

## SPOKANE POLICE DEPARTMENT

Patrick M. Dobrow Interim Chief of Police



## **Internal Affairs Exemption Log**

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

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

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

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

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

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

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

# Spokane Police Department Use Of Force Report

### Incident Entered By: Sergeant Michael Carr

| Incident | Details |
|----------|---------|
|----------|---------|

| Date Received     | Date of Occurrence | Time of Occurrence |
|-------------------|--------------------|--------------------|
| 8/23/2015         | 8/14/2015          | 08:50              |
| Record ID #       | Incident No        | IA No              |
| 8956              | 15-281832          | F15-075            |
| Date/Time Entered |                    |                    |
| 8/23/2015 07:38   |                    |                    |

## **Incident Summary**

Officers responded to a naked female walking down the sidewalk. While enroute radio advised that the naked woman had entered the street and was getting on top of vehicles. Officer K. Gately and Officer J. Erickson arrived and saw the female in the street. Before officers could contact her, she broke the passenger side mirror off of Officer K. Gately's patrol car. The body cam video from Officer K. Gately's body cam shows the rest of the incident including the open palm strike to the face to the naked woman who was later identified as

In the video Officer J. Erickson attempts to contact #14 and they are clearly in the street where other vehicles were already stopped in the roadway so as not to run her over. Officer K. Gately clearly gives #14 an order to stop and/or "come here". #14 can be heard saying "No." #14 ran from officers along the sidewalk and into the yards adjacent to Maple St. #14 went to the ground and officers caught up to her and attempted to detain her for her own safety. Officer J. Erickson mentioned in his report that he was trying to detain the female for her own safety. It was pretty clear that the female was having a mental health issue. #14 kicked at Officer Erickson several times and connected with several of the kicks to Officer Erickson's upper body. #14 struggled with the officers and managed to regain her feet after kicking Officer Erickson in the head area. Once #14 regained her feet, Officer J. Erickson was then able to put #14 in a Level 1 Neck Restraint and with help from other officers placed her in handcuffs. #14 was transported to Sacred Heart Hospital for a mental health evaluation.

I arrived on scene and observed the broken passenger side mirror on Officer K. Gately's patrol car which needed to be placed out of service. Both Officer J. Erickson and Officer K. Gately had dirt and debris on their uniforms and clearly looked as if they had been in a struggle. Officer K. Gately showed me her body cam video on her phone so I had some idea of what had taken place. #14 was not on scene when I arrived. According to Officer K. Gately and Officer J. Erickson #14 had some small scratches, but was not complaining of any injury. Officer Erickson advised me that he had used an open palm strike during the apprehension after being kicked.

I responded to Sacred Heart Hospital and spoke with **#**14 as she was in restraints. She appeared to have calmed down, but was speaking about ghosts on her sheets, and she asked if I could see them. It was a very strange conversation I had with her, as she appeared to understand and respond to the questions I was asking her, but would then start talking about the devil and ghosts in the room. **#**14 told me she was not injured during the encounter with the police. She knew she had been struck in the face, but said she was not hurt. I looked at the side of **#**14 face and could see very slight redness. I took photos of her face and her knee where she had a small scratch. She also had a small scratch on the left side of her neck that I photographed as well. **#**14 told me the scratch on her neck was from something else.

In compliance with policy per Assistant Chief Dobrow 09.14.15.

# **Incident Location**

• 5100 Maple ST, Direction: N, Spokane, WA 99205 - : Northwest

# **Use of Force Specific Information**

| Reason for Use of Force              | Service Being Rendered       |                            |
|--------------------------------------|------------------------------|----------------------------|
| Assaulting Officer                   | Call For Service             |                            |
| Weather Condition                    | Lighting Condition           | <b>Distance to Citizen</b> |
| Clear                                | Daylight                     | a-0-3 feet                 |
| Citizen Injured                      | Citizen Taken to Hospital    | <b>Citizen Arrested</b>    |
| No                                   | Yes                          | Yes                        |
| More than 1 Citizen Involved         |                              |                            |
| Yes                                  |                              |                            |
| Citizen's Build                      | Citizen's Height             |                            |
| Medium                               | 5'7'' to 5'9''               |                            |
| Officer Assessment of Citizen Condit | ion During Incident          |                            |
| Mental Health Issues + Drugs/Alcohol |                              |                            |
| Officer(s) Injured                   | Officer(s) Taken to Hospital |                            |
| No                                   | No                           |                            |
|                                      |                              |                            |

# **Reporting/Involved Citizen Information**

#### #14

DOB: 8/8/1978 Race: White Gender: Female

Address

• 5123 Maple ST, Direction: N, Spokane, WA 99205

Phone

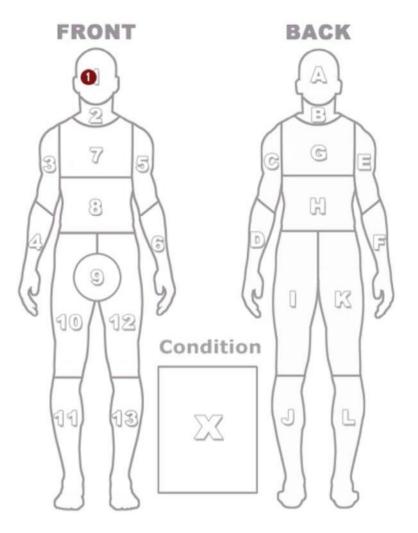
• (509) 631-0855

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

- Assaultive
- Active Resistance
- Life Threat/Suicidal

### Injuries sustained by this citizen

| Injury                 | Regions | Injury Locations |
|------------------------|---------|------------------|
| b-Minor Visible Injury | 1       | 1                |



#### Charges against this citizen

- Felony Property Crime
- Mental Health Hold/Detention
- Felony Person Crime

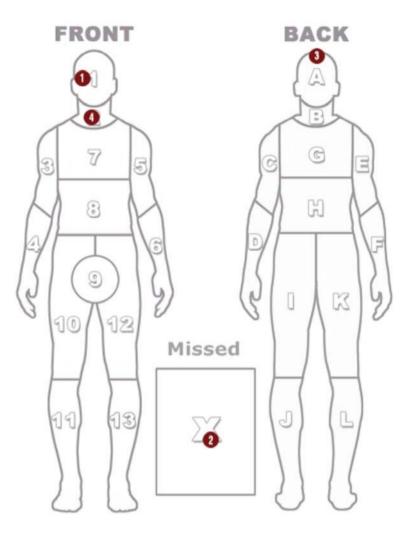
# **Involved Officers**

## Officer James Erickson - Payroll Number: #5c

## Force used by this officer against the citizen

- Level 2 Tactic Was force effective: Yes
- Verbal Interaction (VDI) Was force effective: No
- Takedown Technique Was force effective: Yes
- LNR-Level 1 Was force effective: Yes

| Force Used               | Effective? | Regions | Points of contact |
|--------------------------|------------|---------|-------------------|
| Level 2 Tactic           | Yes        | 1       | 1                 |
| Verbal Interaction (VDI) | No         | Х       | 2                 |
| Takedown Technique       | Yes        | А       | 3                 |
| LNR-Level 1              | Yes        | 2       | 4                 |



## Injuries sustained by this officer

| Injury                       | Regions | Injury Locations |
|------------------------------|---------|------------------|
| No injuries noted or visible |         |                  |

# **Officer Witnesses**

## Officer Kellee Gately - Payroll Number: #5c Corporal Jeffrey Schaal - Payroll Number: #5c

## **Attachments**

| Date Attached | Attachment Description | Attachment Type |
|---------------|------------------------|-----------------|
| 8/23/2015     | Report                 | pdf             |
| 8/23/2015     | Report                 | pdf             |
| 8/23/2015     | Report                 | pdf             |
| 8/23/2015     | Photolog               | pdf             |
| 8/23/2015     | Photolog               | pdf             |
| 8/23/2015     | CAD                    | pdf             |
| 8/23/2015     | IA additional          | doc             |
| 9/2/2015      | photos                 | docx            |

# **Chain of Command History**

| Sent Dt  | From   | Approved                   |        |              |  |  |  |  |  |  |  |
|--|--|----------------------------|--------|--------------|--|--|--|--|--|--|--|
|  |  | То                         | CC     | Approved     |  |  |  |  |  |  |  |
| 9/2/2015   | Sergeant Michael Carr  | Lieutenant Rex Olson       | (none) | 1            |  |  |  |  |  |  |  |
|  | Sender's Instructions: Hey Lt this is the Use of Force from a couple of weeks ago. I just picked up the photo disk yesterday and attached some photos. Please let me know if I need to do anything else to it. |                            |        |              |  |  |  |  |  |  |  |
| <b>Recipient's Comments/Response:</b> I concur with Sgt. Carr that Officer J. Erickson's use of force in this incident was within SPD Policy and was proper. Upon initial contact with the suspect, a naked lady in the street call, she ran towards Officer K. Gately growling and swearing at her. The suspect, #14 Walker, then broke the passenger mirror of Officer K. Gately's patrol car. Officer J. Erickson, who just arrived, had observed #14 break the mirror. Both officers chased #14 as she then took off running. When chasing her Officer J. Erickson attempted to take her down with a hair hold, however that didn't work as she was wearing a wig. He then used an upper body take-down, guiding her to the ground. Once on the ground she kicked and punched at Officer J. Erickson. As she was being assaultive toward him, Officer J. Erickson applied an open palm strike to the right side of her face which allowed him the opportunity to move behind her and and to apply a Level 1 Lateral Neck Restraint. She quit being assaultive and this allowed Officers K. Gately and Cpl. Schaal to handcuff her. The only mark on #14 s face a little redness on the right side. |  |                            |        |              |  |  |  |  |  |  |  |
| 9/7/2015   | Lieutenant Rex Olson   | Captain Craig Meidl        | (none) | $\checkmark$ |  |  |  |  |  |  |  |
| Sender's Instruc   | tions: See prior comment.  |                            |        |              |  |  |  |  |  |  |  |
| <b>Recipient's Comm</b>  | nents/Response: [Forward   | ed by Captain Craig Meidl] |        |              |  |  |  |  |  |  |  |
|  |  |                            |        |              |  |  |  |  |  |  |  |
| 9/11/2015  | Captain Craig Meidl  | Asst Chief Patrick Dobrow  | (none) | 1            |  |  |  |  |  |  |  |
| Sender's Instructions: Based on the suspect's attempts to punch and kick Ofc Erickson as she resisted officers' orders and attempts to handcuff her, the open plam strike to her head was appropriate and within policy. Female claimed she was uninjured and transported to the hospital for treatment. Recipient's Comments/Response: The use of force was reasonable and within policy.   |  |                            |        |              |  |  |  |  |  |  |  |

## **Entering Officer Signature Line**

Sergeant Michael Carr

### **Chain of Command Signature Lines**

Lieutenant Rex Olson

Captain Craig Meidl

Asst Chief Patrick Dobrow



Spokane Police Department Internal Investigation



## CONFIDENTIAL

IA# Additional

## **Complaint Being Investigated**

Use of Force (Open palm strike)

## **Complainant Interview Summary**

#14 told me at the hospital, that she was struck in the face by the officer, but she was uninjured. She allowed me to photograph her face and some small scratches on her knee and neck. I saw a very small amount of redness that if I didn't know she had been struck, would have been easily missed.

## **Officer Interview Summary**

Officer Erickson told me he had been struck by the female several times, and he used an open palm strike to her face after he had been kicked. He told me he attempted to contact the female and she ran from him. He attempted to grab her hair, but she was wearing a wig. She was finally detained with the use of the open palm strike and a level 1 neck restraint.

## Witness Interview Summary

Several witnesses called in to report the incident. Officer Gately called some of the witnesses back to find out if any of their property was damaged by #14. None of the witnesses she talked to wanted to be involved. I did not attempt to re-contact any of the witnesses.

## Physical Evidence

https://spokanepdwa.evidence.com/index.aspx?class=UIX&proc=Evidence&page=EvidenceVie w&evidence\_id=c93293485d394833b70cc0e9f8f8d4f2&partner\_id=51cb1c1cc35e40d7a6a12f3 7cf7f20b2

## **Investigative Summary**

After reading the reports, watching the officer's body camera footage, and reading the CAD printout. There is little doubt that <u>#14</u> was having a mental health issue. She was engaging in behavior that needed law enforcement intervention if for no other reason than to protect her from herself. When officers arrived they attempted to use verbal commands to gain compliance, which did not work. <u>#14</u> ran from the officers next to a busy arterial where traffic was stopped and backed up because of <u>#14</u> erratic behavior. There was every indication that if they did not intervene she could be seriously injured or killed, not to mention the dangers to the officers and the possibility of her running back out into traffic. <u>#14</u> was taken to the ground with every effort to not injure her, in fact Officer Erickson noted in his report he was cognizant of trying not to injure the female while trying to get her to the ground, even

after she had broken the passenger side mirror off the patrol car. Once the female was on the ground she was physically assaulting Officer Erickson by kicking him repeatedly in the upper torso and one kick looked to have hit Officer Erickson in the upper shoulder/head area. Only after being assaulted several times, did Officer Erickson use an open palm strike to **#14** face. This strike caused **#14** to fall to the ground where Officer Erickson was eventually able to use a Level 1 neck restraint to control her enough that other officer were able to place her in handcuffs. Because of all the circumstances listed above I believe the force used against **#14** Walker in this incident was justified.

| Incident   | History  | for: #SP  | 1502818                    | 32 Xref:  | #SP150281830   |           |
|--|--|---|----------------------------|---|--|-----------|
| Entered<br>Dispatche<br>Enroute<br>Onscene<br>Closed                               | ed 08/1<br>08/1<br>08/1                                      |   | :52:22<br>:52:22<br>:57:40 | BY 91114<br>BY PCC01  |  |           |
| Dispositi<br>Police BL<br>Group: P1<br>Loc: 5123                                   | on: 1B<br>K: SPA1N<br>N MAPLE                                | Sourc<br>H<br>Beat:<br>ST ,SPK                                    | e: 9<br>Map<br>btwn        | Primary U<br>Page: 24   | AR (CHECK ON THE WELFARE)<br>2<br>Jnit: E142<br>7 & W EVERETT AV <1600> (V)<br>2 Phone: 50                                       | 96386667  |
| /084522 (  | 911239)  | ENTRY   |                            | IS TALKI  | MALE WALKING UP AND DOWN THE<br>ENG TO HERSELF. IS DRAGGING<br>30'S, WF. ###   |           |
| /084549 (<br>/084631<br>/084631<br>/084631   | 1008 )   | HOLD<br>\$CROSS<br>DUP<br>DUP                                     | 38                         | #SP150281<br>#SP150281<br>NAM: REFU<br>ADR: MOBI<br>PHO: 5099                     | .830<br>JSED, SHERRY<br>LLE  |           |
| /084659 (  | 85)  | SUPP  |                            | LOC: 5300<br>NAM: HANS<br>PHO: 5098<br>TXT: NAKE                                  | ) N MAPLE ST ,SPK,<br>SEN, RAY,<br>795931,<br>D FEMALE DANCING IN THE STR<br>BUILD, SDY HAIR. HAS B EEN                          |           |
| /084736 (<br>/084802 (<br>/084838 (  | 1008 )   | MISC  |                            | ,###<br>,******<br>TYP: LEWD<br>NAM: KAUF<br>PHO: NONE<br>RSP: P<br>PRI: 3        | #76<br>> TRFHAZ,<br>MAN,ROBERT> BURROW, MIC<br>> 5096386667,<br>-> TP,   |           |
| /084844 (3   | 1008 )   | CHANGE  |                            |   |  |           |
| /085012 (9<br>/085033 (8<br>/085048 (9<br>/085057 (8<br>/085222 (1)<br>/085222 (1) | 85 )<br>911192)<br>85 )<br>911192)<br>85 )<br>1008 )<br>59 ) |   | E147<br>P306               | ,### 509-<br>,### 5094<br>,### 509-<br>,### 5099<br>TXT: FEMA<br>#269<br>#161     | 981-3063<br>355866<br>750-9219<br>948332<br>LE BACK IN ROADWAY.<br>GATELY, KELLEE<br>SCHAAL, JEFF<br>HER CALLER, NAKED FEMALE IS | CLIMBING  |
| /085254 (!<br>/085303 (4<br>/085303 (!   | 1008 )<br>59 )<br>465 )<br>911239)<br>59 )                   | SUPP<br>ASSTER<br>SUPP<br>*REMINQ<br>MISC<br>SUPP<br>SUPP<br>SUPP | E142<br>E142               | TXT: CAN<br>#465<br>TXT: SAYS<br>MVEH,ABL9<br>,50999812<br>TXT: FEMA<br>TXT: FEMA | HEAR HER IN BG, NOT MAKING<br>ERICKSON, JAMES<br>HER NAME IS #14<br>259,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,                      | ER SON IS |

|                    |                |                       |              | -994-7977  |
|--------------------|----------------|-----------------------|--------------|--|
| /085412            | (911239        |                       |              | ,2064667858 ###  |
| /085427            | (59            |                       |              | TXT: FEMALE TALKING ABOUT JESUS<br>TXT: PEOPLE ARE NOW TAKING PICTURES OF HER                    |
| /085457            |                | SUPP                  |              | TXT: FEMALE IS NOW ON THE ROOF OF COMPS VEH  |
| /085540<br>/085554 | /011102        | SUPP                  |              | ,### 5092171258  |
| /085554            | (911192<br>(59 |                       |              | TXT: COMP IN BLK TOYT RAV SHE IS ON ROOF   |
| /0856502           | (59            | SUPP                  |              | TXT: CALLER:MCGOLDRICK, SUSIE  |
| /085659            | (911192        |                       |              | ,### 5099543144  |
| /085700            | (1008          |                       | E142         | , STAGE MEDSFIRE ADV   |
| /085716            |                | ) SUPP                |              | TXT: FEMALE NOW WALKING SB ON MAPLE,   |
| /085720            |                | SUPP                  |              | TXT: NOW SKIPPING  |
| /085724            | (911239        | ) MISC                |              | ,5099916337 ###  |
| /085740            |                | ) *ONSCNE             | P306         |  |
| /085741            | (1008          | ) ONSCNE              | E147         | , W/HER IN MIDDLE STREET   |
| /085744            |                | ONSCNE                | E142         |  |
| /085751            | (59            | ) SUPP                |              | TXT: LE ONSCENE. ###<br>TXT: SHE RAN FROM LE, HAS NOW FALLEN. FEMALE L                           |
| /085842            |                | SUPP                  |              | IVES AT 5123 N MAPLE   |
| /085902            |                | SUPP                  |              | TXT: ###   |
| /085902            | (1008          | ) MISC                | E147         | ,SEND IN MEDSFIRE ADV  |
| /090129            | (1000          | REMINQ                | E147         | WANT, E147, , , , , , , , , , , , , , , , , , ,  |
| /090129            |                | I/DIJI1/Q             | 011/         | ,,,,0  |
| /090505            |                | MISC                  | P306         | ,AMR HERE  |
| /090628            | (472           | ) *ASSTER             | L274         | [5123 N MAPLE ST ,SPK]   |
| -                  |                | •                     |              | #472 CARR, MICHAEL   |
| /091044            | (1008          | ) MISC                | P306         | ,5108 N MAPLE OFFICER CONTACT  |
| /092201            |                | ) *ONSCNE             | L274         |  |
| /093433            | (269           | ) *CHGLOC             | E147         | [SACRED HEART]   |
| /093609            |                | *MISC                 | E147         | , THIS CAR HAS TO BE TAKEN OUT OF SERVICE PASSE<br>NGER SIDE MIRROR ATTACKED BY NAKED FEMALE SHE |
|                    |                |                       |              | BROKEN THE ENTIRE MIRROR CAUSING IT TO BE TAKE   |
|                    |                |                       |              | N OUT OF SERVICE   |
| /094118            | (465           | ) *CHGLOC             | E142         | [1- CLEAN UP]  |
| /094527            |                | ) *CHGLOC             | L274         | [SHER]   |
| /094913            |                | ) *ONSCNE             | E142         |  |
| /095641            | (472           | ) *ONSCNE             | L274         |  |
| /095904            | (161           | ) *CLEAR              | P306         | ,PSTAT/ASST PSTAT/REPORT PSTAT/CFS   |
| /100037            | (269           | ) *ONSCNE             | E147         |  |
| /100847            | (676           | ) OK                  | E142         |  |
| /100847            |                | OK                    | E147         |  |
| /100847            |                | OK                    | L274         |  |
| /110255            | •              | ) *CHGLOC             | E142<br>L274 | [LOGAN]  |
| /110548<br>/111317 | (472<br>(269   | ) *CLEAR<br>) *CHGLOC | E147         | [LOGAN PAPER]  |
| /111734            |                | ) *REMINQ             | E142         | MVEH, ANR2659, , , , , , <u>, , , , , , , , , , , , , </u>                                       |
| /111746            | (405           | *REMINQ               | E142         | MWANT,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,  |
| / 1 1 1 / 1 0      |                | n.c.r.z.v.g           |              | ,,,,,,X  |
| /112009            | (269           | ) *ONSCNE             | E147         |  |
| /112015            | ,              | *ONSCNE               | E147         | , LOGAN  |
| /112126            | (465           | ) *ONSCNE             | E142         |  |
| /114023            | (1008          | ) ОК                  | E142         |  |
| /114023            |                | OK                    | E147         | T 007N   |
| /114450            | (269           | ) *ONSCNE             | E147         | , LOGAN  |
| /142442            | <b>v</b> =     | ) OK                  | E147         |  |
| /145450<br>/150435 | (269<br>(465   | ) *CLEAR<br>) *CLEAR  | E147<br>E142 | DSP: 1B  |
| /10400             | (405           | CUEAN                 | 242          | ,PSTAT/CFS PSTAT/RPT CIT/T   |
| /150435            |                | CLOSE                 | E142         | , 2  |
| , 200100           |                |                       |              |  |

# INCIDENT REPORT

| Spokar                    | ie Poli    | ce/Spoka                        | nne Co      | ounty SI  | herif          | f                                   |                               |                        |                                  |                 |                         |                    |                                 |                            | Page 1   |
|---------------------------|------------|---------------------------------|-------------|---|----------------|-------------------------------------|-------------------------------|------------------------|----------------------------------|-----------------|-------------------------|--------------------|---------------------------------|----------------------------|--|
| AGENCY NAM                | E/SUBSTATI | ИС                              |             |   |                | EVIDENCE                            | NUMBER                        |                        |                                  |                 | -281                    |                    | 2                               |                            |  |
| INCIDENT TYP              |            |                                 |             | ENT CLASSIFIC   |                |                                     |                               |                        |                                  | ED              | INCIDE                  | NT CL              | ASSIFICATIO                     | DN #2                      |  |
|                           |            |                                 | INCID       | ENT CLASSIFIC   | ATION #        | 13                                  |                               |                        |                                  | ED              | INCIDEN                 | IT CL              | ASSIFICATIO                     | DN #4                      |  |
|                           |            |                                 | RESP        | ONDING TO (Of   | ficer Ass      | sault)                              | 10                            |                        |                                  |                 |                         | AS                 | SIGNMENT                        | (Officer A                 | Assault)   |
| REPORTED O                | N          | DATE/TIME                       | e occu      | IRRED ON  |                | DATE/TIME                           | OCCURF                        |                        |                                  |                 | DATE/TIN                |                    | DISTRICT                        |                            |  |
| Fri 08                    | 3/14/201   | 5 08:45                         | Fri         | 08/14/  | 2015           | 08:40                               | Fri                           | 08/                    | 14/201                           | 5               | 09:3                    | 0                  |                                 |                            |  |
| DISPATCH TIM              | ΙE         | ARRIVED TI<br>08:54             | ИE          |   | CLEARE<br>09:4 | ED TIME<br><b>5</b>                 |                               |                        | REPORT I<br>08/14/               |                 |                         |                    | ORT TIME                        | E                          | EST. TOTAL PROPERTY LOSS                           |
| PRIMARY CHA               | RGE        |                                 |             |   |                |                                     |                               |                        |                                  |                 |                         |                    |                                 |                            | UCR/NIBRS CODE                                     |
| LOCATION OF 5123 N M      |            | reet, Spoka                     | ane, WA     | 99208   |                |                                     |                               |                        | LOG                              | CATH            | ON NAM                  | 1E (IF             | APPLICABL                       | E)                         |  |
| SOLVABILITY I<br>None     | ACTORS     |                                 |             |   |                |                                     |                               |                        |                                  |                 |                         |                    |                                 |                            |  |
| RELATED INCI              | DENT NUMB  | ERS                             |             |   |                |                                     |                               |                        |                                  |                 |                         |                    |                                 |                            | ENT XREF<br>-281830                                |
| ADDITIONAL R              |            | DFFICERS                        |             |   |                |                                     |                               |                        |                                  |                 |                         |                    |                                 |                            |  |
| VICTIM/WI                 | TNESSES    |                                 | PS-Passenge | OW-Owner of Pro<br>er, RO-Registered t<br>erson, CON Contac | Owner Rt.      | ompleinant, PE-P<br>I-Runaway, S-Su | edestrum, W<br>senct, V-Victi | Witness<br>n - Indivis | , M-Missing, M<br>dual, VB-Victi | VIR-P<br>m - Bi | lerson Me<br>vainess, C | ntionec<br>I-Légal | ( O-Other, PC-<br>Guardian, E-D | Pedestriari<br>river, CV-C | Cyclist IN-Institutional     Complainant is Victim |
| CODE<br>MIR-1             | NAME: LAS  | r, first, middle<br>#14         |             |   |                |                                     |                               | F                      | EX RACE                          |                 |                         |                    |                                 |                            | DATE OF BIRTH/AGE<br>08/08/1978 37                 |
| HEIGHT                    | WEIGHT E   | BUILD                           | HAIR        |   | EY             |                                     |                               | DES                    | CRIPTORS                         | 3               |                         |                    |                                 |                            |  |
| 5'03"                     |            | Light                           | Brown       |   | B              | LU - Blue                           | )                             | _                      |                                  |                 |                         |                    |                                 |                            |  |
|                           |            | STREET, CITY ST/<br>Maple Stree |             | nne, WA 9   | 9208           |                                     |                               | RESI                   | DENTIAL S                        | TATL            | JS                      |                    |                                 | PHONE                      |  |
| PLACE OF EM               | PLOYMENT/  | SCHOOL/ADRESS                   |             |   |                |                                     |                               | OCCL                   | JPATION                          |                 |                         |                    |                                 | EMPLOY                     | ER PHONE   |
| ADDITIONAL P<br>(Cell) 63 |            |                                 |             |   |                |                                     |                               |                        |                                  |                 |                         |                    |                                 |                            |  |
| DRIVER'S LICE             | ENSE       | FAK                             | STATE       | SOCIAL SEC  |                | IO 🔲 FAKE                           |                               | D<br>Card)             |                                  | #4              | b                       |                    |                                 |                            |  |
| NARRATIN                  | /E         |                                 |             |   |                |                                     |                               | Í                      |                                  | 2002            |                         |                    |                                 | 3.33                       |  |

On 081415 I responded to 5123 N. Maple regards to a naked women running down the middle of the street. Dispatch advised there were several people calling in.

Dispatch also advised the female was now sitting on top of a Toyota Rav 4, dispatch said they could hear the female yelling in the background.

I arrived onscene approximately three to four minutes later. The female was running towards me and I advised radio that she had no clothing. The female growled and swore at me as she ran up to the front of my car. I thought the female was coming to my door and going to trap me in. I started to back up and the female ran around the front of my car to the passenger side and I heard a loud thump. I knocked the passenger mirror off breaking it. later discovered #14

Officer Erickson had arrived and he and I gave chase as the female began running northbound and

| ID NO /NAME OF REPORTING OFFICER |            |       | DISTRIBUTION                                      |
|----------------------------------|------------|-------|---|
| #269 - Gately, Kellee            |            |       | Adult Protective Services, Mental Health Services |
| APPROVAL                         | DATE/TIME  |       |   |
| #463 - Denton, Joseph            | 08/14/2015 | 16:56 |   |
|                                  |            |       |   |
| Incident Report #1               |            | 0.1   | 08/14/2015 17:03:42 356                           |

## INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

| INCIDENT CLASSIFICATION | ATTEMPTED INCIDENT NUMBER |
|-------------------------|---------------------------|
| PERSONS-MENTAL          | □ 15-281832               |

upon to the sidewalk.

Erickson attempted to take the female down with a hair hold but she was wearing a wig and the long red wig came off in his hands. If turned around and began to slap at Erickson and fight and kick him. Erickson used an open palm strike to the right side of her cheek which caused her to pause and he then took her to the ground. The entire time I was telling get down on the ground. I assisted in cuffing III up. She did not appear injured and she was talking about Jesus a lot. Corporal J. Schaal arrived and also assisted in helping to cuff her as she was remaining resistive but no longer fighting or kicking. Paramedics were called to check on her.

Detectives Orr and Lundgren and I went to 5123 N Maple to secure the residence and check if anyone else was there. The home was not habitable and there was debris stacked floor to ceiling with only one pathway through the entire house. There was running water but I'm not sure there was electricity.

There was a dog there by the name of pepper. I left the sliding glass door ajar so the dog could come in and out. I advised the nursing staff at Sacred Heart that fell into the category of gravely disabled and they advised me that based on the statements she was making and the nonsensical story about Jesus she would probably go out to Eastern for a period of time. There is probable cause for 2nd degree malicious mischief due to the damage to the patrol car mirror. The vehicle car #361 will have to be taken out of service to be repaired. I am not sure if there was food in the refrigerator.

I did try to call several complainant's in the call but everyone said they no damage to their car and the person in the black Rav 4 did not stick around.

I had dispatch put a call into Spokanimal to remove the dog from the home based on the information given to me at the hospital.

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT. PFC K. Gately #269

Page 2

# SUPPLEMENTAL REPORT

| Spokane Police/Spokane County Sheriff |              |              |            |           |                               |       |              | Page 1               |           |
|---------------------------------------|--------------|--------------|------------|-----------|-------------------------------|-------|--------------|----------------------|-----------|
| AGENCY NAME/SUBST/                    |              | EVIDENCE     | UMBER      |           | INCIDENT NUMBE                |       |              |                      |           |
| SPD                                   |              |              |            |           | 15-28183                      | 32    |              |                      |           |
| REPORT PURPOSE                        |              |              | 1          | REPORT    | ED ON DATE                    | TIME  | INC          | CIDENT XREF          |           |
|                                       |              |              | 1          | -ri       | 08/14/2015                    | 08:45 |              |                      |           |
| INCIDENT CLASSIFICAT                  | FION #1      | ATTEMPTED    | INCIDENT C | CLASSIFIC | CATION #2                     |       | -            |                      | ATTEMPTED |
| PERSONS-MEI                           | NTAL         |              |            |           |                               |       |              |                      |           |
| INCIDENT CLASSIFICAT                  | FION #3      |              | INCIDENT C | CLASSIFIC | CATION #4                     |       |              |                      |           |
| DISPATCH TIME                         | ARRIVED TIME | CLEARED TIME |            |           | PORT DATE<br>/ <b>14/2015</b> |       | REPOR<br>12: | RT TIME<br><b>11</b> |           |
| PRIMARY CHARGE                        |              |              |            |           |                               |       |              | UCR/NIBRS C          | ODE       |
| NARRATIVE                             |              |              |            |           |                               |       |              |                      |           |

On 08/14/15 at 0852 hrs. I responded to the area of 5123 North Maple St., Spokane, WA on the report of a naked female walking on the sidewalk. It was reported that the female was talking to herself, and was pulling a blanket. There were several complainants on the call, and one reported seeing the naked female dancing in the street. Based on the call I requested medics be called, to be on stand-by. Officer K. Gately #269 also responded. Officer Gately arrived on scene at 0857 hrs., and I arrived on scene seconds later.

I saw a naked female walking southbound down the middle of Maple Street at the 5100 north block. Traffic had slowed to a stop, to keep from hitting the female. The female was walking towards Officer Gately's car, with an angry scowl on her face and her fists clenched down by her sides. Officer Gately began exiting her patrol car, and began addressing the female. The female went to the passenger side of officer Gately's patrol car, and struck the side view near with her right hand. I was exiting my patrol car, several feet to the east of Officer Gately's car.

Based on the erratic behavior of the female, her destructive behavior towards the vehicle, and her behavior of running in-and-out of traffic showed me that the female needed to be detained for her own safety.

The female began running away from us to the north. I was yelling at the female to stop running, but she continued. I began chasing after the female, continuing to tell the female to stop. The female looked back at me several times, saying that she did not need to stop. I caught up with the female and attempted to apply a hair- hold takedown on the female, to avoid having to tackle her (to help avoid injuring the female). The hair I grabbed onto however, was a wig; and came off in my hands. The female continued to run away. I caught back up to her and applied an upper body takedown on the female, guiding her down to the ground. We were in the front yard of 5108 N. Maple.

The female went to the ground, and spun onto her back. I initially attempted to grab onto her right arm, but the female began drawing back her legs, and striking them towards my upper body. The female would also swing her fists towards me, attempting to strike me. I moved towards the female approximately 3 times, attempting to use some form of arm control on her, but each time she would strike at me with either a kick or a punch. I applied an open-palm strike to the right side of the

| ID NO /NAME OF REPORTING OFFICER |                                      |          | DISTRIBUTION            |             |
|----------------------------------|--------------------------------------|----------|-------------------------|-------------|
| #465 - Erickson, James           |                                      |          | Spokane Mental Health   |             |
| APPROVAL                         | DATE/TIME                            |          |                         |             |
| #463 - Denton, Joseph            | 08/14/2015                           | 16:47    | 7                       |             |
|                                  | elekon Aldalah yu kunzi kuni kun kun | ett pile |                         | TKS III III |
|                                  |                                      |          | D8/14/2015 16:53:06 905 |             |

Supplemental Report #1

## SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

| INCIDENT CLASSIFICATION | ATTEMPTED | INCIDENT NUMBER |
|-------------------------|-----------|-----------------|
| PERSONS-MENTAL          |           | 15-281832       |

female's face with my left hand; which distracted her. She did appear to receive any injury from my strike. I moved behind her, and applied a Level I Lateral Neck Restraint to the female. The female stopped being assaultive, but was still being resistive (tensing her upper body, and refusing to place her arms behind her back). I determined that it was not necessary to render the female unconscious, as both Cpl. Schaal and Officer Gately were there to assist in controlling the female. Cpl. Schaal was able to get the female's right arm handcuffed, and though the female resisted, we were eventually able to get her left arm cuffed as well (DL and PS). A neighbor from a nearby residence supplied a blanket to cover up the female; which we did. The neighbor identified the female as **#14** and said she lived at 5123 N. Maple. The neighbor stated that **#14** suffered from some form of mental illness.

Medics arrived on scene, and we transferred #14 from handcuffs to a restrained position on a gurney. Medics transported Walker to Sacred Heart Hospital, where Officer Gately completed #14 intake process for a psychological evaluation (see her report).

It should be noted that remained in an extremely agitated state throughout my contact with her. She was rambling nonsensical gibberish throughout my contact, as well.

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

J. Erickson #465 E142

Page 2

# SUPPLEMENTAL REPORT

| Spokane Po           | olice/Spokane Cou | inty Sheriff |               |                           |       | Page 1               |
|----------------------|-------------------|--------------|---------------|---------------------------|-------|----------------------|
| AGENCY NAME/SUBST    | ATION             | EVIDENCE     | NUMBER        | INCIDENT NUMBE            |       |                      |
| SPD                  |                   |              |               | 15-2818                   | 32    |                      |
| REPORT PURPOSE       |                   |              | REP           | ORTED ON DATE             | TIME  | INCIDENT XREF        |
|                      |                   |              | Fri           | 08/14/2015                | 08:45 | 15-281830            |
| INCIDENT CLASSIFICAT | FION #1           | ATTEMPTED    | INCIDENT CLAS | SIFICATION #2             |       | ATTEMPTED            |
| PERSONS-ME           | NTAL              |              |               |                           |       |                      |
| INCIDENT CLASSIFICAT | FION #3           |              | INCIDENT CLAS | SIFICATION #4             |       |                      |
| DISPATCH TIME        | ARRIVED TIME      | CLEARED TIME |               | REPORT DATE<br>08/16/2015 |       | REPORT TIME<br>14:51 |
| PRIMARY CHARGE       |                   | 1.           |               |                           |       | UCR/NIBRS CODE       |
| NARRATIVE            |                   |              |               |                           |       |                      |

On 081415 at about 0845 hours I was dispatched to assist SPD patrol units with a naked female walking in the road near 5100 N Maple.

Ofc. K Gately and J Erickson arrived on scene seconds before me. As I pulled up in front of 5108 N Maple. I could see a naked white female swinging her arms and fists at officers. Both officers were attempting to gain control of her by grabbing her arms but because her arms were swinging about, they were having no success. The female, later identified as #14 was holding her ground and it appeared that she punched officer Erickson either in the face or upper chest area. Ofc Erickson applied a open hand strike to the side of her face. This appeared to distract her and she started to move in a back pedal motion. As she did it looked as though she tripped and fell backwards on the ground. The ground was a soft dirt. As officers moved in to attempt control she was on her back and throw front kicks up towards the officers. Officers moved in and took control of #14 with arm control. She was placed on her front but was in a crouching/kneeling position. She was not complying with officers. I was able to get her right arm behind her back for handcuffing. Ofc Erickson took control of her left arm and she was handcuffed (dl) finger space between the cuffs and wrist. #14 continued to be verbally agitated make statements that made no sense. AMR was summoned to the scene and she was transported by ambulance to SHMC.

I took photos of Ofc Erickson's dirty uniform. I also photographed Ofc Gately's patrol vehicle's passenger side mirror which was damaged by **14** 

J Schaal #161

| ID NO./NAME OF REPORTING OFFICER | DISTRIBUTION |                         |  |  |
|----------------------------------|--------------|-------------------------|--|--|
| #161 - Schaal, Jeffrey           |              |                         |  |  |
| APPROVAL                         | DATE/TIME    |                         |  |  |
| #161 - Schaal, Jeffrey           | 08/16/2015   | 15:20                   |  |  |
|                                  |              |                         |  |  |
| Supplemental Report #1           |              | 08/16/2015 15:22:48 833 |  |  |

|                  | NOENCY NAME<br>SPD                        | Сяова регеленсе ним велуау Мисшент нимиел<br>15-281830 15-281832 |   |  |  |  |  |
|------------------|---|--|---|--|--|--|--|
|                  | INCIDENT CLABSIFICATION                   | 1/WALKS 5123 N MAPLE 081415                                      |   |  |  |  |  |
|                  | PHOTOGRAPHED BY<br>SCHAAL #161            |  |   |  |  |  |  |
|                  | NAME LABT, FIRBT MIDDLE<br>BURROW, MICHAE | EL RACE REX DOB  |   |  |  |  |  |
|                  | NUMBER                                    | DESCRIPTION  |   |  |  |  |  |
|                  | 1   | SPD UNIT 361   |   |  |  |  |  |
|                  | 2-4                                       | DAMAGE TO OUTSIDE REARVIEW MIRROR UNIT 361                       |   |  |  |  |  |
|                  | 5   | HAND PRINT ON FRONT PASSENGER WINDOW                             |   |  |  |  |  |
|                  | 6   | OFC J ERICKSON   |   |  |  |  |  |
|                  | 7-8                                       | DIRT ON THE CHEST AND LEGS OFC J ERICKSON'S UNIFORM              |   |  |  |  |  |
|                  | 9   |  |   |  |  |  |  |
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## PHOTOLOG

|                  | AGENCY NAME                            |  | CROSS REFERENCE NUMBER(S) | - AF 5 THE                                     | INCIDENT NUMBER<br>15-281832 |                        |
|------------------|--|--|---------------------------|--|------------------------------|------------------------|
|                  | NCIDENT CLASSIFICATION                 | DENT CLASSIFICATION                    |                           | LOCATION OF ORIGINAL INCIDENT<br>5100 N. Maple |                              | рното Date<br>08/14/15 |
|                  | PHOTOGRAPHED BY                        |  | STOOTI. Maple             | LOCATION PHOTOS TAKEN                          |                              | 00/14/13               |
|                  | Sgt. Carr                              |  |                           | SHER Rm #67                                    | RACE SEX                     | DOB                    |
|                  |  |  |                           |  |                              | 505                    |
|                  | NUMBER                                 | DESCRIPTION                            |                           |  |                              |                        |
|                  | 1                                      | Overall of suspect                     |                           |  |                              |                        |
|                  | 2                                      | Right side of face (dirt).             |                           |  |                              |                        |
|                  | 3-6                                    | Abrasion on right knee a               |                           |  |                              |                        |
|                  | 7-8                                    | Scratch on left side of ne             | eck                       |  |                              |                        |
|                  | 9                                      | Photolog                               |                           |  |                              |                        |
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