that time, #1a walked up to the doorway on my right side as Porter got to the doorway. She yelled something at Porter. He 2 hand shoved her in the upper body right in front of me. #1a responded by shoving him back with both hands. I told them both to stop. Porter shoved his mother a 2nd time pushing past her coming outside. He was very agitated at that time. Porter was sweating, yelling, and had his arms raised at chest level. His hands were bawled into fists. As Porter pushed through his mother in an assaultive manor, I applied a level 1 neck restraint. At the same time, Officer Lesser deployed his Taser. Porter began to fall forward from the Taser. I had hold of his upper body and guided him to the ground. I applied the neck restraint for less than 5 seconds as I had let go before the Taser stopped cycling. Porter then complied with commands and was detained in handcuffs. He continued to be verbally loud and aggressive but quit physically being combative.

Porter never lost consciousness from the neck restraint. SFD medics were called immediately for the Taser probe deployment.

Officer Stone arrived a short time later and Porter was detained in his patrol vehicle.

I then attempted to speak with #1a. She would not talk to me at that time. She demanded to speak with a supervisor. Sgt Lee was responding to the location.

I then spoke with #1a, #1a husband. #1a told me what he had seen but did not seem to want to be a part of the incident. Based on my previous contacts, #1a does not like to be in the middle of conflicts between #1a and Porter. #1a told me that Porter was intoxicated on Vodka. He got into an argument with his mother. Bailey was trying to get him to leave. Porter went outside and began throwing lawn furniture around. #1a showed me that 2 old chairs were broken and a BBQ was knocked over. The damage appeared to be less than 20 dollars. Ferrell stated that

## INCIDENT REPORT CONTINUED

Page 4

**Spokane Police/Spokane County Sheriff**

INCIDENT CLASSIFICATION <b>ASSAULT-SIMPLE</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>15-228839</b>
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there was not any pushing or shoving until we arrived.

I determined there was PC to arrest Porter for City Assault DV as I had witnessed him shove his mother. There was also PC to arrest Porter for Malicious Mischief DV for the broken lawn furniture. Porter was treated by SFD medics and booked into the Spokane County Jail by Officer Stone.

A Kirby #1015

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

# SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>15-228839</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Mon 07/06/2015</b>	TIME <b>23:55</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>ARSON</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>07/06/2015</b>		REPORT TIME <b>01:44</b>
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

I responded to assist units who were enroute to a report of a DV where the suspect, Porter, was throwing items out into the front yard. He could also be heard screaming in the back ground.

I arrived on scene and parked to the south of the residence. As soon as I exited my patrol car I could hear someone yelling from the general direction of the house which I assumed to be Porter.

As I approached the residence I could see the comp standing out in the front yard and she was yelling at Porter who was standing in the doorway. Porter then retreated back inside.

Ofc Kirby had also arrived and we started walking towards the front door behind the comp. Porter was still continuing to scream. As we got closer I could see that Porter had realized that the police had arrived on scene. He initially was sitting down but stood up as we got closer towards the door.

The comp attempted to walk inside and Porter pushed her with two hands. The comp shoved him back and then Porter reached out and pushed her again.

At this point there was probable cause to arrest Porter on several outstanding misdemeanor warrants along with City Assault DV and city malicious mischief DV.

The situation was tense, uncertain, and rapidly evolving. Porter was continuing to scream at his mother after he assaulted her by pushing her. He had tensed his muscles up and balled up his fists and took a fighting stance. He then pushed past his mother and came towards us. He had not been searched and it was unknown if he possessed any weapons.

At this point I decided to deploy my taser for the following reasons above. I activated my Taser for a 5 second deployment. One of the darts struck Porter's mid section and the other in the left arm. The taser was effective and Ofc Kirby guided him to the ground.

We were then able to take Porter into custody without any further use of force.

I advised radio that I had a Taser deployment and requested medics and to notify a supervisor. Cpl Busch also responded and took photographs.

Porter's injuries consisted of a minor mark on his stomach and one on his arm where the darts were removed.

Sgt Lee arrived on scene and I handed my Taser so he could download it at the Sgt's officer (see his use of force report).

See Ofc Kirby's report for further details.

ID NO./NAME OF REPORTING OFFICER <b>#452 - Lesser, Dan</b>		DISTRIBUTION
APPROVAL	DATE/TIME	

# SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>15-228839</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Sun 07/05/2015</b>	TIME <b>23:55</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>ASSAULT-SIMPLE</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <b>MALICIOUS MISCHIEF</b>		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3 <b>DRUGS-POSSESS</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4 <b>WARRANT ARREST</b>		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>07/06/2015</b>		REPORT TIME <b>01:36</b>
PRIMARY CHARGE					UCR/NIBRS CODE
<small>V-Deceased, OW-Owner of Property, C-Complainant, PE-Pedestrian, W-Witness, M-Missing, MIR-Person Mentioned, O-Other, PC-Pedestrian - Cyclist, IN-Institutional, PS-Passenger, RO-Registered Owner, RU-Runaway, S-Suspect, V-Victim - Individual, VB-Victim - Business, G-Legal Guardian, D-Driver, CV-Complainant is Victim, A-Arrested Person, CON-Contact</small>					
CODE <b>W-1</b>	NAME: LAST, FIRST, MIDDLE <b>#1a</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE <b>#5b</b>
CONFIDENTIALITY <input checked="" type="checkbox"/>	ADDRESS: STREET, CITY, STATE, ZIP <b>#1d</b>			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES <b>(Work) #1c</b>					
NARRATIVE					

On 7/5/2015 at approximately 2356 hrs, I was dispatched to 2615 N Thor St. for a DV.

I arrived on scene and the suspect, Deshone Porter, was already under arrest for Assault 4th DV, Malicious Mischief DV, and four warrants per OFC Kirby and OFC Lesser. He was transported to my vehicle and searched incident to arrest prior to being placed inside my patrol car. Porter's wallet was removed from his pants and placed inside a plastic bag for transport. It was not searched at that time.

Medics arrived and contacted Porter to remove the taser probes from him. Porter was yelling and screaming. He would bang his head on the back of my patrol car shield every once in a while. He was just talking and yelling about girls sleeping with other guys.

I transported Porter to Spokane County Jail to be booked on the above charges and warrants. Correction Officer Way took custody of Porter's belongings to include Porter's wallet. OFC Way searched it incident to arrest and located a small plastic baggie containing a white crystal substance inside of the wallet. He turned over the plastic baggie containing the white crystal substance over to me. I field tested the white crystal substance which tested positive for methamphetamine.

PC existed now to charge Porter with PCS-Meth. Porter was booked into jail for the following charges: PCS-Meth, Assault 4th DV, Malicious Mischief 3rd DV, and four warrants.

I placed the plastic baggie containing the meth onto property as evidence.

ID NO./NAME OF REPORTING OFFICER <b>#1085 - Stone, David</b>		DISTRIBUTION	
APPROVAL <b>#271 - Kannberg, Eric</b>	DATE/TIME <b>07/06/2015 02:20</b>		

## SUPPLEMENTAL REPORT CONTINUED

Page 2

**Spokane Police/Spokane County Sheriff**

INCIDENT CLASSIFICATION  
**ASSAULT-SIMPLE**

ATTEMPTED  
☐

INCIDENT NUMBER  
**15-228839**

PC Affidavit was completed.

See OFC Kirby's and Lesser's report for further details. See OFC Way's attached report for further details.

See body camera footage for further.

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

OFC D. Stone #1085  
Spokane, WA



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

DATE: 7/6/2015

REPORT NUMBER: 15-228839

CHARGES REQUESTED: Possession of Controlled Substance – Methamphetamine

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DEFENDANT: PORTER, DESHONE M; DOB 11/25/1993 b/m

STATUS: In Custody

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VICTIM(S):

DATE/TIME OF CRIME: 7/5/2015; 2355 Hrs.

LOCATION OF CRIME: 2615 N Thor St.

INVESTIGATOR: D. Stone #1085

APPROVED BY: 

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WITNESSES

ADDRESS

PHONE #

OFC Way #591260

1100 W Mallon Ave.

477-2278

OFC A. Kirby #1015

1100 W Mallon Ave

242-8400 ext21015

OFC C. Howard #1222

1100 W Mallon Ave.

242-8400 ext21222

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EVIDENCE CONSISTS OF: Methamphetamine inside a small plastic baggie

SUBMITTED TO PROSECUTORS OFFICE

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

**STATEMENT OF INVESTIGATING OFFICER  
AFFIDAVIT OF FACTS**

STATE OF WASHINGTON  
COUNTY OF SPOKANE

REPORT NUMBER: 15-228839

DEFENDANT: PORTER, DESHONE M; DOB 11/25/1993 b/m

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:

**OFC WAY CAN TESTIFY TO THE FOLLOWING:**

1. He worked at the Spokane County Jail as a Corrections Officer on 7/6/2015 at approximately 0037 hrs.
2. He searched the defendant's wallet incident to arrest in the jail.
3. He located a plastic baggie containing a white crystal substance inside of the wallet.
4. OFC Stone took custody of the small plastic baggie containing a white crystal substance.

**OFC KIRBY CAN TESTIFY TO THE FOLLOWING:**

1. He was working as a Police Officer for the City of Spokane on 7/5/2015 at approximately 2356 hrs.
2. He was dispatched to a DV at 2615 N Thor St.
3. The defendant was arrested for Assault 4<sup>th</sup> DV, Malicious Mischief 3<sup>rd</sup> DV, and four warrants.
4. The defendant's wallet was removed from his pants pocket incident to arrest.
5. OFC Stone transported the defendant to be booked into Spokane County Jail on the above charges.

OFC STONE CAN TESTIFY TO THE FOLLOWING:

1. He was working as a Police Officer for the City of Spokane on 7/5/2015 at approximately 2356 hrs.
2. He was dispatched to a DV at 2615 N Thor St.
3. He arrived and the defendant had already been placed under arrest for the above charges and warrants.
4. He transported the defendant to jail to be booked along with the defendant's wallet which was removed from his pants incident to arrest.
5. The wallet had not been searched prior to arriving at jail.
6. The defendant's wallet was searched incident to arrest at the Spokane County jail by OFC Way.
7. OFC Way located a plastic baggie containing a white crystal substance inside of the defendant's wallet.
8. He took custody of the plastic baggie and white crystal substance. The white crystal substance field tested positive for methamphetamine.
9. The plastic baggie containing methamphetamine was placed onto property as evidence.
10. PC existed and the defendant was booked into Spokane County Jail for PCS Methamphetamine as well as OFC Kirby's original charges - Assault 4<sup>th</sup> DV, Malicious Mischief DV, and warrants.

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: \_\_\_\_\_



EVIDENCE.COM

**Taser Information**  
Dept.

SPOKANE CITY POLICE  
DEPARTMENT

Serial  
Model  
Firmware Version  
Device Name  
Health

X12000MWX  
TASER X26P  
Rev. 04.010  
X12000MWX  
Active

**Report Generated by**  
Name

Lee, Thomas

Badge ID  
Local Timezone  
Generated On

244  
Pacific Standard Time (UTC -07:00)  
06 Jul 2015 01:20:13

**Device (X26P)**

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
1	20 Nov 2013 07:13:11	Power Magazine Change	0xFF S/N: Battery capacity: 0%		
2	20 Nov 2013 07:13:11	Firmware Update	FW Bundle, Rev. 03.041, 4/15/2013		
3	20 Nov 2013 07:13:11	Firmware Update	MC, Rev. 03.041, 4/15/2013		
4	20 Nov 2013 07:13:11	Firmware Update	LDR, Rev. 03.041, 4/15/2013		
5	20 Nov 2013 07:13:11	Firmware Update	CAM, Rev. 01.020, 3/14/2013		
6	20 Nov 2013 07:13:11	Armed		28	0
7	20 Nov 2013 07:14:02	Armed		28	0
8	20 Nov 2013 07:17:09	Power Magazine Change	Manufacturing S/N: DPM000 Battery capacity: 90%		
9	20 Nov 2013 07:17:09	Armed		29	90
10	20 Nov 2013 07:17:16	Trigger	5		90
11	20 Nov 2013 07:17:22	Trigger	5		90
12	20 Nov 2013 07:17:27	Trigger	5		90
13	20 Nov 2013 07:17:34	Trigger	5		89
14	20 Nov 2013 07:17:40	Trigger	5		89
15	20 Nov 2013 07:17:46	Trigger	5		89
16	20 Nov 2013 07:17:51	Trigger	5		89
17	20 Nov 2013 07:17:57	Trigger	5		89
18	20 Nov 2013 07:18:03	Trigger	5		89
19	20 Nov 2013 07:18:09	Trigger	5		89
20	20 Nov 2013 07:18:17	Trigger	5		89
21	20 Nov 2013 07:18:23	Trigger	5		89
22	20 Nov 2013 07:18:29	Trigger	5		89
23	20 Nov 2013 07:18:34	Trigger	5		89
24	20 Nov 2013 07:18:40	Trigger	5		89
25	20 Nov 2013 07:18:46	Trigger	5		89
26	20 Nov 2013 07:18:53	Trigger	5		89

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
27	20 Nov 2013 07:19:07	Trigger	5		89
28	20 Nov 2013 07:19:13	Safe	124	39	89
29	20 Nov 2013 07:19:55	Power Magazine Change	0xFF S/N:	Battery capacity: 94%	
30	20 Nov 2013 07:19:55	Armed		36	94
31	20 Nov 2013 07:19:56	Trigger	5		94
32	20 Nov 2013 07:20:03	Safe	8	36	94
33	20 Nov 2013 07:20:09	Armed		36	94
34	20 Nov 2013 07:20:11	Trigger	5		94
35	20 Nov 2013 07:20:19	Safe	10	37	94
36	20 Nov 2013 07:23:04	USB			Unknown
37	20 Nov 2013 07:23:20	Firmware Update	MC, Rev. 03.041, 4/15/2013		
38	20 Nov 2013 07:23:20	Firmware Update	LDR, Rev. 03.041, 4/15/2013		
39	20 Nov 2013 07:23:20	Firmware Update	CAM, Rev. 01.020, 3/14/2013		
40	20 Nov 2013 07:23:22	Time Sync	From '20 Nov 2013 07:23:22' to '20 Nov 2013 07:23:22'		
41	22 Jan 2014 15:06:32	Power Magazine Change	Standard S/N: 145467	Battery capacity: 100%	
42	22 Jan 2014 15:06:32	Armed		26	100
43	22 Jan 2014 15:06:56	Trigger	5		100
44	22 Jan 2014 15:07:32	Safe	60	29	99
45	22 Jan 2014 15:09:46	Armed		29	99
46	22 Jan 2014 15:09:48	Safe	2	29	99
47	22 Jan 2014 15:10:00	Armed		29	99
48	22 Jan 2014 15:10:02	Safe	2	30	99
49	22 Jan 2014 15:10:04	Armed		29	99
50	22 Jan 2014 15:10:08	Safe	4	29	99
51	22 Jan 2014 15:10:10	Armed		30	99
52	22 Jan 2014 15:10:15	Safe	5	29	99
53	22 Jan 2014 15:10:40	Armed		30	99
54	22 Jan 2014 15:10:48	Safe	8	29	99
55	22 Jan 2014 15:10:50	Armed		29	99
56	22 Jan 2014 15:11:00	Safe	10	30	99
57	22 Jan 2014 16:08:54	Armed		26	99
58	22 Jan 2014 16:08:57	Trigger	5		99
59	22 Jan 2014 16:09:10	Safe	16	26	99
60	22 Jan 2014 16:19:25	Armed		26	99
61	22 Jan 2014 16:19:35	Safe	10	26	99
62	22 Jan 2014 16:19:43	Armed		26	99
63	22 Jan 2014 16:19:47	Trigger	5		99
64	22 Jan 2014 16:19:54	Safe	11	27	99

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
65	22 Jan 2014 16:19:56	Armed		27	99
66	22 Jan 2014 16:19:57	Trigger	5		99
67	22 Jan 2014 16:20:03	Safe	7	28	99
68	22 Jan 2014 16:20:11	Armed		28	99
69	22 Jan 2014 16:20:12	Trigger	5		99
70	22 Jan 2014 16:20:18	Safe	7	27	98
71	22 Jan 2014 16:20:20	Armed		28	98
72	22 Jan 2014 16:20:20	Trigger	5		98
73	22 Jan 2014 16:20:26	Safe	6	29	98
74	22 Jan 2014 16:20:46	Armed		28	98
75	22 Jan 2014 16:20:49	Safe	3	27	98
76	22 Jan 2014 16:21:39	Armed		26	98
77	22 Jan 2014 16:21:40	Trigger	1		98
78	22 Jan 2014 16:21:41	Safe	2	27	98
79	22 Jan 2014 16:21:45	Armed		28	98
80	22 Jan 2014 16:21:45	Trigger	5		98
81	22 Jan 2014 16:21:51	Safe	6	28	98
82	22 Jan 2014 16:22:03	Armed		28	98
83	22 Jan 2014 16:22:05	Trigger	2		98
84	22 Jan 2014 16:22:06	Safe	3	28	98
85	22 Jan 2014 16:22:09	Armed		28	98
86	22 Jan 2014 16:22:10	Trigger	5		98
87	22 Jan 2014 16:22:16	Safe	7	29	98
88	22 Jan 2014 16:26:00	Armed		27	98
89	22 Jan 2014 16:26:02	Trigger	5		98
90	22 Jan 2014 16:26:18	Safe	18	28	98
91	22 Jan 2014 16:36:32	Armed		27	98
92	22 Jan 2014 16:36:34	Trigger	5		98
93	22 Jan 2014 16:36:39	Safe	7	27	97
94	22 Jan 2014 16:37:10	Armed		27	97
95	22 Jan 2014 16:37:10	Safe	0	27	97
96	22 Jan 2014 16:37:38	Armed		27	97
97	22 Jan 2014 16:37:41	Safe	3	28	97
98	26 Jan 2014 21:23:38	Armed		23	97
99	26 Jan 2014 21:23:39	Safe	1	24	97
100	27 Jan 2014 01:33:57	Armed		17	97
101	27 Jan 2014 01:33:58	Safe	1	17	97
102	27 Jan 2014 03:32:41	Armed		28	97
103	27 Jan 2014 03:33:05	Safe	24	29	97

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
104	27 Jan 2014 22:49:10	Armed		28	97
105	27 Jan 2014 22:49:19	Safe	9	29	97
106	18 Feb 2014 02:21:22	Armed		24	97
107	18 Feb 2014 02:21:35	Safe	13	24	97
108	26 Feb 2014 01:47:54	Armed		16	97
109	26 Feb 2014 01:47:57	Safe	3	16	97
110	26 Feb 2014 01:56:00	Armed		23	97
111	26 Feb 2014 01:56:15	Safe	15	24	97
112	26 Feb 2014 02:02:51	Armed		26	97
113	26 Feb 2014 02:03:22	Safe	31	27	97
114	23 May 2014 14:53:02	Power Magazine Change	Standard S/N: 158181 Battery capacity: 100%		
115	23 May 2014 14:53:02	Armed		26	100
116	23 May 2014 14:53:23	Safe	21	26	99
117	05 Aug 2014 23:31:03	Armed		24	99
118	05 Aug 2014 23:31:05	Trigger	1		99
119	05 Aug 2014 23:31:06	Safe	3	24	99
120	05 Aug 2014 23:31:20	Armed		24	99
121	05 Aug 2014 23:31:28	Safe	8	25	99
122	13 Aug 2014 14:54:27	Armed		30	99
123	13 Aug 2014 14:54:29	Safe	2	30	99
124	13 Aug 2014 14:54:31	Armed		29	99
125	13 Aug 2014 14:54:35	Safe	4	30	99
126	26 Aug 2014 01:24:41	USB			Unknown
127	26 Aug 2014 01:27:13	Time Sync	From '26 Aug 2014 01:27:13' to '26 Aug 2014 01:39:51'		
128	26 Aug 2014 01:40:46	Firmware Update	CAM, Rev. 01.022, 6/6/2014		
129	26 Aug 2014 01:40:52	Firmware Update	FW Bundle, Rev. 04.010, 7/23/2014		
130	26 Aug 2014 01:40:52	Firmware Update	MC, Rev. 04.010, 7/23/2014		
131	26 Aug 2014 01:40:52	Firmware Update	LDR, Rev. 04.009, 7/22/2014		
132	26 Aug 2014 01:40:52	USB			Unknown
133	26 Aug 2014 01:40:59	Time Sync	From '26 Aug 2014 01:40:59' to '26 Aug 2014 01:40:59'		
134	07 Sep 2014 15:01:53	Armed		36	99
135	07 Sep 2014 15:02:00	Safe	7	36	99
136	07 Sep 2014 15:08:41	Armed		37	99
137	07 Sep 2014 15:08:43	Safe	2	36	99
138	30 Sep 2014 21:09:42	Armed		29	99
139	30 Sep 2014 21:09:55	Safe	13	28	99
140	13 Oct 2014 15:50:31	Armed		21	99
141	13 Oct 2014 15:50:33	Safe	2	21	99

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
142	13 Oct 2014 15:50:44	Armed		21	99
143	13 Oct 2014 15:50:55	Safe	11	22	99
144	13 Oct 2014 15:51:29	Armed		22	99
145	13 Oct 2014 15:51:36	Safe	7	22	99
146	13 Oct 2014 15:51:42	Armed		23	99
147	13 Oct 2014 15:51:44	Safe	2	23	99
148	13 Oct 2014 16:31:09	Armed		27	99
149	13 Oct 2014 16:31:10	Trigger	3		99
150	13 Oct 2014 16:31:13	Safe	4	26	99
151	13 Oct 2014 16:31:53	Armed		27	99
152	13 Oct 2014 16:31:55	Safe	2	27	99
153	26 Oct 2014 18:59:53	Armed		17	99
154	26 Oct 2014 18:59:54	Safe	1	17	99
155	16 Feb 2015 11:47:15	Armed		19	99
156	16 Feb 2015 11:47:17	Safe	2	19	99
157	16 Feb 2015 12:51:42	Armed		19	99
158	16 Feb 2015 12:51:42	Safe	0	19	99
159	04 Mar 2015 19:22:07	Armed		15	99
160	04 Mar 2015 19:22:18	Safe	11	15	99
161	16 Mar 2015 19:45:13	Armed		20	99
162	16 Mar 2015 19:45:20	Safe	7	20	99
163	16 Mar 2015 20:09:01	Armed		18	99
164	16 Mar 2015 20:09:57	Safe	56	20	99
165	16 Mar 2015 20:22:55	Armed		18	99
166	16 Mar 2015 20:22:57	Safe	2	18	99
167	20 Apr 2015 20:59:46	Armed		28	99
168	20 Apr 2015 21:05:09	Safe	323	34	99
169	10 May 2015 18:48:50	Armed		35	99
170	10 May 2015 18:48:50	Trigger	5		99
171	10 May 2015 18:48:56	Safe	6	35	99
172	15 Jun 2015 23:21:54	Armed		25	99
173	15 Jun 2015 23:22:15	Trigger	5		99
174	15 Jun 2015 23:31:29	Safe	575	34	99
175	16 Jun 2015 00:50:24	USB			Unknown
176	16 Jun 2015 00:51:05	Time Sync	From '16 Jun 2015 00:51:05' to '16 Jun 2015 01:04:33'		
177	16 Jun 2015 01:07:16	Armed		29	99
178	16 Jun 2015 01:07:18	Safe	2	29	99
179	22 Jun 2015 11:52:06	Armed		28	99
180	22 Jun 2015 11:52:06	Trigger	2		99



Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
181	22 Jun 2015 11:52:08	Safe	2	28	99
182	22 Jun 2015 13:24:56	Armed		27	99
183	22 Jun 2015 13:24:56	Trigger	1		99
184	22 Jun 2015 13:24:57	Safe	1	28	99
185	05 Jul 2015 20:28:19	Armed		32	99
186	05 Jul 2015 20:28:20	Safe	1	31	99
187	06 Jul 2015 00:00:56	Armed		29	99
188	06 Jul 2015 00:01:05	Trigger	5		99
189	06 Jul 2015 00:01:11	Safe	15	30	98
190	06 Jul 2015 01:17:06	USB			Unknown
191	06 Jul 2015 01:18:05	Time Sync	From '06 Jul 2015 01:18:05' to '06 Jul 2015 01:18:50'		

## Pulse Log Graph

