



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
Witness Exemptions			
#1a	<u>Name / Identity</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1b	<u>Date of birth</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1c	<u>Personal home, work or cell phone number</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1d	<u>Residential address</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1e	<u>E-mail address</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
Juvenile Information			
#2a	Names of Juveniles who are in the Juvenile court system	Redacted to protect the personal information of a juvenile in the court system. May not be released to the public except by court order.	RCW 13.50.050 (Juvenile Courts and Juvenile Offenders) and RCW 13.50.100 (4) (a) and (b) (Keeping and Release of Records by Juvenile Justice or Care Agencies). <i>Deer v. DSHS, 122 Wn.App. 84, 94 (2004)</i>
#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, 122 Wn.App. 84, 94 (2004)</i>
#2c	Child Victim of Sexual Assault	This redaction protects information revealing the identity (name, address, location, or photograph) of child victims of sexual assault who are under age eighteen.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
#2d	Child victims or child witnesses	Information re a child witness / victim is protected to assure the rights under law: to not have name, address, nor photograph disclosed by any law enforcement agency w/o permission of the child or parents/guardians.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
ACCESS Database Info			
#3a	Information from WACIC/NCIC (ACCESS): <u>Criminal history information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3b	Information from WACIC/NCIC (ACCESS): <u>License Plate Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3c	Information from WACIC/NCIC (ACCESS): <u>Vehicle Registered owner information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3d	Information from WACIC/NCIC (ACCESS): <u>Wanted persons information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3e	Information from WACIC/NCIC (ACCESS): <u>Officer safety information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3f	Information from	WACIC/NCIC/III - information from	28 USC § 534 For criminal

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

Info			
#4a	Social Security Number	This information constitutes personal 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)
Employees Files			
#5a	Photos of Spokane Police Department or other criminal justice employees	Photographs in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030 are protected from disclosure for their safety and privacy.	RCW 42.56.250(8) (Employment and licensing)
#5b	Birthdates of criminal justice employees	Birthdates in the personnel files of employees and workers of criminal	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).
Criminal History			
#6a	Criminal history <u>not</u> from ACCESS- Non-Conviction Data	Criminal history which has not led to a conviction or other adverse disposition is protected by state law and only released to Criminal Justice Agencies for law enforcement purposes.	RCW 10.97 (Criminal Procedure)
Officer Safety or Intelligence			
#7a	Intelligence, sensitive security, or tactical information	Record includes sensitive intelligence, security or tactical information the non-disclosure of which is essential to effective law enforcement.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7b	Undercover Officer identification	Contains information which could reveal the identity of an undercover officer, who undertakes ongoing dangerous / confidential undertakings to effect law enforcement purposes. Protected to preserve the life and personal safety of officer and family.	RCW 42.56.240(1) Specific intelligence information the nondisclosure of which is essential to effective law enforcement.
#7c	ID Records revealing covert law enforcement activity	Any record pertaining to a vehicle license plate, driver's license, or identocard revealing the identity of an individual performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigative activity.	RCW 42.56.230(7)(c) (Personal Information)
#7d	Law Enforcement Information Sheet	Contains confidential data used for law enforcement purposes. Disclosure has no legitimate value to the public and can endanger an individual's safety. Contains specific intelligence information the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7e	Confidential Informant information	Contains identifying information which could reveal the identity of a confidential informant. Considered intelligence information, used in a	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 <i>Wn.App.</i> 830, 836 (1977).
Photos			
#8a	Photos showing a deceased person	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8b	Photos showing highly sensitive material	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8c	Photo Montages	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
Protected by Law			
#9	Medical Records	Medical records consist of confidential and privileged information highly personal and restricted. The disclosure of medical records is regulated by state and federal law and not public information. Right to Privacy: Disclosure would be highly offensive to a reasonable person.	RCW 42.56.360 (Health care), 70.02.005 (Findings) and HIPPA (45 CFR 164.502). RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#10a	Jail records	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as this information is only available to criminal justice agencies as defined in RCW 43.43.705.	RCW 70.48.100 (Jail register)
#10b	Jail booking photos	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as	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	<u>Name/Identity</u> of accused police officers	This redaction protects names/identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13b	<u>Date of birth</u> of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13c	<u>Personal work, home, or cell phone number</u> of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13d	<u>Residential address</u> of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13e	<u>E-mail address</u> of accused police officers	This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#14	Information concerning Mental Health Services	This redaction contains confidential information concerning services to either voluntary or involuntary recipients of mental health services. Such information, if disclosed, would invade an individual's privacy and possibly cause unintended consequences for that individual.	RCW 71.05.390 (Confidential information and records)



Spokane Police Department Use Of Force Report

-  [Print](#) this incident.

Incident Entered By: Sergeant Charles Reynolds
Assigned Investigator: Lieutenant Matthew Cowles

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
9/16/2015	9/13/2015	21:22
Record ID #	Incident No	IA No
8994	15-322457	F15-090
Date/Time Entered		
9/16/2015 19:03		

Incident Summary

K9 Ofc. Lesser applied force by using his K-9 partner "Rav." Ofc. Vaughn had body camera footage and the link is attached.

In compliance with policy per Assistant Chief Meidl 02/06/16.

Incident Location

•  #1d Direction: E, Spokane, WA 99207 - : Northeast

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Fleeing (Felony)	Call For Service	
Weather Condition	Lighting Condition	Distance to Citizen
Clear	Interior Lighting	e-21-30 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	Yes	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Medium	5'7" to 5'9"	
Officer Assessment of Citizen Condition During Incident		
Alcohol and/or Drugs		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Reporting/Involved Citizen Information

Alexander T Johnson

DOB: 4/22/1985 Race: White Gender: Male

Address

- 1418 Dalton, Direction: E, Spokane, WA 99207

Phone

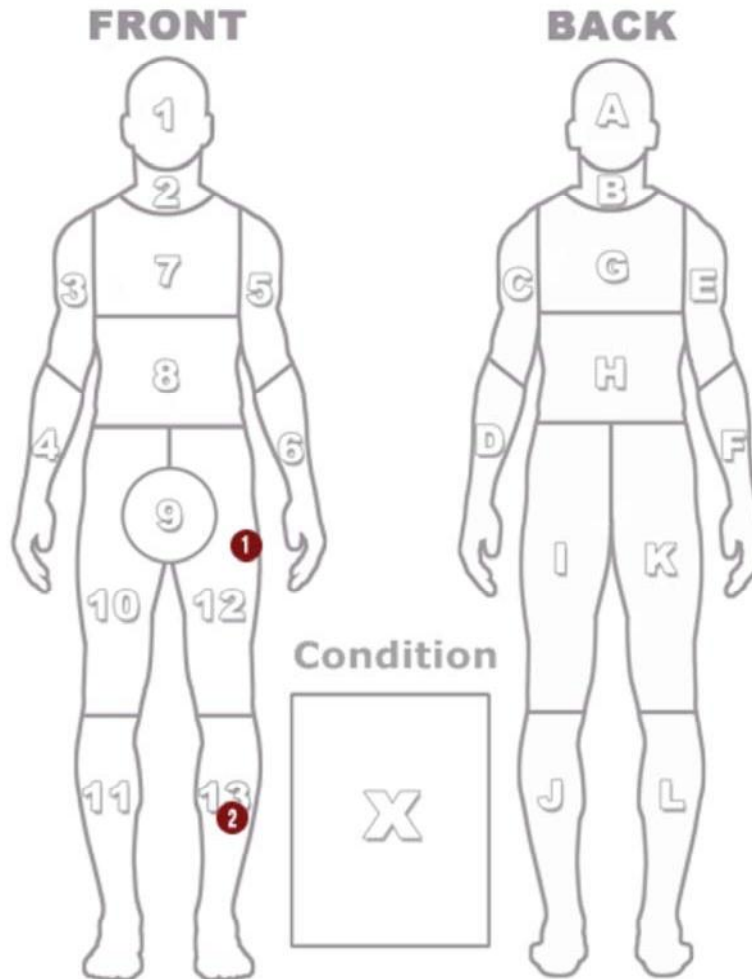
- (509) 216-3049

Types of Resistance Citizen Used Against Officer(s)

- Active Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
e-Injury Req Hospitalization	12, 13	1, 2



Charges against this citizen

- Warrant
- Misdemeanor - Person Crime

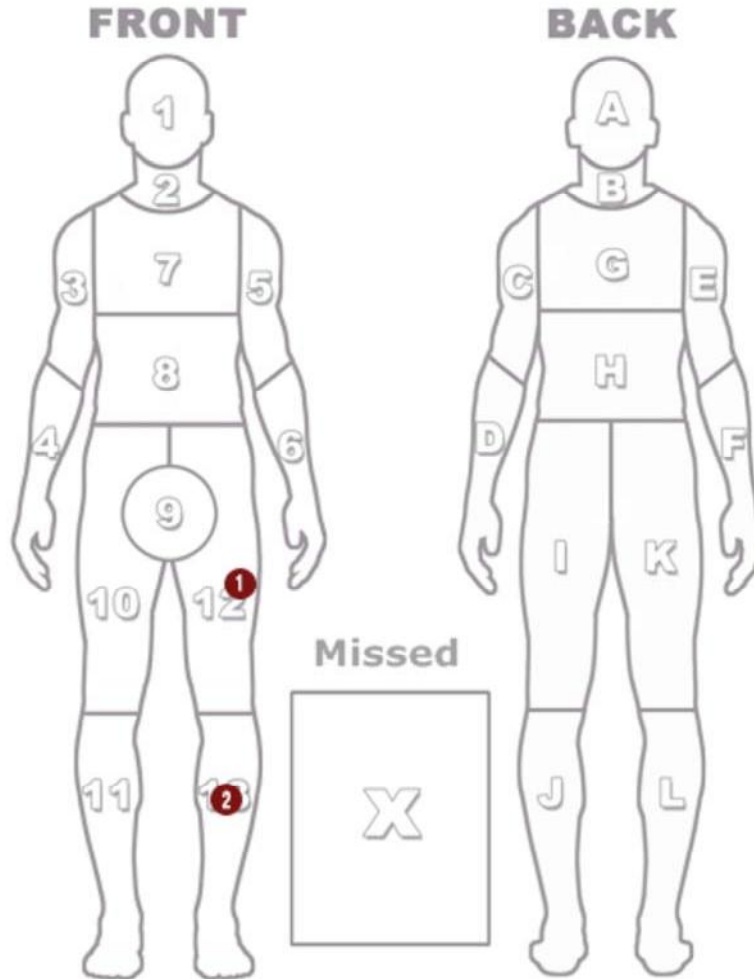
Involved Officers

Officer Daniel Lesser - Payroll Number: #5c

Force used by this officer against the citizen

- K9 Application - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
K9 Application	Yes	12, 13	1, 2



Injuries sustained by this officer

Injury	Regions	Injury Locations
No injuries noted or visible		

Officer Witnesses

Officer Stephen Arredondo - Payroll Number: #5c

Officer Kevin Vaughn - Payroll Number: #5c

Attachments

Date Attached	Attachment Description	Attachment Type
9/16/2015	CAD	pdf
9/16/2015	pic	JPG
9/16/2015	pic	JPG
9/16/2015	pic	JPG

9/23/2015	Vaughn video	
9/23/2015	Brooks video	
9/23/2015	Vaughn video #2	
9/26/2015	Kanine report	pdf
9/26/2015	reports	pdf
11/23/2015	IA Additional	doc
1/28/2016	Documentation of Counselling for Ofc. Lesser	pdf
2/5/2016	Ofc. Lesser Additional	pdf

Chain of Command History

Sent Dt	From	To	CC	Approved
10/1/2015	Sergeant Charles Reynolds	Internal Affairs	Lieutenant Matthew Cowles	<input checked="" type="checkbox"/>
Sender's Instructions: For your review.				
Recipient's Comments/Response: [Forwarded by Sergeant David Staben]				
10/8/2015	Sergeant David Staben	Major Justin Lundgren	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: UOF photos attached				
Recipient's Comments/Response: photos attached				
10/27/2015	Major Justin Lundgren	Lieutenant Matthew Cowles	(none)	<input type="checkbox"/>
Sender's Instructions: See attached use of force report.				
Recipient's Comments/Response: Sergeant So it looks like you used a previously written approval form for this one. Please reassess the incident. Clearly the suspect was found by an officer. The K-9 was instrumental in lowering the amount of risk to officers and quite possibly averted the use of deadly force as the suspect had started to tell officers to 'shoot him'. Please re-visit your approval and note the listed details in regards to the use of force. Respectfully, Matt				
11/23/2015	Lieutenant Matthew Cowles	Sergeant Charles Reynolds	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: see comments				
Recipient's Comments/Response: [Forwarded by Sergeant Charles Reynolds]				
11/23/2015	Sergeant Charles Reynolds	Internal Affairs	Lieutenant Matthew Cowles	<input checked="" type="checkbox"/>
Sender's Instructions: For your review. The requested information was added.				
Recipient's Comments/Response: [Forwarded by Sergeant David Staben]				
11/23/2015	Sergeant David Staben	Lieutenant Matthew Cowles	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: I think this was meant for you				
Recipient's Comments/Response: In review of the attached documents relating to a use of force (Canine Contact) by Officer Lesser: This use of force is within Policy. M. Cowles				
12/3/2015	Lieutenant Matthew Cowles	Captain Daniel Torok	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Captain, Attached are documents relating to a use of force (Canine Contact) by Officer Lesser for your review. Please let me know if there are any questions. Very Respectfully, Matt				
Recipient's Comments/Response: I concur that the use of force was within policy.				
12/14/2015	Captain Daniel Torok	Asst Chief Craig Meidl	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: for review				
Recipient's Comments/Response: I do not find this use of force to be objectively reasonable. The subject was no longer concealed nor was any specific threat directed at the officers at the scene. It is my direction that the K9 handler, Sergeant, and Lieutenant who approved the use of force coordinate training with Legal Advisor Mary Muramatsu and the Training Academy. This training should include at a minimum use of force				

policy and case law as it relates to deployment of police canines.

12/23/2015	Ms Michelle Reiner	Captain Keith Cummings	Captain Daniel Torok	<input type="checkbox"/>
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Sender's Instructions: Please see Assistant Chief Meidl's directive. Once complete, please add final comments and forward to the "Internal Affairs" group. Thank you.

Recipient's Comments/Response:

12/23/2015	Ms Michelle Reiner	Captain Keith Cummings	Captain Daniel Torok	<input checked="" type="checkbox"/>
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Sender's Instructions: Please see Assistant Chief Meidl's directive. Once complete, please add final comments and forward to the "Internal Affairs" group. Thank you.

Recipient's Comments/Response: [Captain Keith Cummings has re-assigned the incident to Captain Daniel Torok]

12/31/2015	Captain Keith Cummings	Captain Daniel Torok	(none)	<input checked="" type="checkbox"/>
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Sender's Instructions: [Incident assignment]

Recipient's Comments/Response: [Captain Daniel Torok has re-assigned the incident to Lieutenant Matthew Cowles]

1/14/2016	Captain Daniel Torok	Lieutenant Matthew Cowles	(none)	<input checked="" type="checkbox"/>
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Sender's Instructions: please return to me after your discussion so that I may proceed accordingly.

Recipient's Comments/Response: Completion notes: -Officer Lesser has provided a more detailed additional report of this incident. -In that discussion I counselled Ofc. Lesser on the importance of complete and detailed reporting -Sgt. Reynolds has completed a 'Documentation of Counselling' (Attached) -Ofc. Lesser has submitted an additional report with additional details. (Attached) -This incident has been debriefed with the K-9 Unit as a learning point for all handlers at training. M. Cowles 02/05/16

2/5/2016	Lieutenant Matthew Cowles	Captain Daniel Torok	(none)	<input checked="" type="checkbox"/>
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Sender's Instructions: Captain, I have tried to forward this previously but nothing happened. If you received this information twice, I appologize. Attached is the information per our conversation. Very Respectfully, Matt

Recipient's Comments/Response: AC Meidl, pursuant to our conversation I had Lt. Cowles ask Ofc. Lesser if there were any more details involved in that incident. Ofc. Lesser completed an additional report which satisfactorily explains his decision to use his K-9. It is my opinion that this was a poor report and not a "bad bite". That has been addressed through the attached DOC.

2/5/2016	Captain Daniel Torok	Asst Chief Craig Meidl	(none)	<input checked="" type="checkbox"/>
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Sender's Instructions: for review

Recipient's Comments/Response: Use of force compliant with policy based on the additional information provided in Ofc. Lesser's additional.

Assigned Investigator Signature Line

Lieutenant Matthew Cowles

Chain of Command Signature Lines

Sergeant David Staben

Major Justin Lundgren

Lieutenant Matthew Cowles

Sergeant Charles Reynolds

Captain Daniel Torok

Asst Chief Craig Meidl

Captain Keith Cummings



Spokane Police Department
Internal Investigation



CONFIDENTIAL

I.A. #:
Additional

Report #15-322457

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

I further find that with the utilization of the K-9 the situation was made safer for the officers involved and the suspect. After locating the suspect hiding in a closet he made statements to the Officers that they would have to "shoot him." They believed he was trying to create a suicide by cop situation. The suspect had a confirmed felony warrant for Harassment / Threats to Kill. He was also booked for City Assault D.V. reference this incident.

Sgt. CJ Reynolds #558



Spokane Police Department

K9 Use of Force Report

General Use of Force Information

Case # **150322457** Report Type **Apprehension**
Location **#1d** Handler **Dan Lesser**
Date Occurred **9/13/2015** K-9 **Rav**
Date of Report **9/20/2015 11:14:00 PM** Imm. Supervisor **Sgt Teigen**
Reviewed By
Review Date

Subject Information

Subject's Name **Johnson,Alexander T**
DOB **4/22/1985** Age **30**
SSN
Gender **M**
Address **1418 E. DALTON**
City **Spokane** Zip Code **99207**
State **WA**
Phone #

Medical Information

Visible Injuries present? **Yes** Subject refuse treatment? **No**
Treatment Required? **Yes** Exam/ Treatment Location **Deaconess Hospital**
Examined by Doctor? **Yes** Examining Doctor
Explanation of Treatment **Johnson's injuries consisted of several punctures on the left calf and left thigh. His injuries were cleaned. No stitches required.**
Time of Exam **9:30 PM**

K-9 Specific Information

Verbal warning given prior to engagement? **Yes** Number of bites or engagements **1**
Subjects actions leading to the Use of Force **The suspect was under arrest for a confirmed felony warrant for felony harassment / threats to kill. The suspect refused to follow directions. He was advised he was under arrest. As the suspect came out of the closet he demanded that we shoot him multiple times.**
Reason no Verbal warning given?

Off leash apprehension made? **Yes**

On leash contact made?

K-9 obeyed handler's commands? **Yes**

K-9 Assaulted? **No**

K-9 Injured? **No**

List K-9's Injuries

K-9 Treatment costs

Examining Veterinarian

Report Narrative

I responded to **#1d** to assist units with a DV. While I was enroute the units on scene believed that the suspect may have run out the back door.

As I arrived on scene I heard officers advise over the radio and stated that the suspect, Johnson, could possibly be hiding inside a closet in the bedroom.

I contacted Ofc Vaughn inside. He stated that when he was clearing the house he believed he located Johnson in the closet.

I decided to utilize my K9, Rav, for the following reasons. Johnson had a confirmed felony warrant for Harassment / Threats to kill. He had not been searched and it was unknown if he possessed any weapons. He was actively resisting/evading arrest. I made an announcement and advised Johnson he was under arrest. Johnson came out of the closet and stated screaming at us. He stated that we would have to shoot him several times. I decided it was safer to deploy Rav to apprehend Johnson before he did something that would cause us to utilize lethal force.

I deployed Rav and he contacted Johnson on the left calf area. As Johnson and Rav went to the floor Rav also had a small contact on Johnson's left thigh. As soon as we had control of Johnson I immediately had Rav release the contact.

Johnson was transported to Deaconess. His injuries consisted of what appeared to be four small punctures on his left calf. He also had one small puncture on his left thigh and two other small shallow punctures on the front of his left thigh.

Sgt Teigen was advised of the contact and Cpl Denton responded for photographs. Once Johnson's injuries were cleaned he was transported to jail and booked. See Ofc Vaughn's report for further details.

Handler's Signature (X) _____

Incident History for: #SP150322457

Entered 09/13/15 20:59:50 BY 91113 911231
Dispatched 09/13/15 21:00:26 BY PCC01 1123
Enroute 09/13/15 21:00:26
Onscene 09/13/15 21:05:14
Closed 09/14/15 00:53:22

Initial Type: DV Final Type: DV (DOMESTIC VIOLENCE)
Initial Priority: 2 Final Priority: 2
Disposition: 1E Source: 9 Primary Unit: K15

Police BLK: SPB4BE

Group: P4 Beat: Map Page: 32

Loc: #1d, SPK btwn N PERRY ST & N HOGAN ST <3200> (V)

Name: LOPEZ, JUAN Addr: #1d Phone: 5094999762

/205950 (911231) ENTRY CAN HEAR NEIGHBORS ARGUING, SOUNDS PHYSICAL, S
LAMMING DOORS, PEOPLE SCREAMING, NO MENTION O
F WEAPONS, THEY ARE HUSBAND AND WIFE, NOTHING
SEEN ONLY HEARD, POSS A 10 YO CHILD INSIDE. #
##
/205950 \$FCSEND ,Incident data pushed to folder
/205953 (*****) \$FCACK ,Processed Successfully
/210026 (1123) DISPER A430 #566 VAUGHN, KEVIN L
/210026 ASSTER A432 #679 ARREDONDO, STEPHEN
/210043 PISEEN
/210514 ONSCNE A432
/210719 (1160) REMINQ A432 WANT,A432,,,,,,,,,JOHNSON,ALEX,J,1987,04,20,,,,,
''''
/210756 (1123) ONSCNE A430
/210932 REMINQ A432 LIC,A432,AVV6766,,,,
/210955 MISC

/210955 MISC

/210955 MISC

/210955 MISC

/210955 MISC

/210955 MISC

/210955 MISC

/210955 MISC

/210955 MISC

/210955 MISC

/210955 MISC

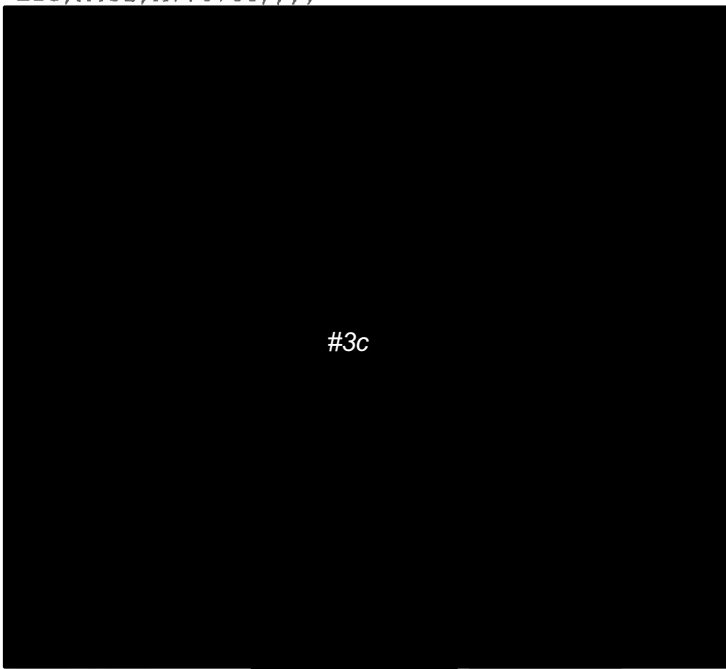
/210955 MISC

/210955 MISC

/210955 MISC

/211058 (1160) REMINQ A430 WANT,A430,,,,,,,,, #1a #1b ,,,,,,,,,

/211133 REMINQ A432 WANT,A432,,,,,,,,,JOHNSON,ALEXANDER,T,1987,04,20
,,,,,,,,,9



#3c

/211605 REMINQ A432 WANT, A432, , , , , , JOHNSON, ALEXANDER, T, 1985, 04, 22
/211630 (1190) *ASSTER A437 [REDACTED] #1d , SPK
#1190 BROOKS, WINSTON
/211646 (614) *ASSTER A431 [REDACTED] #1d , SPK
#614 ARREDONDO, JOHN
/211708 (1240) *ASSTER A438 [REDACTED] #1d , SPK
#1240 ZIMMERMAN, MARK
/211714 (452) *ASSTER K15 [REDACTED] #1d , SPK
#452 LESSER, DANNY
/211745 (1123) MISC A430 , HE RAN OUT THE BACK
/211808 ONSCNE A431
/211851 (750) *ASSTER A434 [REDACTED] #1d , SPK
#750 ANDERSON, JERRY C
/212007 (1190) *ONSCNE A437
/212023 (1123) MISC A432 , APPEARS RAN SB OUT THE BACK OF THE HOUSE
/212057 NEWLOC A437 [DALTON/HELENA]
/212130 (1240) *ONSCNE A438
/212131 (1123) MISC A432 , RESTRICTED. HAVE HIM IN THE HOUSE
/212133 ONSCNE K15
/212201 MISC A432 , HE IS NOT COMPLIANT
/212216 NEWLOC A437 [EAST SIDE OF HOUSE]
/212357 MISC A437 , ONE DETAINED
/212525 MISC A437 , BACK TO NORMAL
/212551 \$PREMPT A438
/212551 \$PREMPT A437
/212604 (750) *PREMPT A434 , PSTAT/ASST
/212748 (1123) MISC ,L211 WAS ADV OF K9 CONTACT VIA MDT AT
K15'S REQUEST
/213009 (452) *CHGLOC K15 [DEAC]
/213302 (1123) ASSTER P316 [REDACTED] #1d , SPK
#463 DENTON, JOSEPH
/213305 CHGLOC P316 [DEAC]
/213519 (452) *REMINQ K15 MWANT, , , , , , JOHNSON, ALEXANDER TRAVIS, 1985, 04, 22
/213810 (463) *ONSCNE P316
/213902 (452) *ONSCNE K15
/213903 *ONSCNE K15
/213936 (1123) MISC A432 , #####
/214000 (566) *TRANSC A430 [STATION] M/4.7
/214011 *TRANSC A430 [DEACONESS] M/4.7
/220712 (614) *MISC A431 , PSTAT/ASST
/220713 *CLEAR A431
/223757 (679) *CHGLOC A432 [DEAC]
/230703 *ONSCNE A432
/230752 (463) *MISC P316 , PSTAT/ASST PSTAT/VIDN --PRIVACY ISSUE-- PICS
/230804 *CLEAR P316
/230838 (452) *CHGLOC K15 [PAPER]
/231100 (566) *TRANS A430 [JAIL] M/00
/231616 (1123) *TRANS A430 , 1.4
/232240 (679) *CLEAR A432 , PSTAT/ASST PSTAT/MISD
/234321 (1123) OK A430
/235404 (566) *CLEAR A430 DSP: 1E
, PSTAT/CFS PSTAT/WAR PSTAT/WAR PSTAT/WAR PSTAT
/WAR PSTAT/RPT

*** New Date: 09/14/15 ***

/005322 (452) *CLEAR K15
/005322 CLOSE K15

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 15-322457	
INCIDENT TYPE Arrest, DV # Juv Present, Domestic Violence, Drug Involved		INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #2 <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #4 <input type="checkbox"/>	
RESPONDING TO (Officer Assault)				ASSIGNMENT (Officer Assault)	
REPORTED ON Sun 09/13/2015 21:05	DATE/TIME	OCCURRED ON Sun 09/13/2015 20:59	DATE/TIME	OCCURRED TO Sun 09/13/2015 21:35	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 09/13/2015	REPORT TIME 21:58	EST TOTAL PROPERTY LOSS
PRIMARY CHARGE M-10.11.010 CITY ASSAULT					UCR/NIBRS CODE /13B
LOCATION OF INCIDENT #1d Spokane, WA 99207				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS Suspect Arrested					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS D LESSER, VAUGHN					
VICTIM/WITNESSES/OTHERS <small>PS-Passenger, PE-Pedestrian, V-Deceased, CDN-Contact, PC-Pedestrian-Cyclist, RO-Registered Owner, RU-Runaway, S-Suspect, V-Victim-Individual, V9-Victim-Business, W-Witness, D-Driver, A-Arrested Person, OW-Owner of Property, C-Container, CV-Consignor or Victim, O-Other, G-Legal Guardian, I1-Institutional, M-Missing, MR-Person Mentioned</small>					
CODE A-1	NAME LAST, FIRST MIDDLE Johnson, Alexander T			SEX M	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE 04/22/1985 30	HEIGHT 5'08"	WEIGHT 160	BUILD Medium	HAIR Brown	EYES BLU - Blue
DESCRIPTORS	ADDRESS - STREET, CITY STATE ZIP 1418 E Dalton, Spokane, WA 99207			RESIDENTIAL STATUS NONE	PHONE NONE
CONFIDENTIALITY <input type="checkbox"/>	PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (509) 216-3049, (Home) NONE					
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION M-10.11.010 CITY ASSAULT			UCR/NIBRS CODE /13B	
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CITATION # N055360	DATE	TIME	BOOKED WHERE Spokane County Jail	DATE 09/13/2015	TIME 21:30
ARREST LOCATION #1d			STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input checked="" type="checkbox"/> DENIED	SUSPECT ARMED WITH
JUV. PAR/ORD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED	NOTIFIED BY	DISPOSITION OF JUVENILE
DRIVER'S LICENSE #4b	<input type="checkbox"/> FAKE STATE	SOCIAL SECURITY NO.	<input type="checkbox"/> FAKE OTHER ID		

ID NO /NAME OF REPORTING OFFICER #679 - Arredondo, Stephen	DISTRIBUTION
APPROVAL #445 - Cordis, Tyler	DATE/TIME 09/14/2015 06:32

Incident Report #1

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-SIMPLE				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 15-322457	
CODE V-1	NAME LAST FIRST MIDDLE #1a			SEX F	RACE/ETHNICITY W-White		DATE OF BIRTH/AGE #1b
HEIGHT 6'00"	WEIGHT 230	BUILD Heavy	HAIR Black	EYES BLK - Black	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS STREET CITY STATE ZIP #1d			RESIDENTIAL STATUS		PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) #1c							
RELATIONSHIP TO SUSPECT Victim was Girlfriend			VICTIM OF Ofns. # M-10.11.010 CITY ASSAULT			OFNDR # A-1	
CODE W-1	NAME LAST FIRST MIDDLE #2d			SEX F	RACE/ETHNICITY W-White		DATE OF BIRTH/AGE #2d
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS STREET CITY STATE ZIP			RESIDENTIAL STATUS		PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE	
NARRATIVE							

On 09-13-15 at about 2105hrs, I responded to #1d reference a domestic incident.

According to the complainant(Juan Lopez) his neighbors were having an argument which sounded physical.

Upon arriving on scene, I contacted Alex Johnson in the front yard under the hood of his car. He stated that everything was okay and that his wife and kids had been asleep for awhile.

Officer Vaughn had arrived on scene and contacted the female #1a at the front door. He informed me that this was an argument only and both subjects stepped inside their home.

Radio informed me that they had no record for Alex Johnson however, they did find Alexander Johnson in with a different DOB. They also confirmed that he had three misdemeanor warrants and one felony warrant for his arrest.

We re contacted #1a who said that Alex had jumped out the back window right after we left. She gave us permission to search their apt where we located Alex hiding in a back bedroom. He refused to comply with our requests to exit the hiding area and come out with his hands up. He refused to comply with our orders at which time Officer D Lesser informed him that he was under arrest and if he continued to refuse to come out he would release his k-9 dog.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-322457
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Officer Lesser eventually released his k-9 and contact was made. Alex was taken into custody and transported to Deaconess Hospital to be treated.

I re contacted #1a in which she confirmed that once we left Alex started yelling at her. He was extremely upset that the police were called and he assumed that their 11yr old child #2d had called 911 as she has done this in the past. She tried to calm Alex down and told him to go to bed. He wanted his whiskey back and started screaming that it was their daughters fault the cops were called. She said that they were standing in the kitchen where he grabbed a dinner plate with food and threw it on the floor. She said that he is totally out of control when he drinks and his anger is uncontrollable. She said that no one was going to attack her kids and she was not going to let him go downstairs and verbally attack #2d. She said that he shoved her into the wall with both hands about shoulder high.

He than walked into the bedroom when he heard us knocking on the door. She stepped outside to contact us and thought that he had jumped out the east side bedroom window.

I next spoke with their 11 yr old child #2d who confirmed that she saw her dad shove her mom into the wall. She said that he pushed her in the kitchen and threw the dinner plate on the floor.

I informed #1a that I was going to charge Alex with city aslt dv. She said that she understood and was sorry for the misunderstanding. I gave her a c/v card and she said that she had a prior NCO against Alex and knows how to file for one if needed.

Officer Vaughn later booked Alex after he was released from Deaconess for city aslt dv(N055360).

See Officers Vaughn and Lesser reports

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

OFFICER:ARREDONDO
NUMBER:679
DATE:09-13-15
PLACE: Spokane County, WA

Incident Report #1

END OF INCIDENT REPORT

09/14/2015 06:42:52.755

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 15-322457	
REPORT PURPOSE			REPORTED ON DATE Sun 09/13/2015	TIME 21:17
INCIDENT CLASSIFICATION #1 WARRANT ARREST	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 09/20/2015	REPORT TIME 22:17
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

I responded to [redacted] #1d to assist units with a DV. While I was enroute the units on scene believed that the suspect may have run out the back door.

As I arrived on scene I heard officers advise over the radio and stated that the suspect, Johnson, could possibly be hiding inside a closet in the bedroom.

I contacted Ofc Vaughn inside. He stated that when he was clearing the house he believed he located Johnson in the closet.

I decided to utilize my K9, Rav, for the following reasons. Johnson had a confirmed felony warrant for Harassment / Threats to kill. He had not been searched and it was unknown if he possessed any weapons. He was actively resisting/evading arrest. I made an announcement and advised Johnson he was under arrest. Johnson came out of the closet and stated screaming at us. He stated that we would have to shoot him several times. I decided it was safer to deploy Rav to apprehend Johnson before he did something that would cause us to utilize lethal force.

I deployed Rav and he contacted Johnson on the left calf area. As Johnson and Rav went to the floor Rav also had a small contact on Johnson's left thigh. As soon as we had control of Johnson I immediately had Rav release the contact.

Johnson was transported to Deaconess. His injuries consisted of what appeared to be four small punctures on his left calf. He also had one small puncture on his left thigh and two other small shallow punctures on the front of his left thigh.

Sgt Teigen was advised of the contact and Cpl Denton responded for photographs. Once Johnson's injuries were cleaned he was transported to jail and booked. See Ofc Vaughn's report for further details.

ID NO./NAME OF REPORTING OFFICER #452 - Lesser, Dan	DISTRIBUTION	
APPROVAL #150 - Reisenauer, Charles	DATE/TIME 09/21/2015 00:36	

Supplemental Report #1

09/21/2015 00:42:46.522

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 15-322457	
REPORT PURPOSE		REPORTED ON DATE Sun 09/13/2015	TIME 20:59	INCIDENT XREF
INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 WARRANT ARREST	ATTEMPTED <input type="checkbox"/>	
INCIDENT CLASSIFICATION #3	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	ATTEMPTED <input type="checkbox"/>	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 09/14/2015	REPORT TIME 03:48
PRIMARY CHARGE			UCR/NIBRS CODE	
NARRATIVE				

On 09-13-15 I responded to [redacted] #1d for the report of a domestic dispute. The complainant reported a male and female were arguing inside the location. The complainant believed the altercation was physical. Slamming doors and people screaming could be heard.

I arrived on scene and contacted the female [redacted] #1a [redacted] #1a stated she and her live in boyfriend Alexander Johnson got into a verbal argument. The argument was because Johnson was not working which created tension between the two. [redacted] #1a stated the argument was only verbal and nothing physical occurred.

Officer Arredondo spoke to Johnson and gathered is statements. See Officer Arredondo's report. It was initially determined no crime occurred. We broke contact with [redacted] #1a and Johnson and started to clear the scene.

Radio advised they located a Alexander Johnson with a similar date of birth in the system as wanted. Johnson showed to have three traffic warrants and one felony warrant for harassment / threats to kill. I pulled up a photograph of the wanted subject and confirmed it was the Alexander Johnson we were dealing with. Local database also showed Johnson to be armed on past contacts.

I had not yet cleared the scene and attempted to re-contact Johnson. I again spoke to [redacted] #1a who stated Johnson jumped out the back window and ran from the location. I advised [redacted] #1a Johnson had warrants for his arrest. [redacted] #1a invited me into the home to search for Johnson.

I checked the bedroom closet and moved some hanging clothing to the side. I then observed Johnson sitting in the corner of the closet attempting to hide. Not knowing if Johnson possessed a weapon or intended to assault officers, I backed out of the room to a safe location. I gave Johnson several commands to exit the closet but he refused to do so or acknowledge he was in the closet. Again it was unknown what Johnson's intent was by hiding in the closet and refusing to obey officers commands.

K9 officer Lesser arrived on scene and also gave commands for Johnson to exit. Upon the second command Johnson did exit the closet and back into the center of the room. Johnson then raised his hands up and stated, "fucking shoot me." Johnson's actions raised further concern that we may be dealing with a "suicide by cop" situation.

Officer Lesser released his K9 which made contact with Johnson. Johnson showed no reaction when contacted and slowly fell to the ground. I then assisted with handcuffing Johnson. See Officer Lesser's report for K9 contact.

Johnson was transported to the hospital to receive treatment for the K9 contact. At the hospital I read Johnson his constitutional rights which he stated he understood and waived.

ID NO./NAME OF REPORTING OFFICER #566 - Vaughn, Kevin	DISTRIBUTION	
APPROVAL #445 - Cordis, Tyler	DATE/TIME 09/14/2015 06:31	

Supplemental Report #1

09/14/2015 06:33:42.826

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-322457
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Johnson stated he knew he had warrants and did not want to go to jail. Johnson knew I saw him in the closet and disregarded my commands to exit. Johnson stated he thought there might be a one in a billion chance we would not arrest him so he tried to stay in the closet. Johnson apologized for his actions stating he acted very poorly.

After treatment Johnson was transported to Spokane County Jail where I booked him on his warrants. #1a also gave additional statements to Officer Arredondo who established probable cause to arrest Johnson for assault. Johnson was additionally booked for city assault DV per Officer Arredondo's probable cause.

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

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 15-322457	
REPORT PURPOSE			REPORTED ON DATE Tue 09/13/2016	TIME 21:05	INCIDENT XREF
INCIDENT CLASSIFICATION #1 WARRANT ARREST		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 01/28/2016	REPORT TIME 10:40	
PRIMARY CHARGE					UCR/NIBRS CODE
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim - Individual, A-Arrested Person, VB-Victim - Business, M-Missing, MIP-Person Mentioned, RO-Registered Owner, V-Deceased, PS-Passenger, PE-Pedestrian, PC-Pedestrian - Cyclist, O-Other, C-Complainant, IN-Institutional, G-Legal Guardian, D-Driver, W-Witness, CV-Complainant to Victim, CON-Contact, RU-Runaway, OW-Owner of Property</small>					
CODE A-1	NAME: LAST, FIRST, MIDDLE Johnson, Alexander T			SEX M	RACE/ETHNICITY W-White
				DATE OF BIRTH/AGE 04/22/1985 0	
HEIGHT 5'08"	WEIGHT 160	BUILD Medium	HAIR Brown	EYES BLU - Blue	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1418 E Dalton, Spokane, WA 99207			RESIDENTIAL STATUS	PHONE NONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (509) 216-3049, (Home) NONE					
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE		OTHER ID
#4b					
NARRATIVE					

This report is providing clarification and more information to my original report.

On 9/13/15 I was assisting units involved in a domestic violence call at **#1d**. The complainant had stated that there was a male and female yelling inside and they believed that someone had been assaulted. Here are some determining factors on why I deployed my K9 Rav to apprehend Johnson.

It was determined through investigation that the suspect, Johnson, had a confirmed felony warrant for Harassment/Threats to Kill along with three misdemeanor warrants. There was also probable cause to arrest Johnson for City Assault Domestic Violence on **#1a**. When officers contacted **#1a** she stated that Johnson had jumped out of a window and fled on foot. As I was arriving on scene I heard Ofc Vaughn advised that I should bring my K9 inside.

I contacted Ofc Vaughn inside of the residence by the bedroom door. He stated that as he was clearing the residence he located Johnson inside of the closet. He said he had backed up to the door to provide some cover and had repeatedly requested that Johnson show him his hands and exit the closet. Johnson continued to refuse his requests to exit.

It was unknown if Johnson was armed with any type of weapons and had not been searched. In his criminal history he has been armed on past contacts. It was unknown what type of weapons could possibly be in the closet or the bedroom itself. We could not see the closet from where we were positioned and we could not see Johnson at this point.

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

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION WARRANT ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-322457
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I decided to make an announcement with my K9, Rav, present to see if I could get Johnson to surrender without further incident. I advised Johnson "This is the Spokane Police department K9 unit. Alex Johnson you are under arrest. You need to come out of the closet or the K9 will find you and bite you". After the first announcement Johnson did nothing. I made a second announcement and this time Johnson came out of the closet into the middle of the room and took an aggressive stance (boxer's stance). He started screaming "fucking shoot me", "you're gonna have to fucking shoot me".

The situation was extremely tense, uncertain, and rapidly evolving. Having been involved in several critical incidents where suspects have committed "suicide by cop" I was concerned that the longer we gave Johnson to either formulate a plan or build up the nerve to do something to cause us to shoot him. Again Johnson had not been searched and neither had the bedroom where he was standing. It was unknown if there could be any type of weapons. The area in the bedroom was cluttered and could easily conceal any type of weapons.

I was also concerned that we were only about 10 to 15 feet away from the suspect which greatly diminishes our reaction time if the suspect was to do something.

I could see the look of determination on Johnson's face. It appeared to me that if officers were to go hands on with him it would be a fight where probably Johnson, the officers, or both could possibly be injured. I had repeatedly told Johnson that he was under arrest but he choose to refuse all verbal requests and actively evade / resist arrest.

I know from my training and experience that the courts have time and time again ruled that the use of K9 are not deadly force and in fact they prevent the use the of deadly force.

Based on the following reasons I decided to deploy Rav to apprehend Johnson. Johnson had a confirmed felony warrant for Harassment / Threats to Kill. He also had three confirmed misdemeanor warrants as well. There was also probable cause to arrest Johnson for City Assault DV on #1a We were well inside the 4 hour window which mandates us to make a custodial arrest per Washington State law.

Johnson was actively evading / resisting arrest. Johnson was also standing in the middle of the room screaming "Fucking shoot me" which led me to believe that this could possibly be a "suicide by cop" or at least a physical fight. Johnson had not been searched and it was unknown if he possessed any type of weapons. The shirt that Johnson was wearing carrying his waist band and could easily conceal a weapon. The bedroom that Johnson was in also had not be searched and it was unknown if there were any type of weapons within arm's reach.

Based on those factors I deployed Rav to apprehend Johnson.

Rav's contact on Johnson gave the officers a window of opportunity to safely close space and take him into custody without further incident. Without the use of Rav as an apprehension tool this close quarters apprehension would have been extremely more dangerous.

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 CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION WARRANT ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-322457
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CRIMINAL **TRAFFIC** **NON-TRAFFIC** **N 055360**

IN THE DISTRICT MUNICIPAL COURT OF SPOKANE, COUNTY OF SPOKANE, *WA032051J STATE OF WASHINGTON
 STATE OF WASHINGTON, PLAINTIFF VS. NAMED DEFENDANT
 COUNTY OF
 CITY/TOWN OF
 L.E.A. OR I.D. # _____ COURT OR I.D. # 15-322457

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON

DRIVER'S LICENSE NO.	STATE	EXPIRES	PHOTO I.D. MATCHED
			<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NAME: LAST <u>Johnson</u>	FIRST <u>Alexander</u>	MIDDLE <u>T</u>	CDL/CLP
			<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ADDRESS <u>1418 E DALTON</u>			
<input type="checkbox"/> IF NEW ADDRESS			
CITY <u>SPOKANE</u>	STATE <u>WA</u>	ZIP CODE <u>99207</u>	EMPLOYER _____
LOCATION _____			
DATE OF BIRTH <u>4-22-85</u>	RACE <u>W</u>	SEX <u>M</u>	HEIGHT <u>5'8</u>
WEIGHT <u>165</u>	EYES <u>Bro</u>	HAIR <u>Blk</u>	
RESIDENTIAL PHONE NO. _____	CELL/PAGER NO. _____	WORK PHONE NO. <u>311</u>	
VIOLATION DATE MONTH <u>09</u> DAY <u>13</u> YEAR <u>15</u>			TIME <u>2105</u>
ON OR ABOUT _____			INTERPRETER NEEDED <input type="checkbox"/>
AT LOCATION <u>#1d</u>			CITY/COUNTY OF <u>()</u>

DID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE ON A PUBLIC HIGHWAY AND

VEHICLE LICENSE NO.	STATE	EXPIRES	VEH. YR.	MAKE	MODEL	STYLE	COLOR

TRAILER #1 LICENSE NO.	STATE	EXPIRES	TR. YR.	TRAILER #2 LICENSE NO.	STATE	EXPIRES	TR. YR.

OWNER/COMPANY IF OTHER THAN DRIVER _____							
ADDRESS _____ CITY _____ STATE _____ ZIP CODE _____							
ACCIDENT NO. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	BAC READING <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	CMV <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	10+ <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	HAZMAT <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	EXEMPT VEHICLE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	FIRE LEA <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES

#1 VIOLATION/STATUTE CODE <u>10-11-610</u>	<input checked="" type="checkbox"/> DV
<u>CITY ASLT DV</u>	
<u>VICT!</u>	
#2 VIOLATION/STATUTE CODE _____	<input type="checkbox"/> DV
<u>#1a</u>	<u>#1b</u>

MANDATORY COURT APPEARANCE

APPEARANCE DATE _____	MO _____	DAY _____	YR _____	TIME <u>1:30 A.M.</u>	RELATED # _____	DATE ISSUED <u>4-13-15</u>
<input type="checkbox"/> Served on Violator <input type="checkbox"/> Sent to Court for Mailing <input type="checkbox"/> Referred to Prosecutor <input checked="" type="checkbox"/> Booked			I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE ISSUED THIS ON THE DATE AND AT THE LOCATION ABOVE, THAT I HAVE PROBABLE CAUSE TO BELIEVE THE ABOVE NAMED PERSON COMMITTED THE ABOVE OFFENSE(S) OFFICER <u>Arredondo</u> # <u>679</u> OFFICER _____			

COMPLAINT / CITATION

ABSTRACT OF JUDGEMENT	CRG	PLGA	CNG	FINDINGS	FINE	SUSPENDED	SUB-TOTAL	FIND/JUDG DATE
	1	G	NG		G NG D	\$	\$	\$
2	G	NG		G NG D	\$	\$	\$	WITH DAYS SUP
OTHER COSTS \$ _____							TOTAL COSTS \$ _____	CREDIT / TIME SVG _____
RECOMMENDED NONEXTENSION OF SUSPENSION <input type="checkbox"/>				LICENSE SUR-RENDER DATE _____				

N 055360

OFFICER REPORT

REC'D - SPOKANE
POLICE RECORDS

2015 SEP 14 AM 8 21

TRAFFIC

LT MED HV

WEATHER

CL RN FG SN

STREET

D W I E

LIGHT

D DWH DSK DK

Officer's Report for Citation # 15-322457
The information contained on this citation is incorporated by reference into this report.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT ALL STATEMENTS MADE HEREIN ARE TRUE AND ACCURATE

Signature

[Handwritten Signature]

679

Date and Place

WITNESS NAME (LAST, FIRST, MI)

PHONE

ADDRESS

CITY

STATE

ZIP

WITNESS NAME (LAST, FIRST, MI)

PHONE

ADDRESS

CITY

STATE

ZIP

INCIDENT NUMBER

15-322457

RELATED OR ASSOCIATED CITATION NUMBERS

ISSUING OFFICER #

Arredondo 679



SPOKANE POLICE DEPARTMENT

CHIEF OF POLICE

FRANK STRAUB, Ph.D.

ARREST NOTIFICATION TO PROPERTY OWNER/AGENT

Richard Wilson
8204 N. Aubrey L White Pkwy
Nine Mile Falls, WA 99026

Date of Notification: 9/14/15
Incident Report No.: 15-322457
Date of Arrest: 9/13/2015

The Civil Enforcement Unit is a support unit within the Spokane Police Department. We are dedicated to developing community partnerships in an effort to positively change neighborhood environments by addressing the underlying problems of crime.

You are receiving this notice because Washington law, Revised Code of Washington (RCW) 59.18.075, requires law enforcement agencies to notify landlords of the arrest of a tenant(s) for seizure of a legend drug or controlled substance, unlawful use of a firearm, use of deadly weapons, and/or for physically assaulting another person on a rental premises. According to the property tax records you are the legal owner of the subject rental premises.

The Spokane Police Department arrested Alexander Johnson, who is believed to be a tenant at 1418 W. Dalton, Spokane 99207, for City Assault DV (RCW M-10.11.010DV), activity the Spokane Police Department considers to be imminently hazardous to the physical safety of other people.


An arrest is not a conviction or determination of guilt. Landlords and Tenants both have rights and responsibilities under Washington's Landlord Tenant Act, RCW 59.18. You can read the text of this statute at <http://apps.leg.wa.gov/rcw/>.

Prior to taking actions pursuant to this notice, the Civil Enforcement Unit recommends Landlords consult an attorney or a professional landlord association. Be advised, a landlord may not terminate a tenancy based on the tenant's status as a victim of domestic violence, sexual assault, or stalking. See RCW 59.18.580(2).

This letter meets SPD's mandate to notify landlords of imminently hazardous arrests under RCW 59.18.075 and does not constitute legal advice, nor bestow a duty to evict. How you decide to address this incident at your rental property or work to prevent this type of activity from recurring is entirely within your discretion.

Please contact us at spdceu@spokanecity.org or (509)835.4555 with any questions you may have regarding this notification.

Served via U.S. First Class Mail to the addressee above on this 14th day of September, 2015.


Sergeant Dan Ervin
Spokane Police Department
1100 W. Mallon Ave.
Spokane, WA 99260

#9

#9

#9