



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 Tyler Cordis

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
12/19/2015	12/19/2015	07:11
Record ID #	Incident No	IA No
9120	15-445351	F15-116
Date/Time Entered		
12/26/2015 12:15		

Incident Summary

Officer collins used a draw and direct on a burglary suspect coming out of a house.

In compliance with policy per Assistant Chief Meidl 01/07/16.

Incident Location

- #1d Spokane, WA 99207 - : Central

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Resisting Arrest	Call For Service	
Weather Condition	Lighting Condition	Distance to Citizen
Snow	Daylight	c-7-12 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
No	No	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Small	5'4" to 5'6"	
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

Luis A Landeros

DOB: 1/13/1986 Race: Hispanic Gender: Male

Address

- 2004 College ST, Direction: W, Spokane, WA 99201

Phone

- (509) 599-9954

Types of Resistance Citizen Used Against Officer(s)

- Passive Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
No injuries noted or visible		

Charges against this citizen

- Felony - Person Crime

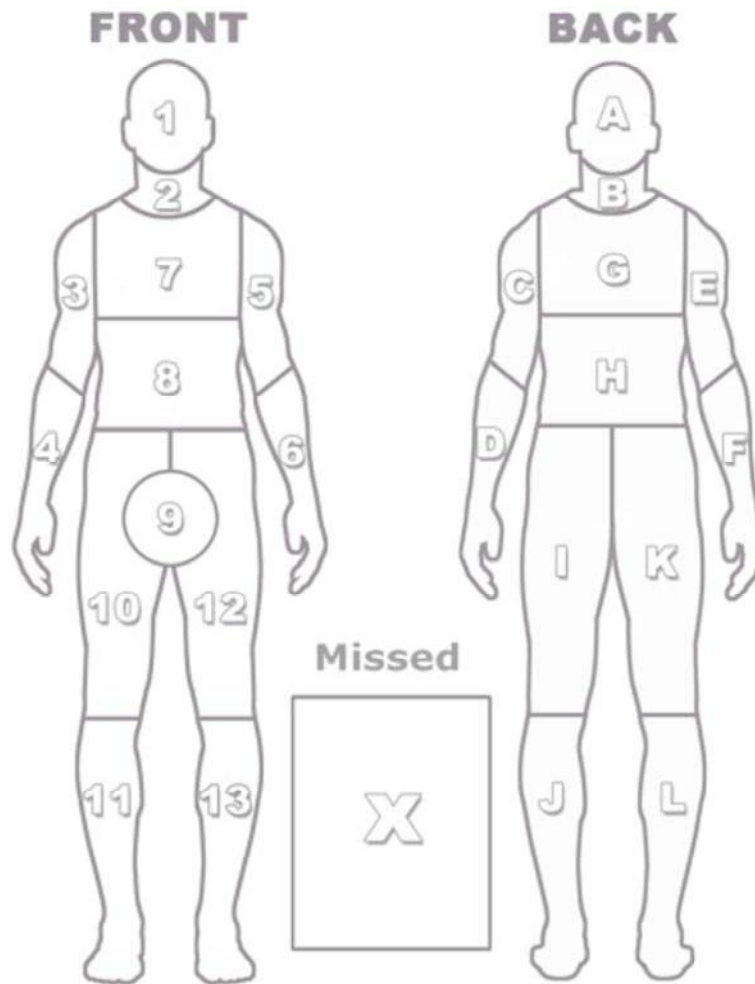
Involved Officers

Officer Robert Collins - Payroll Number: #5c

Force used by this officer against the citizen

- Firearm-Draw/Direct - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Firearm-Draw/Direct	Yes		



Injuries sustained by this officer

Injury	Regions	Injury Locations
No injuries noted or visible		

Attachments

Date Attached	Attachment Description	Attachment Type
12/28/2015	Body Camera Video	
1/4/2016	IA Additional	docx
1/12/2016	CAD Report	pdf
1/12/2016	Officer Reports	pdf

Chain of Command History

Sent Dt	From	To	CC	Approved
12/26/2015	Sergeant Tyler Cordis	Internal Affairs	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Blue team review of Officer Collins draw and direct.				
Recipient's Comments/Response: [Forwarded by Sergeant David Staben]				
12/28/2015	Sergeant David Staben	Lieutenant David	(none)	

		McCabe		<input checked="" type="checkbox"/>
Sender's Instructions: This is use force review on officer Collins				
Recipient's Comments/Response: I concur w/ Sgt. Cordis' review. Ofc. Collins acted appropriately and within training and policy during this incident. This was a high stress event - a burglary in progress. Ofc. Collins correctly drew and directed the suspect while he could not confirm if the suspect was armed or not. Once he was able to see that the suspect's hands were empty, he holstered his weapon and helped the suspect into a prone handcuffing position and then handcuffed him without incident. Lt. D. McCabe #210 South Precinct				
12/31/2015	Lieutenant David McCabe	Captain Daniel Torok	(none)	<input type="checkbox"/>
Sender's Instructions: Please review. Thanks! Dave				
Recipient's Comments/Response: Lt. McCabe, please review this UOF investigation with Sgt. Cordis. 1. He has notes prior to his IA additional which appear to be key points that he would like to address. Once he completes the report he needs to delete the prompts. 2. All supervisors were provided with Blue Team training. Sgt. Cordis needs to refer to Page 12 in the IA SOP which in parts says, "? BLUE TEAM-REPORT CONTENT-FIELD SUPERVISOR - IA Additional- This document will contain the: witness, officer, and suspect statements; observations, and any other pertinent information including the reporting supervisor's name and personnel number. Note which officers, if any, on scene were equipped with a body camera. Please have Sgt. Cordis correct these deficiencies and resubmit his report for your review.				
12/31/2015	Captain Daniel Torok	Lieutenant David McCabe	Lieutenant Rex Olson	<input type="checkbox"/>
Sender's Instructions: Please see comments. Lt. Olson you have been cc'd as Sgt. Cordis will be in your COC at markup.				
Recipient's Comments/Response: See comments				
12/31/2015	Lieutenant David McCabe	Sergeant Tyler Cordis	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Tyler, please see Captain Torok's comments below. There appear to be notes of things you wanted to cover at the beginning of your IA additional. Please delete those once they are covered in your report and before it is forwarded for review. Also, do not rely on the officers' reports for their statements. If you spoke to officers/witnesses/suspects on scene, please include their comments in your report. Also, note in your report any one on scene wearing a body camera and whether you viewed the video prior to completing your report. Let me know if you have any questions. Thanks! Dave				
Recipient's Comments/Response: revisions completed.				
1/4/2016	Sergeant Tyler Cordis	Internal Affairs	Lieutenant David McCabe	<input checked="" type="checkbox"/>
Sender's Instructions: revisions completed				
Recipient's Comments/Response: [Forwarded by Sergeant David Staben]				
1/4/2016	Sergeant David Staben	Lieutenant David McCabe	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Resubmitted UOF				
Recipient's Comments/Response: Ofc. Collins acted appropriately and within policy during this incident. Drawing his weapon on, and directing a suspect in an in-progress felony, is appropriate when the felony is of a violent nature and the officer cannot see the suspect's hands. Once Ofc. Collins saw that the suspect's hands were empty, he holstered his weapon and took the suspect into custody. Lt. D. McCabe #210 South Precinct				
1/5/2016	Lieutenant David McCabe	Captain Daniel Torok	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Please review. Thanks! Dave				
Recipient's Comments/Response: The use of force was within policy.				
1/6/2016	Captain Daniel Torok	Asst Chief Craig Meidl	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: for review				
Recipient's Comments/Response: Use of force in compliance with policy.				

Entering Officer Signature Line

Sergeant Tyler Cordis

Chain of Command Signature Lines

Sergeant David Staben

Lieutenant David McCabe

Captain Daniel Torok

Sergeant Tyler Cordis

Asst Chief Craig Meidl



Spokane Police Department
Internal Investigation



CONFIDENTIAL

IA#
Additional

15-445351

Incident Being Investigated

This is a use of force review of a draw and direct. Officer R. Collins contacted a burglary suspect coming out of a house with victims inside. He used a draw and direct when the suspect would not show his hands.

Incident Summary

Officer R. Collins was responding to [REDACTED] #1d reference a residential burglary. Residents called in saying a male broke in through a back window and was in the kitchen. A female was heard crying and [REDACTED] #1a was yelling at the suspect, Luis Landeros. As the caller was saying Luis was at the backdoor ofc Collins was arriving on scene.

Officer Collins approached the back slider, which is on the north side of the house. He could see Luis standing sideways in the broken slider opening. He could not see Luis' right hand. Officer Collins announced "police" and ordered Luis to get onto the ground. Luis did not move. Fearing that Luis may try to go back into the house where the victims were at, or if they were injured, and not knowing if Luis was trying to conceal a weapon he drew his gun and pointed in on Luis.

After being ordered to the ground several more times he finally turned toward the outside and ofc Collins was able to see that his hand was empty. He holstered his gun and took Luis into custody without further incidents.

Officer Interview Summary

My interviews with the officers who were either involved or witnesses were consistent with their reports (see attached). Officer Collins said that when he could clearly see the suspect part way in the house but could not see both his hands he drew his gun. He pointed in on the suspect when he would not follow commands and holstered after he could see his hands were clear.

Witness Interview Summary

Investigative Summary

Based on the facts of the case;

Officers were responding to an occupied burglary where homeowners were confronting the suspect inside their home. Radio was advising of a female crying and a male yelling at the suspect to get out. Officer Collins arrives to see Luis standing half in half out of the broken rear sliding door and cannot see both hands. He does not know if any of the people inside are injured and does not know if Luis has a weapon in his concealed hand.

After ofc Collins announces he is the police and orders Luis to get on the ground, he gets no compliance. Knowing he has to protect the victims inside and himself he points in on Luis and again orders him to get on the ground. When Luis turns and ofc Collins can see that there is nothing in his hand he lowers his gun and is able to contact and take Luis into custody without any further use of force.

Officer Collins acted within his department training and policy to draw and direct a suspect coming out of an occupied burglary with victims inside. Luis forced ofc Collins to use force by not showing his hands or complying with simple commands. Officer Collins also showed restraint and decision making when he transitioned once he saw that Luis did not have anything in his hands.

There is no body camera footage of the incident.

T. Cordis #445/L286

Incident History for: #SP150445351

Entered 12/19/15 07:11:18 BY 91114 911243
Dispatched 12/19/15 07:11:43 BY PCC01 1008
Enroute 12/19/15 07:11:43
Onscene 12/19/15 07:16:03
Closed 12/19/15 12:45:54

Initial Type: BURGR Final Type: BURGR (BURGLARY REPORT, RESIDENTIAL)

Initial Priority: 1 Final Priority: 1

Disposition: 1E Source: 9 Primary Unit: E154

Police BLK: SPB4LO

Group: P4 Beat: Map Page: 32

Loc: #1d ,SPK btwn E ERMINA AV & E MONTGOMERY AV <200> (V)

Name: #1a Addr: SAME Phone: #1c

/071118 (911243) ENTRY MALE BROKE INTO COMPS HOUSE. XFER...
/071143 (1008) DISPER E123 #620 ATKINS, RICHARD
/071143 ASSTER E124 #701 STEWART, JAMES
/071143 ASSTER E154 #396 COLLINS, ROBERT
/071207 (552) SUPP TXT: MALE BROKE THRU BACK SCREEN BACK WINDOW,
/071228 SUPP TXT: SUSPECT A/M SHORT, NO SHIRT, JEANS,
/071251 SUPP TXT: COMP IS CRYING. IS NOW IN THE KITCHEN
/071351 SUPP TXT: #1a IN THE BACKGROUND YELLING AT SOME
BODY, TRYING TO GET #1a ON T HE PHONE
/071417 SUPP TXT: NOBODY IS ARMED. #1a YELLING "GET THE
FUCK OUT OF MY HOUSE"
/071451 SUPP TXT: LOTS OF YELLING IN THE BG, NOBODY KNOWS W
HO HE IS
/071548 SUPP TXT: SUSPECT NOW BY THE BACK DOOR. NOW PUT A S
HIRT ON. TRYING TO GET UPDATED C LOTHING DESCR
IPTION
/071603 (1008) ONSCNE E154 ,AREA
/071638 MISC E154 ,RESTRICTED YELLING FROM E154
/071652 MISC E154 ,STEP IT UP
/071715 MISC E154 ,SLOW IT DOWN ONE IN CUSTODY
/071809 (701) *ONSCNE E124
/071948 (1008) ASSTER P310 #365 HARDING, RAYMOND
/072125 (445) *ASSTER L286 #1d
#445 CORDIS, TYLER
/072238 (396) *REMINQ E154 MWANT,,,,,,LANEROS,LUISA,1986,01,13,,,,,,
',#
/072324 (1008) MISC E154
/072608 (445) *ONSCNE L286
/072806 (365) *ONSCNE P310
/073308 (676) ASSTOS L240 #1d ,SPK]
#240 HOLLENBECK, KIP
/074521 (240) *CLEAR L240
/075201 (620) *CHGLOC E123 [PROPERTY]
/075315 (396) *TRANS E154 [JAIL] M/249.8
/075341 (701) *MISC E124 ,PSTAT/ASST PSTAT/RPT PSTAT/VIDY
/075432 (445) *MISC L286 ,I WILL COMPLETE A BLUE TEAM FOR A DRAW AND DI
RECT USE OF FORCE.
/075437 *CLEAR L286
/075554 (701) *REMINQ E124 MWANT,,,,,,LANEROS,LUISA,1986,01,13,,,,,,
'
/075850 *REMINQ E124 MWANT,,,,,,LANDEROS,LUISA,1986,01,13,,,,,,
'
/080049 (396) *TRANSC E154 M/251.9

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/080143 (620 ) *ONSCNE E123
/080236 (1008 ) $PREMPT E124
/080248 (365 ) *CLEAR P310 DSP: 1K
,PSTAT/CFS
/081841 (1008 ) OK E123
/081841 OK E154
/082259 (396 ) *REMINQ E154 MWANT, , , , , , #1a #1b , , , , , , , ,
, , ,
/082423 *MISC E154 , #1a WAS VICTIM IN BED AT TIME OF BURGLARY,
SUSPECT ENTERED HER ROOM AND SHOVED HER FACE I
N PILLOW
, PSTAT/ASST PSTAT/RPT
/090346 (620 ) *CLEAR E123 [LOGAN/PAPER]
/094433 (396 ) *CHGLOC E154
/094621 *ONSCNE E154
/095927 (1008 ) OK E154
/102326 (396 ) *REMINQ E154 MWANT, , FL, , , , , LANDEROS, LUISA, 1986, 01, 13, , , , , ,
, , , , , ,
/124554 *CLEAR E154 DSP: 1K --> 1E
,M, BOOKED FOR 1ST BURGLARY WITH SEXAUL MOTIVA
TION
/124554 CLOSE E154

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INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 15-445351	
INCIDENT TYPE Arrest		INCIDENT CLASSIFICATION #1 BURGLARY-RESIDNTL		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"/>	
RESPONDING TO (Officer Assault)				ASSIGNMENT (Officer Assault)	
REPORTED ON Sat 12/19/2015 07:11	DATE/TIME	OCCURRED ON Sat 12/19/2015 07:00	DATE/TIME	OCCURRED TO Sat 12/19/2015 07:11	DISTRICT
DISPATCH TIME 07:11	ARRIVED TIME 07:16	CLEARED TIME 09:00	REPORT DATE 12/19/2015	REPORT TIME 09:58	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE 9A.52.020(1)(B) BURGLARY-1D(ASSAULT)					UCR/NIBRS CODE / 220
LOCATION OF INCIDENT #1d ██████████ Spokane, WA 99207			LOCATION NAME (IF APPLICABLE)		
ENTRY POINT Door Front Sliding Glass Door	METHOD Broke Glass	WEAPON/TOOL/FORCE USED	SECURITY Exterior Lights	EVIDENCE Photographs	
TYPE OF PREMISE (FOR VEHICLES STATE WHERE PARKED) Residence/Home					
SOLVABILITY FACTORS Suspect Arrested					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS Atkins					
VICTIM/WITNESSES/OTHERS					
CODE A-1	NAME: LAST, FIRST, MIDDLE Landeros, Luis Alberto Luna			SEX M	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE 01/13/1986 29					
HEIGHT 5'05"	WEIGHT 140	BUILD Light	HAIR Brown	EYES BRO - Brown	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 2004 W COLLEGE, Spokane, WA 99201			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL ADDRESSES 1919 N Huchinson Road #132, Spokane, WA 99212					ADDRESS TYPE Temporary
ADDITIONAL PHONES (Cell) (509) 599-9954, (Cell) (509) 599-2614					
CHARGE LEVEL Felony Class A	DESCRIPTION 9A.52.020(1)(B) BURGLARY-1D(ASSAULT)				UCR/NCIC CODE /220
WARRANT #	BAIL	TYPE OF ARREST Taken Into Custody			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>

ID NO./NAME OF REPORTING OFFICER #396 - Collins, Robert	DISTRIBUTION	
APPROVAL #445 - Cordis, Tyler	DATE/TIME 12/19/2015 14:11	

Incident Report #1

12/19/2015 14:12:51.661

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL		ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 15-445351	
CITATION #	DATE	TIME	BOOKED WHERE Spokane County Jail	DATE 12/19/2015	TIME 08:01
ARREST LOCATION #1d Spokane, WA 99207			STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input checked="" type="checkbox"/> DENIED	SUSPECT ARMED WITH
JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED	NOTIFIED BY	DISPOSITION OF JUVENILE
HAIR LENGTH Short	HAIR TYPE Thick	HAIR STYLE Straight	FACIAL HAIR	FACIAL SHAPE Oval	TEETH
APPEARANCE	COMPLEXION Medium	FACIAL FEATURES	DISTINCTIVE FEATURES	GLASSES	R/L HANDED
HATE BIAS			CIRCUMSTANCES		
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES Apparent Minor Injury			TYPE OF VICTIM		MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO
HOSPITAL TAKEN TO	TAKEN BY	<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN	SUICIDE NOTE FOUND? <input type="checkbox"/>	HOLD PLACED BY
CODE CV-1	NAME: LAST, FIRST, MIDDLE #1a		SEX F	RACE/ETHNICITY I-American Indian or	DATE OF BIRTH/AGE #1b 53
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP #1d Spokane, WA 99207			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION Not employed	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) #1c					
RELATIONSHIP TO SUSPECT		VICTIM OF Offns. # 9A.52.020(1)(B) BURGLARY-1D(ASSAULT)			OFNDR. # A-1

NARRATIVE

On 12/19/15 at approx 0711 hrs Ofc Atkin, Ofc Stewart and I were advised by radio to respond to **#1d** reference a Burglary in progress. Radio advised the suspect who was later identified as Lanerous, Luis had broken out a sliding door and was currently inside the house. Radio said they could hear a lot of screaming and yelling coming from the house. I responded code from the area of Crestline/Wellesley.

As I was arriving on scene Radio advised the suspect/Landerous was by the backdoor getting ready to exit the house. I exited my mark patrol car and approached the N/E corner of the house near the back slider in my uniform of the day. I could see the sliding door was broken and observed Landerous was starting to exit the house. I yelled

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-445351
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"POLICE" at Landerous in a loud clear voice and ordered him to get down. Landerous had half his body outside the door and half his body inside the door. Landerous wasn't complying I didn't know if the occupants in the house were injured or if Landerous had armed himself. I could not see his right hand. I drew my duty weapon and directed my weapon at Landerous and ordered him several times to get down now!

Landerous finally complied after several commands and came out onto the porch at that time I could see his right hand. I lowered my duty weapon and again ordered him to get down. Landerous slowly started to comply but still was hesitant to get down. I holstered my duty weapon because I could see he didn't have any weapons in his hands. I assisted Landerous to the ground in a prone position.

I handcuffed (DL) Landerous and placed him in my patrol car as other patrol officers were arriving. Ofc Stewart stayed with Landerous while I went inside to talk to the occupants in the house. See Ofc Stewarts additional report.

I contacted [redacted] #1a who lives in the house with [redacted] #1a Soapes, Doug. Ofc Atkins spoke with Soapes. See his additional report.

[redacted] #1a told me the following: She was in her room at the S/E corner of the house sleeping when she woke up to Landerous standing in her bedroom. Landerous wasn't wearing a shirt. Landerous crawled onto her bed and then on top of her. Landerous then forced her head face first into her pillow. [redacted] #1a was struggling to get away and telling Landerous she didn't know him and to leave. Landerous replied "It's Ok "as he continued to force her face into her pillow to the point it was getting uncomfortable to breath. [redacted] #1a was finally able to push Landerous off her. She got out of her bed and ran into [redacted] #1a (Soapes, Doug) room which is just west of her room. She screamed at Doug there was a guy in her room and he tried to choke her. [redacted] #1a then called 911.

See Officer Atkins report for Soapes statement.

I had [redacted] #1a walk into her room with me to see if anything was left behind by Landerous. [redacted] #1a said the unused condom on her bed was not there when she went to bed. She also said the red opened condom wrapper on the floor just north of her bed is not hers

Incident Report #1

CONTINUED ON NEXT PAGE

12/19/2015 14:12:52.517

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 4

INCIDENT CLASSIFICATION BURGLARY-RESIDENTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-445351
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and she believes Lanerous brought the condom with him.

I asked #1a if Lanerous touched her or fondled her during the assault. #1a said she doesn't remember but doesn't believe so. #1a had been drinking that night with #1a

I had Cpl Harding photograph the condom and condom wrapper prior to Officer Atkins taking them as evidence.

#1a told me she has never seen Lanerous or talked to him before. She also said Lanerous had never been in her home until he broke in.

MO/DEF It appear Lanerous stood just outside the Northeast kitchen window for some time prior to breaking out the slider door.. Lanerous appears to be looking in the kitchen window while standing in the snow in his dress shoes. There was approx. a three foot circle of compact snow where Lanerous was standing. Lanerous removed both pairs of his shoes leaving them in the snow. Lanerous then took a pot from the deck outside the slider and threw it through the sliding door approx. 10 feet from where he had been standing in the snow for quite some time in 20 degree weather. Lanerous enters the house through the slider he just broke out not waking the occupants inside. Lanerous enters #1a room at some point removing his shirt. Lanerous then pulls out a condom and opens the wrapper leaving the wrapper on the floor taking the condom onto the bed with him. Lanerous then shoves #1a head into her own pillow to the point she is having a hard time breathing. Lanerous is telling her "It's ok", #1a struggles to get away, Lanerous is small in stature. #1a wakes her brother and calls 911. Lanerous is given a shirt and then forced to the back door slider by the brother. Lanerous was then arrested.

Officer Stewart advised me Lanerous made the statement he was with the female #1a all night drinking not with the guy (Doug) and that he didn't break into the house or touch the girl.

Lanerous was transported to Jail and booked for 1st Burglary (Sexual motivation).

Incident Report #1

CONTINUED ON NEXT PAGE

12/19/2015 14:12:52.595

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

Page 5

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-445351
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Lanerous had cuts on his hands which would be consistent from being cut from the glass from the rear sliding door. Cpl Harding took photographs of all the evidence as well as Landerous hands and clothing.
Officer Atkin placed the evidence on property.

Approx damage to sliding door \$400.00

Affidavit of PC completed and one copy was given to jail.

Sgt Cordis and Sgt Hollenbeck responded to the scene as well and are aware of the charges.

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

R.Collins #396-E154 T1

Incident Report #1	END OF INCIDENT REPORT
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12/19/2015 14:12:52.673

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 15-445351	
REPORT PURPOSE			REPORTED ON DATE Sat 12/19/2015	TIME 07:11	INCIDENT XREF
INCIDENT CLASSIFICATION #1 BURGLARY-RESIDNTL		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 12/19/2015	REPORT TIME 08:52	
PRIMARY CHARGE					UCR/NIBRS CODE
VICTIM/WITNESSES/OTHERS					
CODE W-1	NAME: LAST, FIRST, MIDDLE Soapes, Doug J			SEX M	RACE/ETHNICITY I-American Indian or
				DATE OF BIRTH/AGE 06/30/1963 52	
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP #1d Spokane, WA 99207			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) (509) 203-8639					
NARRATIVE					

On 121915 around 0718 I responded to **#1d** for a burglary in progress. Officers Collins and Stewart responded as well. Upon arrival Collins and Stewart were on scene and a suspect was in custody. I talked to a witness named Soapes who told me the following:

This morning around 0711 Soapes' **#1a** woke him up and said, "Some strange guy" was in her bedroom and shut Soapes' bedroom door. Soapes heard "thumping" noises so he got up and found a suspect, who later gave the name of Landeros, in **#1a** bedroom.

Soapes asked Landeros what he was doing there. Landeros replied, "I'm just a friend." Meanwhile **#1a** yelled he wasn't and said Landeros tried to choke her. Soapes told Landeros to leave and Landeros said he needed his shoes. They couldn't find Landeros' shoes but Soapes gave him a shirt (Landeros did not have a shirt on) then pushed Landeros out the door. At that time police arrived and took Landeros into custody.

I checked the scene for evidence with other Officers. The sliding glass door was completely shattered and there was a broken potted plant on the floor across from that door. Inside **#1a** bedroom I saw a condom wrapper that was red in color on the floor and a condom on **#1a** bed. We also found a black pair of men's dress shoes outside of the house next to a window on the north side.

ID NO./NAME OF REPORTING OFFICER #620 - Atkins, Rick		DISTRIBUTION	
APPROVAL #529 - Carpenter, Paul	DATE/TIME 12/19/2015 10:58		

Supplemental Report #1

12/19/2015 11:02:48.954

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-445351
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I collected the condom wrapper, condom and shoes then went to Property where I booked the items in as evidence. I put the wrapper in for prints.

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

Atkins #620
E123

Supplemental Report #1	END OF ADDITIONAL REPORT
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12/19/2015 11:02:49.063

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 15-445351	
REPORT PURPOSE			REPORTED ON DATE Sat 12/19/2015	TIME 07:16
INCIDENT CLASSIFICATION #1 BURGLARY-RESIDNTL		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2	
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 12/19/2015	REPORT TIME 09:32
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 12-19-15 at 0716 hours I responded with Ofc. Collins to [REDACTED] #1d in reference to a burglary.

Upon arrival, Ofc. Collins had a male, later identified as Luis Landeros detained in handcuffs. I contacted Landeros and advised him of his constitutional rights, which he stated he understood and agreed to answer my questions.

Landeros said he has been at the location all night long drinking alcohol with the female that was inside the location. He said he was not drinking with the male that was also inside.

I asked Landeros who the people were and he did not know even though he claimed to have been there all night. A sliding glass door had been broken at the location and Landeros said he did not know who broke it.

Landeros made several unsolicited statements that he "didn't have sex with her" and "I didn't molest her". I asked him if he was there to have sex with the female and he said "no, she's older than me". He denied every touching the female.

Ofc. Collins located a condom and wrapper in the females bedroom that was not hers. Landeros denied that it was his and said his fingerprints would not be on the wrapper.

I advised Ofc. Collins of his statement. See his report for more information.

Spo. J. Stewart #701 E124.

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT. I WAS EQUIPPED WITH A BODY CAMERA, AND IT WAS ACTIVE DURING THIS INCIDENT.

ID NO./NAME OF REPORTING OFFICER #701 - Stewart, James	DISTRIBUTION	
APPROVAL #529 - Carpenter, Paul	DATE/TIME 12/19/2015 10:59	

Supplemental Report #1

12/19/2015 11:02:59.280

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 15-445351	
REPORT PURPOSE			REPORTED ON DATE Sat 12/19/2015	TIME 07:11	INCIDENT XREF
INCIDENT CLASSIFICATION #1 BURGLARY-RESIDNTL		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 12/19/2015	REPORT TIME 08:52
PRIMARY CHARGE					UCR/NIBRS CODE
VICTIM/WITNESSES/OTHERS					
CODE W-1	NAME: LAST, FIRST, MIDDLE Soapes, Doug J			SEX M	RACE/ETHNICITY I-American Indian or
				DATE OF BIRTH/AGE 06/30/1963 52	
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP #1d Spokane, WA 99207			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (509) 203-8639					
NARRATIVE					

On 121915 around 0718 I responded to **#1d** for a burglary in progress. Officers Collins and Stewart responded as well. Upon arrival Collins and Stewart were on scene and a suspect was in custody. I talked to a witness named Soapes who told me the following:

This morning around 0711 Soapes' **#1a** woke him up and said, "Some strange guy" was in her bedroom and shut Soapes' bedroom door. Soapes heard "thumping" noises so he got up and found a suspect, who later gave the name of Landeros, in **#1a** bedroom.

Soapes asked Landeros what he was doing there. Landeros replied, "I'm just a friend." Meanwhile **#1a** yelled he wasn't and said Landeros tried to choke her. Soapes told Landeros to leave and Landeros said he needed his shoes. They couldn't find Landeros' shoes but Soapes gave him a shirt (Landeros did not have a shirt on) then pushed Landeros out the door. At that time police arrived and took Landeros into custody.

I checked the scene for evidence with other Officers. The sliding glass door was completely shattered and there was a broken potted plant on the floor across from that door. Inside **#1a** bedroom I saw a condom wrapper that was red in color on the floor and a condom on **#1a** bed. We also found a black pair of men's dress shoes outside of the house next to a window on the north side.

ID NO./NAME OF REPORTING OFFICER #620 - Atkins, Rick	DISTRIBUTION	
APPROVAL #529 - Carpenter, Paul	DATE/TIME 12/19/2015 10:58	

Supplemental Report #1

12/19/2015 11:02:48.954

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 15-445351
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I collected the condom wrapper, condom and shoes then went to Property where I booked the items in as evidence. I put the wrapper in for prints.

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

Atkins #620
E123

'15 DEC 19 PM10:57

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

DATE:121915

REPORT NUMBER: 15-445351

CHARGES REQUESTED: 1st Burglary (Sexual motivation) 9A.52.020

DEFENDANT: Landeros,Luis A 01/13/1960

STATUS:In Custody

VICTIM(S) [REDACTED] #1a [REDACTED] #1b
DATE/TIME OF CRIME: 12/19/15 0711 hrs
LOCATION OF CRIME: [REDACTED] #1d Spokane, Wa 99207
INVESTIGATOR:R.Collins #396
APPROVED BY: *K. [REDACTED]* *240

WITNESSES	ADDRESS	PHONE #
Soapes,Doug j	[REDACTED] #1d Spokane,Wa 99207	202-8639
[REDACTED] #1a	[REDACTED] #1d Spokane Wa 99207	[REDACTED] #1c
Ofc Collins #396	1100 W. Mallon Spokane,Wa 99260	625-4185
Ofc Atkins #620	1100 W. Mallon Spokane,Wa 99260	625-4185
Cpl Harding #365	1100 W. Mallon Spokane,Wa 99260	625-4185

EVIDENCE CONSISTS OF: Victim Witness statements, Photographs, condom, condom wrapper.

SUBMITTED TO PROSECUTORS OFFICE

RECEIVED BY: _____ DATE: _____ TIME: _____

**STATEMENT OF INVESTIGATING OFFICER
AFFIDAVIT OF FACTS**

STATE OF WASHINGTON
COUNTY OF SPOKANE

REPORT NUMBER: 15-445351

DEFENDANT: Landeros, Luis A 01/03/86

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

Officers Collins can testify : On 12/19/15 at 0711 hrs Ofc Atkin, Ofc Stewart and I were advised by radio to respond to [REDACTED] #1d reference a Burglary in progress. Radio also advised the suspect later identified as Lanerous, Luis (DEF) had broken out the rear slider door and was currently inside the house. Radio could hear screaming and yelling on an open 911 call.

Ofc Collins arrived on scene and at the same time radio advised the DEF was exiting the rear slider door. Ofc Collins could see the DEF exiting out the broken slider door on the N/E corner of the house. Ofc Collins ordered the DEF to the ground at gun point because the DEF was still halfway inside the house and the DEF's right arm wasn't visible.

The DEF complied and was taken into custody by Ofc Collins just outside the broken slider door. Ofc Collins observed the DEF had cuts on his hand consistent with a glass cut from the sliding door glass.

Ofc Collins placed the DEF in his patrol car and then contacted the victim [REDACTED] #1a and took her statement.

Victim [REDACTED] #1a can testify: On 12/19/15 at approx. 0700 hrs she was sleeping in her bedroom which is located on the S/E corner of the house. She woke up to the DEF standing in her room not wearing a shirt. The DEF crawled onto her bed on top of her

and with some force shoved her face into her pillow. #1a was struggling to get away and telling the DEF she didn't know him and to leave now. The DEF replied "It's Ok" and continued to push her face into the pillow to the point it was getting uncomfortable to breath.

#1a said she was able to get out of her bed pushing the DEF off her and running into #1a (Soaps,Doug) which is just west of her room. She screamed at Doug there is a guy (DEF) in her room and he tried to choke her. #1a then called 911.

#1a said the DEF didn't fondle her or touch her during the assault he shoved her face into her own pillow. #1a said she has never seen the DEF before and doesn't know him.

#1a said there was a condom on the center of her bed still rolled up and the red opened condom wrapper on the floor approx. 2 feet from her bed to the north. #1a said the condom was not hers and believes the DEF brought them with him.

Witness Douglas Soapes can testify: He was in bed and heard #1a come running into his room screaming there was a man (DEF) in her bedroom and he tried to choke her. Soapes confronted the DEF in her room. Soapes said he didn't know the DEF and has never seen him before. Soapes confronted the DEF who was shirtless and wearing only pants and socks. Soapes told the DEF to leave. Soapes gave the DEF a shirt and pushed the DEF to the broken slider and told him to leave. Soapes said police arrived and took the DEF into custody.

Ofc Atkins can testify: He responded to the burglary call and contacted the witness Soaped taking his statement. He also recovered the condom from #1a bed as well as the Open red condom wrapper on the floor. He also recovered the DEF shoes just outside the kitchen window on the Northside of the house. Ofc Atkins placed all of the items on property and requested prints on the condom wrapper.

Cpl Harding can testify: He took photographs of the evidence.


Ofc Collins can testify: MO/DEF It appears the DEF stood just outside the northeast kitchen window for some time.. The DEF appears to be looking in the kitchen window while standing in the snow in his dress shoes. There was approx. a three foot circle of compact snow where the DEF was standing. The DEF removed both pairs of his shoes leaving them in the snow. The DEF then took a pot from the deck outside the slider and threw it through the sliding door approx. 10 feet from where he had been standing in the snow for quite some time in 20 degree weather. The DEF enters the house through the slider he just broke out not waking the occupants inside. The DEF enters #1a room at some point removing his shirt. DEF then pulls out a condom and opens the wrapper leaving the wrapper on the floor taking the condom onto the bed with him. The DEF then shoves #1a head into her own pillow to the point she is having a hard time breathing. DEF is telling her "It's ok", #1a struggles to get away ,DEF is small in stature. #1a wakes her brother and calls 911. The DEF is given a shirt and then forced to the back door slider by #1a

Officer Collins booked the DEF into jail for 1st Burglary with sexual motivation (L286,L240) advised .

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

12/19/15

DATE: _____ PLACE: SPOKANE, WASHINGTON SIGNATURE: _____


R. Collins

