



# SPOKANE POLICE DEPARTMENT

Patrick M. Dobrow  
Interim Chief of Police

## Internal Affairs Exemption Log



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

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

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

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

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

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

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



## Spokane Police Department Use Of Force Report

- [Print](#) this incident.

**Incident Entered By:** Sergeant Thomas Lee  
**Assigned Investigator:** Sergeant Richard Meyer

### Incident Details

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<b>Date Received</b>	<b>Date of Occurrence</b>	<b>Time of Occurrence</b>
12/30/2015	12/29/2015	23:51
<b>Record ID #</b>	<b>Incident No</b>	<b>IA No</b>
9134	15-456952/456916	F15-119
<b>Date/Time Entered</b>		
12/30/2015 22:57		

### Incident Summary

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There are two case numbers for this matter.

15-456916 is the original 'trouble unknown' call.  
15-456952 is for the suicidal female.

Officers responded to a 'Trouble Unknown' when 9-1-1 received a call from a female who was screaming and crying. The caller said, "Someone had to leave," and that a male was, "Breaking things." The 9-1-1 operator heard a male in the background say he was bleeding. Officers developed PC to arrest the male for DV malicious mischief, found him in the garage and took him into custody without incident.

The female who called 9-1-1 and was the owner of the damaged property, was intoxicated and lost self-control upon seeing her boyfriend being led away in handcuffs. Officers had go hands on with her when she tried to prevent the arrest by grabbing the arresting officer and her boyfriend.

She was very drunk and highly agitated. She made suicidal statements but seemed to calm down in a few minutes so was released to go back into her house. However, the female locked her door and immediately grabbed a large knife from the kitchen. She screamed and held the knife to her throat in a stabbing position. Another male inside the house grabbed a hold of the female and tried unsuccessfully to take the knife away. The female was also moving toward the front door.

Officers, fearful that the female would stab the male and/or exit the house to attack them in an effort to prevent the arrest of her boyfriend, forcefully entered the house. The female refused all orders to drop the knife and even moved toward Ofc. Belitz who then fired taser probes at her. This caused her to drop the knife, fall to the floor, and become cooperative.

The female was taken to SHER by ambulance for removal of Taser Probes from sensitive areas as well as a psych eval.

See IA additional and officer reports for more.

Sgt. T. Lee  
SPD 244

In compliance with policy per Assistant Chief Meidl 02/09/16.

### Incident Location

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- 1223 Decatur AV, Direction: E, Spokane, WA 99207 - : Northeast

## Use of Force Specific Information

**Reason for Use of Force**

Threat to Harm Others

**Weather Condition**

Snow

**Citizen Injured**

No

**More than 1 Citizen Involved**

No

**Citizen's Build**

Medium

**Officer Assessment of Citizen Condition During Incident**

Mental Health Issues + Drugs/Alcohol

**Officer(s) Injured**

No

**Service Being Rendered**

Call For Service

**Lighting Condition**

Exterior Lighting

**Citizen Taken to Hospital**

Yes

**Distance to Citizen****Citizen Arrested**

No

**Citizen's Height**

5'4" to 5'6"

**Officer(s) Taken to Hospital**

No

## Reporting/Involved Citizen Information

#14

DOB: 11/21/1996 Race: White Gender: Female

**Address**

- 1223 Decatur AV, Direction: E, Spokane, WA 99207

**Phone**

- (509) 263-5441

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

- Life Threat/Suicidal

**Injuries sustained by this citizen**

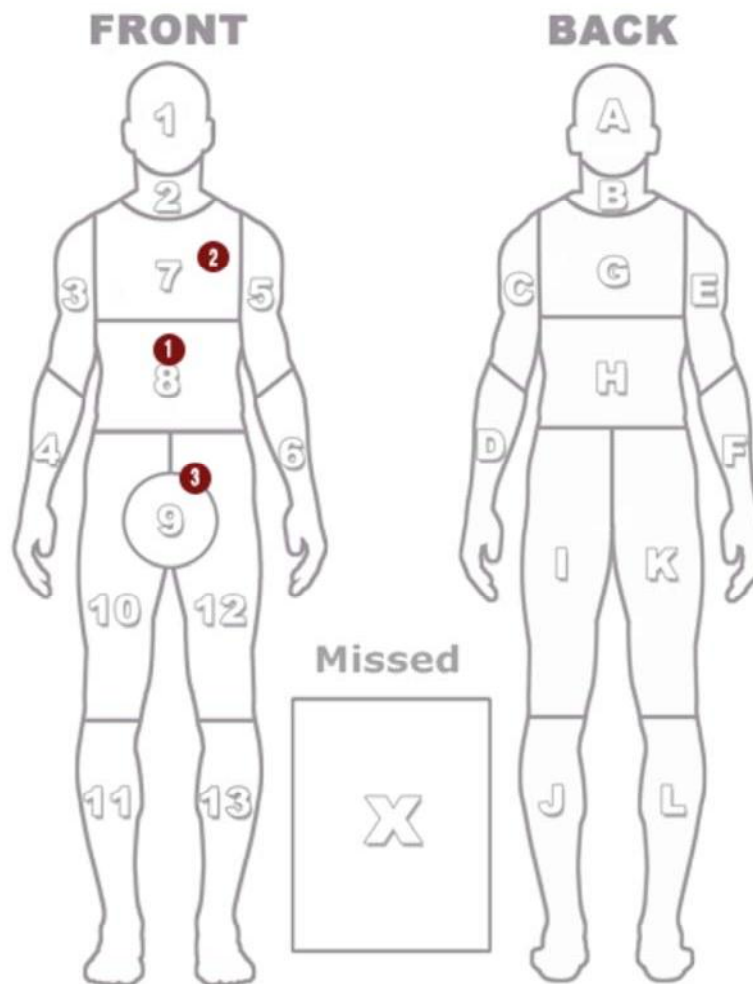
Injury	Regions	Injury Locations
No injuries noted or visible		

## Involved Officers

**Officer Todd Belitz - Payroll Number:** #5c**Force used by this officer against the citizen**

- Firearm-Draw/Direct - Was force effective: No
- TASER-Probe - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Firearm-Draw/Direct	No	8	1
TASER-Probe	Yes	12, 7	2, 3

**Injuries sustained by this officer**

Injury	Regions	Injury Locations
No injuries noted or visible		

**Citizen Witnesses****Jacob Fundahn****DOB: 9/2/1994 - Race: White - Gender: Male****Address**

- 17 Longfellow AV, Direction: E, Spokane, WA 99207

**Phone**

- (509) 499-6199

**Officer Witnesses****Officer Samuel Chimienti - Payroll Number:** #5c**Officer Eric Walker - Payroll Number:** #5c**Lieutenant Joseph Walker - Payroll Number:** #5c

## Attachments

Date Attached	Attachment Description	Attachment Type
12/31/2015	CAD Original call	pdf
12/31/2015	CAD for suicidal female	pdf
12/31/2015	DV arrest report	pdf
12/31/2015	Suicidal and UOF reports	pdf
12/31/2015	Photo log	pdf
12/31/2015	#14	JPG
12/31/2015	Probe on left breast	JPG
12/31/2015	Probe on left breast	JPG
12/31/2015	Probe lower abdomen	JPG
12/31/2015	Probe lower abdomen	JPG
12/31/2015	Front 1223 E Decatur	JPG
12/31/2015	Entry	JPG
12/31/2015	Entryway and knife on floor	JPG
12/31/2015	Knife	JPG
12/31/2015	Body cam video	
12/31/2015	Taser download	pdf
12/31/2015	Sgt. Lee additional	pdf
1/15/2016	Lt. Cowles' IA Summary	doc
2/3/2016	Follow Up	docx

## Chain of Command History

Sent Dt	From	To	CC	Approved
12/31/2015	Sergeant Thomas Lee	Lieutenant Matthew Cowles	Lieutenant Steven Braun, Major Justin Lundgren, Sergeant David Staben	<input checked="" type="checkbox"/>

**Sender's Instructions:** Please review this UOF. Thank you. Sgt. Lee

**Recipient's Comments/Response:** In regards to the use of force: Firearm: draw and direct and Taser Probe deployment by Ofc. Belitz: these Uses of force are within Policy. -See IA Summary Report for further.

1/15/2016	Lieutenant Matthew Cowles	Captain Daniel Torok	Sergeant Thomas Lee	<input checked="" type="checkbox"/>
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**Sender's Instructions:** Sgt. Lee: i am CC'ing you as a reminder that the Blue Team summary field is for a 1-3 sentence overview. I did not return the blue team for correction because you attached an ia summary that concisely covers the incident. Please refer to the IA SOP if you have any questions. Cpt. Torok, Attached are documents relating to a use of force (Draw and Direct / Taser Probe Deployment) by Officer Belitz for your review. I have attached my own IA Summary Document to address my concerns and recommendations. If you have any questions, please let me know. Very Respectfully, Matt

**Recipient's Comments/Response:** I concur that the use of force was within policy. Lt. Cowles makes excellent recommendations and I too concur with those.

1/19/2016	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 under totality of the circumstances. I concur with the chain of command recommendation outlined in Lt. Cowles' additional. While there were certainly mitigating circumstances, and Ofc. Belitz exposed himself to a significant threat of serious bodily injury or death by deploying his TASER at someone aggressing on him while armed with a knife, there are also training opportunities available by debriefing this incident. Please ensure the debriefing and review of the incident occurs as outlined in Lt. Cowles' additional.

1/25/2016	Ms Michelle Reiner	Sergeant Richard Meyer	(none)	<input checked="" type="checkbox"/>
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**Sender's Instructions:** Please see Assistant Chief Meidl's directive and add final comment when complete and return to the Internal Affairs Group. Thank you.

**Recipient's Comments/Response:** The tactical debrief was conducted and documented.

2/3/2016	Sergeant Richard Meyer	Internal Affairs	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> I attached the IA additional documenting the tactical debrief. Thanks Rich				
<b>Recipient's Comments/Response:</b> [Forwarded by Lieutenant Steven Braun]				
2/5/2016	Lieutenant Steven Braun	Asst Chief Craig Meidl	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> For your review. Sgt Meyer's follow-up is included.				
<b>Recipient's Comments/Response:</b> The uses of force in this incident were within policy.				

**Assigned Investigator Signature Line**

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Sergeant Richard Meyer**Chain of Command Signature Lines**

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Lieutenant Matthew Cowles

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Captain Daniel Torok

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Asst Chief Craig Meidl

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Sergeant Richard Meyer

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Lieutenant Steven Braun



Spokane Police Department  
Internal Investigation



CONFIDENTIAL

IA#  
Additional

**Investigative Summary**

On 12/30/15 a tactical debrief was conducted over the incident that had occurred on the previous night. Those present was the entire Graveyard Patrol Teams to include Lt. Walker (Power shift Watch Commander).

We discussed the importance of development of a tactical plan prior to entering a residence. This was an isolated incident due to the tense and rapid unfolding situation of the female that was armed with the knife that was threatening suicide.

Also debriefed was the possibility of officers failure to react sooner and if it was caused by the newly worn body cameras or the presence of Lt. Walker, or even the problem with taking a mental up to Sacred Heart. We explored several different options in this incident and used it as a healthy learning experience.

The below recommendations from Lt. Cowles were followed. Verbal counseling was also conducted on 01/26/16.

- Decision making in regards to detention of suicidal subjects based on statements and emotional instability.
- Policy/ procedure regarding detention of suicidal subjects. (Policy 418)
- Developing quick action plans on designating specific officer duties for rapid entry into a house, ie: Hands, Lethal, Taser, Blunt Impact Tools, etc.
- I also recommend that Sgt. Meyer also have a private discussion with Ofc. Chimienti regarding his role as an FTO, and the circumstances that may involve his intervention directly in a call.

Sergeant R. Meyer #607 / S/ L288  
Graveyard Patrol Sergeant Team 16



Spokane Police Department  
Internal Investigation



CONFIDENTIAL

I.A. #:  
Additional

Ref Inc # 15-456916

Incident Involves: Use of Force: Firearm Pointing in on Target / Taser Probe Deployment

**Comments:**

This incident involves a series of cascading events that built upon each other to its final outcome of a Taser deployment. Hindsight is always 20/20 and in my review I am very cognizant of the factors involved, the officer's decision making at the time, compounded with the unpredictability of highly emotional situations involving intoxicated subjects.

**Regarding pointing of a firearm (draw and direct) by Ofc. Belitz at [REDACTED] #14 :**

This use of force is within Policy. Officer Belitz was confronted by [REDACTED] #14 who advanced towards him while holding a knife in an ice-pick fashion while disregarding his verbal commands. Ofc. Belitz was reasonable in fear for his personal safety and the risk of serious bodily injury.

**Regarding the deployment of the Taser probes at a non-primary target:**

Ofc. Belitz use of the Taser is within Policy. 309.5.1 describes two conditions (physical violence / threat of violence) for using the Taser. Both of these conditions were met at the time of the deployment. 309.5.3 advises that Officers should avoid the chest as their first target, however also noted in the paragraph is acknowledgement that officers may not always have the luxury of time / distance to avoid these targets. This was clearly the case in this situation. Officers requested medics and monitored [REDACTED] #14 condition in accordance with the policy.

Officer Belitz can be seen in the video making a hasty transition between his firearm and the Taser device. He clearly has both items in his hands at the same time. Policy 309.3.d states that and officer "should not" hold both their firearm and Taser in their hands at the same time. I believe this verbiage is very important as it demonstrates that the author of the policy understood that unusual and unpredictable circumstances could (and would) arise that could entail an officer being in a position that both tools were in hand. Officer Belitz made a split second decision in a rapidly evolving time compressed situation to forego using deadly force and to instead deploy his Taser. His actions and quick judgement made a drastic impact on the positive outcome of this incident. I believe the reality that both tools were in hand at the same time is of negligible concern, and does not require further counseling.

**Regarding whether the female #14 should have been detained for evaluation at her initial outburst:**

I believe that a number of factors play into this question, and that this question should be addressed in this use of force review. #14 exiting the house and confronting officers started a distinct chain of events which potentially could have ended in lethal force being used against #14.

During the exchange taking place where #14 has exited the house and is pleading with officers not to arrest the male, Officer Belitz and Probationary Officer E. Walker are restraining her while Ofc. Chimienti stands nearby capturing the exchange on video and monitoring Ofc. Walker's performance.

Notably, Ofc. Belitz is still orienting himself to the call as he has just arrived after the male has been taken into custody. P.O. Walker arguably is still learning our policy and procedures towards detention / community caretaking of suicidal subjects. Ofc Chimienti is presumably attempting to maintain an observer / rater detachment to the call as Walker's Field Training Officer.

It appears that this combination of factors combined with the 'up and down' emotional state of #14 proves critical as she is released to re-enter the house. Lt. Walker upon returning to the house immediately takes control and directs officers to take further action. This evolves into Ofc. Belitz forcing entry into the home.

### **Conclusion and Recommendation:**

I believe this incident provides an opportunity for training and development for the officers involved. Sgt Lee's IA additional does not indicate whether any formal tactical debrief has occurred where officers have had an opportunity to give their perspectives and further develop their experience for future incidents.

It is my recommendation that Sgt. R. Meyer provide immediate training in the form of a formal debrief with the three primary officers; Chimienti, E. Walker, and Belitz. This training will address the following:

- Decision making in regards to detention of suicidal subjects based on statements and emotional instability.
- Policy/ procedure regarding detention of suicidal subjects. (Policy 418)
- Developing quick action plans on designating specific officer duties for rapid entry into a house, ie: Hands, Lethal, Taser, Blunt Impact Tools, etc.

-I also recommend that Sgt. Meyer also have a private discussion with Ofc. Chimienti regarding his role as an FTO, and the circumstances that may involve his intervention directly in a call.

Sgt Meyer should record these training sessions in the officers' 6 month evaluations.

Very Respectfully,  
M. Cowles 01/15/16

IA Additional / Use of Force incident

15-456916 / 15-456952

By: Sgt. T. Lee

12/31/2015

This incident involved an officer aiming a handgun at a person and also a taser probe deployment at 1223 E. Decatur on 12/29/15 at 2351 hours.

Involved officer using reportable force: Ofc. Belitz.

Witness Officers: Lt. Walker, Ofc. E. Walker, Ofc. Chimienti.

Officers went to the address after a screaming and crying female called 9-1-1 and saying someone had to leave and a male was breaking things. The operator overheard a male say he was bleeding. Officers interviewed the female complainant, #14 and a male friend, Fundahn. They saw damaged property and developed probable cause to arrest the male suspect, Simpson, for DV malicious mischief.

#14 and Simpson have a domestic relationship.

Simpson was found in the unattached garage and placed under arrest.

The officers began walking Simpson out to a patrol car. Seeing this, #14 began screaming and yelling that he shouldn't be arrested. She ran toward Ofc. Fabian and Simpson, grabbed them both and tried to pull them back. She was restrained by Lt. Walker and Ofc. Belitz. Lt. Walker was subsequently relieved by Ofc. E. Walker.

Lt. Walker then accompanied Ofc. Fabian to his car where they placed Simpson in the back seat. Fabian took him to jail.

The officers had to continually restrain #14 as she kept trying to run toward Simpson and the officers escorting him.

#14 was described by all as heavily intoxicated and screaming loud enough to be heard at least a block away. She told the officers several times, "Get off my property without a warrant," and threatened to sue them. She also repeatedly said to officer they'd find a dead body if they returned. #14 also twice yelled for Fundahn to release her pit bull dog that had been secured in a bathroom. The dog could be heard barking and growling, obviously agitated by the sounds of #14 yelling.

#14 eventually calmed slightly. The officers said they would leave if she would go back inside the house. She agreed and was released. However, as she entered, she again yelled comments about finding a dead body which the officers took as a suicidal threat. #14 entered the house, slamming and locking the door behind her.

The officers concern for her welfare grew rapidly due to her 'out of control' behavior, suicidal statements, and the fact they'd seen numerous knives inside the home. Moments later the officers, looking through windows, saw her grab a knife and hold it to her throat in a stabbing type hold. Immediately her male friend, Fundahn, grabbed #14 from behind in an effort to disarm her. #14 resisted and moved toward the front door. The officers now feared she would stab Fundahn or come out the door and attack them.

Ofc. Belitz kicked the door open and entered, followed immediately by the three other officers. All officers began yelling for #14 to drop the knife which she refused. She made a move toward Ofc. Belitz who was aiming his pistol at her from a distance of five to seven-feet away. Belitz feared that shooting at this point endangered Fundahn so he transitioned to his taser and fired darts at #14. The darts contacted her in the left breast and lower abdomen, immediately causing her muscles to lock up. She dropped the knife and fell to the floor where she was handcuffed without further incident.

Medics were called to the scene where they examined her but decided not to remove the darts as they were in sensitive areas. She was transported to Sacred Heart for the dart removal and a psych eval. She was not otherwise hurt. No officers were injured.

---

I responded to the scene, arriving well after the incident had been controlled. Cpl. Busch was now on scene and taking photos. Ofc. E. Walker had secured the knife. #14 was restrained in an ambulance.

Ofc. Chimienti had a body camera that was activated. A link to the video is attached. Ofc. Belitz also had a body camera; however it was not activated.

The officers gave me a rundown on what happened. I confirmed no one was hurt. I did not interview #14 or Fundahn due to their intoxicated state.

A quick check of Bonlie's history in RQPN shows she is a complainant or victim in four previous DV incidents. She is also mentioned once in each of the following... Carjacking, suicidal person, Burglary MIP and furnishing alcohol to minors.

She was clearly intoxicated and out of control tonight.

Summary:

The officers were justified and within policy to forcefully enter the home. It was reasonable and within policy for Ofc. Belitz to aim his handgun at #14 as well as to deploy his taser on her.

Of note:

The video, although brief, appears to show Belitz holding his handgun in his (strong side) left hand while simultaneously holding his Taser in his right hand. If true, this should be viewed as an exceptional technique. The entry into the home was rapid and done following a split-second decision to prevent a possible stabbing and/or attack on the officers. The entryway is very narrow and it would have been impossible for more than one officer to enter at a time. Belitz went first as he was closest to the door. By the time Ofc. Chimienti is inside the home with his camera, the viewer can see that Belitz' gun is now holstered.

Sgt. T. Lee

Incident History for: #SP150456916 Xref: #SP150456952

Entered 12/29/15 23:51:18 BY 91109 911252  
Dispatched 12/29/15 23:56:04 BY PCC01 1267  
Enroute 12/29/15 23:56:04  
Onscene 12/29/15 23:56:13  
Closed 12/30/15 02:09:44

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

Initial Priority: 2 Final Priority: 2

Disposition: 1E Source: 9 Primary Unit: B447

Police BLK: SPB3NL

Group: P3 Beat: Map Page: 31

Loc: 1223 E DECATUR AV ,SPK btwn N MORTON ST & N PERRY ST <6200> (V)

Name: #14 Addr: 112196,SAME Phone: 5092635441

/235118 (911252) ENTRY FEMALE SCREAMING, CRYING TELLING SOMEONE TO LE  
AVE,  
/235139 SUPP TXT: MALE VOICE IN BG, FEMALE SAID MALE BREAKI  
NG ITEMS IN HOUSE  
/235158 (1267 ) HOLD  
/235202 (911252) SUPP TXT: FEMALE NOT ANSWERING 911, ARGUE IN BG  
/235218 SUPP TXT: MALE SAID HE IS BLEEDING , FIRE NOT ADV  
/235247 SUPP TXT: MALE IS LEAVING RUNNING UNK DOT  
/235324 SUPP TXT: MALE: SIMPSON, DYLAN IS COMPS BFRND  
/235407 CHANGE PHO: 5092635440 --> 5092635441  
/235418 SUPP TXT: UNK WEAPONS FOR DYLAN  
/235429 SUPP TXT: FEMALE PUNCHED , NO MEDICS NEEDED  
/235444 SUPP TXT: DYLAN POSS INTOX  
/235540 SUPP TXT: MALE: WM GRY/BLK PLAID COAT, BLU JEANS  
/235603 SUPP TXT: MALE: 21YO 503/THIN  
/235604 (1267 ) DISPER L166 #216 WALKER, JOEY  
/235613 ONSCNE L166 ,AREA  
/235615 ASSTER B447 #1191 FABIAN, BRANDON  
/235658 (911252) CHANGE NAM: FEMALE --> #14  
ADR: SAME --> 112196,SAME  
TXT: ###  
/235806 SUPP  
\*\*\* New Date: 12/30/15 \*\*\*  
/000141 (1191 ) \*REMINQ B447 MWANT,,,,,, #14 ,1996,11,21,,,,,,  
/000225 \*REMINQ B447 MWANT,,,,,, #4b ,,,,,,  
/000305 (216 ) \*ONSCNE L166  
/000305 (1191 ) \*ONSCNE B447  
/000904 (1267 ) \$PREMPT L166  
/000924 ASSTOS L166 [1223 E DECATUR AV ,SPK]  
#216 WALKER, JOEY  
/000928 ASSTER B444 [1223 E DECATUR AV ,SPK]  
#1264 WALKER, ERIC  
#1068 CHIMIENTI, SAMUEL  
/000941 (1274 ) \*ASSTER B325 [1223 E DECATUR AV ,SPK]  
#1274 ANDERSON, STEPHEN  
#1177 BRIGGS, NICK  
/000941 (1267 ) ASSTER K14 [1223 E DECATUR AV ,SPK]  
#713 HAMILTON, CRAIG  
/001031 (1274 ) \*PREMPT B325  
/001033 (1084 ) \*ASSTER B445 [1223 E DECATUR AV ,SPK]  
#1084 BELITZ, TODD  
/001604 (1267 ) CONTCT L166 Contact Timer Canceled  
/001624 MISC L166 ,GUY BY GARAGE  
/001632 \$PREMPT K14

/001801	(1264	)	*ONSCNE	B444	
/001854	(1267	)	ONSCNE	B445	
/002133			MISC	B447	,ONE IN CUSTODY CITY ASLT DV
/002706			MISC	B445	,HOLD AIR
/002740	(1191	)	*TRANS	B447	[JAIL] M/0.0
					,1 MALE
/002755	(1267	)	MISC	B444	,ONE DETAINED
/002812			CALLBK	B444	T/PCC05
					,START MEDICS
/002856			MISC	B444	,TASER DEPLOYED
/002904	(1191	)	*REMINQ	B447	MWANT,,,,,,,,,SIMPSON,DILLONC,1994,11,03,,,,,,,,
					////
/002911	(657	)	CALLBK		T/PCC01
					,MEDICS ADV .. CAN THEY ADV WHAT PART OF BODY
/002912	(1267	)	ASSTER	P317	[1223 E DECATUR AV ,SPK]
					#625 BUSCH, KEVIN
/002939	(1191	)	*REMINQ	B447	MWANT,,,,,,,,,SIMPSON,DILLONCOLE,1994,11,03,,,,,
					,,,,,,,,,,,,,X
/002957	(1267	)	CALLBK	B444	T/PCC05
					,ABDOMON & SHOULDER AREA
/003146			\$PREMPT	B445	
/003149			\$PREMPT	B444	
/003256	(244	)	*ASSTER	L244	[1223 E DECATUR AV ,SPK]
					#244 LEE, TOM
/004338	(1191	)	*REMINQ	B447	MWANT,,,,,,,,, [REDACTED] #4b ,,,,,,,,,
/004457	(625	)	*ONSCNE	P317	
/004538	(244	)	*ONSCNE	L244	
/005153	(1191	)	*TRANSC	B447	
/005310	(1267	)	\$PREMPT	P317	M/2.5
/005848			CROSS		#SP150456952
/005959	(244	)	*MISC	L244	,I'M WRITING BLUE TEAM UOF RPT.
/010042	(216	)	*CLEAR	L166	
/010330	(1191	)	*CHGLOC	B447	[SHMC]
/010348	(244	)	*CLEAR	L244	
/011331	(1191	)	*MISC	B447	,THE ARREST FOR DILLON WAS CITY MALMIS-DV, NOT ASSAULT
/011403			*ONSCNE	B447	
/020906			*MISC	B447	,NO PC FOR THE ALLEGED ASSAULT ON [REDACTED] #14 BY DILLON, PC EXISTED FOR THE MALMIS-DV AND DILLON WAS BOOKED ON THIS CHARGE. THE CROSS-REF INCIDENT OCC'D JUST AFTER I HAD LEFT THE SCENE ENROUTE TO JAIL.
/020944			*CLEAR	B447	TYP: TRBLU --> DV RSP: PP --> PP DSP: 1E ,PSTAT/CFS PSTAT/MISD PSTAT/RPTPSTAT/VIDY
/020944			CLOSE	B447	
/090747	(320	)	CROSS		#SP150457161

Incident History for: #SP150456952 Xref: #SP150456916

Entered 12/30/15 00:31:46 BY PCC01 1267  
Dispatched 12/30/15 00:31:46 BY PCC01 1267  
Enroute 12/30/15 00:31:46  
Onscene 12/30/15 00:31:46  
Closed 12/30/15 05:24:30

Initial Type: SUICA Final Type: SUICA (SUICIDE ATTEMPT)  
Initial Priority: 2 Final Priority: 2  
Disposition: 1A Source: R Primary Unit: B445  
Police BLK: SPB3NL  
Group: P3 (P4 ) Beat: Map Page: 31  
Loc: 1223 E DECATUR AV ,SPK btwn N MORTON ST & N PERRY ST <6200> (V)  
Name: Addr: Phone:

/003146 (1267 ) \$OUTSRV ,NO MORE INFORMATION  
/003146 DISPOS B445 #1084 BELITZ, TODD  
/003149 ASSTOS B444 ,NO MORE INFORMATION  
[1223 E DECATUR]  
#1264 WALKER, ERIC  
/004627 CHANGE #1068 CHIMIENI, SAMUEL  
LOC: 1223 E DECATUR --> 1223 E DECATUR AV ,SP  
K,  
DGP: P4 --> P3,  
BLK: --> SPB3NL  
/005310 ASSTOS P317 [1223 E DECATUR AV ,SPK]  
#625 BUSCH, KEVIN  
/005710 (1084 ) \*REMINQ B445 MWANT,,,,,, #14 1996,11,21,,,,,,  
/005753 (625 ) \*MISC P317 ,PSTAT/VIDY PSTAT/ASST (PIX)  
/005801 (1084 ) \*REMINQ B445 MWANT,,,,,, #4b  
/005815 (625 ) \*CLEAR P317  
/005848 (1267 ) CROSS #SP150456916  
/010033 (1264 ) \*CHGLOC B444 [PROP]  
/010257 (1267 ) CHGLOC B445 [SHMC]  
/010313 (1264 ) \*REMINQ B444 MWANT,,,,,, #14 1996,11,21,,,,,,  
,,,,,1  
/010401 \*REMINQ B444 MWANT,,,,,, #4b  
/011133 (1084 ) \*ONSCNE B445  
/011607 (1264 ) \*ONSCNE B444  
/012746 (1267 ) MISC B445 ,####  
/022215 (1084 ) \*NEWLOC B445 [PAPER]  
/022336 (1264 ) \*CLEAR B444 ,PSTAT/ASST PSTAT/RPT(1B) PSTAT/VIDY  
/030605 (1084 ) \*REMINQ B445 MWANT,,,,,, FUNDAHN, JACOB, 1994,09,02,,,,,,  
/052234 \*MISC B445 , #14 TRANSPORTED TO SHER VIA AMR FOR INVOL  
/052353 \*MISC B445 , #14 CHARGED WITH RECKLESS ENDANGERMENT BY  
PC AFFIDAVIT.  
/052430 \*CLEAR B445 DSP: 1A  
/052430 CLOSE B445 ,PSTAT/CFS PSTAT/RPT PSTAT/VIDY PSTAT/MISD  
/090903 (320 ) CROSS #SP150457161

# INCIDENT REPORT

**Spokane Police/Spokane County Sheriff**

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>15-456916</b>	
INCIDENT TYPE <b>Arrest, Domestic Violence</b>		INCIDENT CLASSIFICATION #1 <b>MALICIOUS MISCHIEF</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <b>DOMESTIC DSPT-FMLY</b>
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON <b>Tue 12/29/2015 23:51</b>	DATE/TIME	OCURRED ON <b>Tue 12/29/2015 23:45</b>	DATE/TIME	OCURRED TO <b>Tue 12/29/2015 23:50</b>	DISTRICT
DISPATCH TIME <b>23:56</b>	ARRIVED TIME <b>23:56</b>	CLEARED TIME <b>02:09</b>	REPORT DATE <b>12/30/2015</b>	REPORT TIME <b>03:48</b>	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE <b>M-10.12.020(A)(1) MALICIOUS MISCHIEF (PROPERTY)</b>					UCR/NIBRS CODE <b>290 / 290</b>
LOCATION OF INCIDENT <b>1223 E Decatur Avenue, Spokane, WA 99208</b>				LOCATION NAME (IF APPLICABLE)	
ENTRY POINT	METHOD	WEAPON/TOOL/FORCE USED	SECURITY	EVIDENCE	
TYPE OF PREMISE (FOR VEHICLES STATE WHERE PARKED) <b>Residence/Home</b>					
SOLVABILITY FACTORS <b>Suspect Arrested</b>					
RELATED INCIDENT NUMBERS					INCIDENT XREF <b>15-456952</b>
ADDITIONAL REPORTING OFFICERS <b>Multiple (dealing w/xref)</b>					
VICTIM/WITNESSES/OTHERS <small>CON-Contact, MIR-Person Mentioned, M-His/Her, W-Witness, IN-Institutional, O-Other, G-Legal Guardian, V-Deceased, CV-Complainant is Victim, C-Complainant is A-Arrested Person, PS-Passenger, RU-Runaway, OW-Owner of Property, VB-Victim - Business, V-Victim - Individual, S-Suspect, D-Driver, PE-Pedestrian, PC-Pedestrian - Cyclist, RO-Registered Owner</small>					
CODE <b>A-1</b>	NAME: LAST, FIRST, MIDDLE <b>Simpson, Dillon Cole</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>
HEIGHT <b>5'05"</b>	WEIGHT <b>125</b>	BUILD <b>Light</b>	HAIR <b>Brown</b>	EYES <b>HAZ - Hazel</b>	DATE OF BIRTH/AGE <b>11/03/1994 21</b>
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>1223 E Decatur Avenue, Spokane, WA 99208</b>			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES <b>(Cell) (509) 263-5441</b>					
CHARGE LEVEL <b>Gross Misdemeanor</b>		DESCRIPTION <b>M-10.12.020(A)(1) MALICIOUS MISCHIEF (PROPERTY)</b>			UCR/NCIC CODE <b>290/290</b>
WARRANT #	BAIL	TYPE OF ARREST <b>Taken Into Custody</b>			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION # <b>5Z0933950</b>	DATE <b>12/30/2015</b>	TIME <b>00:42</b>	BOOKED WHERE <b>Spokane County Jail</b>		DATE <b>12/30/2015</b>
ARREST LOCATION <b>1223 E Decatur Avenue, Spokane, WA 99208</b>			STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input checked="" type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED	SUSPECT ARMED WITH
JUV. PAR/GRD Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED	DATE & TIME NOTIFIED	NOTIFIED BY	DISPOSITION OF JUVENILE	

ID NO./NAME OF REPORTING OFFICER <b>#1191 - Fabian, Brandon</b>		DISTRIBUTION	
APPROVAL <b>#482 - Hendren, Tom</b>	DATE/TIME <b>12/30/2015 06:23</b>		

Incident Report #1

12/30/2015 15:43:22.222

# INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION <b>MALICIOUS MISCHIEF</b>				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER <b>15-456916</b>	
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE #4a		OTHER ID (ID Card) #4b		
CODE <b>CV-1</b>	NAME: LAST, FIRST, MIDDLE #14				SEX <b>F</b>	RACE/ETHNICITY <b>W-White</b>	DATE OF BIRTH/AGE <b>11/21/1996 19</b>
HEIGHT <b>5'05"</b>	WEIGHT <b>160</b>	BUILD <b>Heavy</b>	HAIR <b>Brown</b>	EYES <b>BLU - Blue</b>	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>1223 E Decatur Avenue, Spokane, WA 99208</b>				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE	
ADDITIONAL PHONES <b>(509) 263-5441</b>							
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE #4a		OTHER ID (State ID No.) #4b		
HATE BIAS				CIRCUMSTANCES			
RELATIONSHIP TO SUSPECT <b>Victim was Girlfriend</b>			VICTIM OF Ofns. # <b>M-10.12.020(A)(1) MALICIOUS MISCHIEF (PROPERTY)</b>			OFNDR # <b>A-1</b>	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES					TYPE OF VICTIM <b>Individual</b>		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"/>
CODE <b>CON-2</b>	NAME: LAST, FIRST, MIDDLE <b>Fundahn, Jacob N</b>				SEX <b>M</b>	RACE/ETHNICITY <b>W-White/Non-Hispanic</b>	DATE OF BIRTH/AGE <b>09/02/1994 21</b>
HEIGHT <b>6'03"</b>	WEIGHT <b>180</b>	BUILD <b>Medium</b>	HAIR	EYES <b>HAZ - Hazel</b>	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>17 E Longfellow Avenue, Spokane, WA 99207</b>				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE	
ADDITIONAL PHONES <b>(Cell) (509) 499-6199</b>							
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE #4a		OTHER ID		
NARRATIVE							

\*\*\*Suspect arrested and booked for City Malicious Mischief-DV\*\*\*

On 12/29/15 at approximately 2356 hours, I was dispatched to a report of Trouble Unknown at 1223 E. Decatur. While enroute I was informed that 911 was hearing a male and female arguing. The female was heard screaming and was saying that the male was breaking things. Prior to arriving on scene there was a report that the female/complainant, #14 said that she was punched and that the male had left.

I arrived on scene with Lt. Walker and contacted Haleigh and her friend Jacob N. Fundahn. Lt. Walker spoke with Jacob

**INCIDENT REPORT CONTINUED**  
**Spokane Police/Spokane County Sheriff**

Page 3

INCIDENT CLASSIFICATION  
**MALICIOUS MISCHIEF**

ATTEMPTED  
☐

INCIDENT NUMBER  
**15-456916**

as I collected the following statement from #14 :

She, Jacob and her boyfriend (who lives there with her), Dillon C. Simpson, had been hanging out most of the day and there were some plans for Dillon to go snowboarding and hang out with them. This apparently didn't happen and they ended up getting into an argument over the three of them hanging out.

At one point she said that Dillon suddenly punched her closed fist on the right side of the face. I observed her face and didn't see any marks or evidence of this assault. While I was checking this she mentioned that he didn't hit her too hard so that's why there might not be any sign of it.

She then said that he threw two of her candles at her in an attempt to hit her with them and she had to dodge out of the way to not get hit. When he did this, both of the candle holders broke. One was a thick glass one that ended up having pieces of it shattering all over the living room in very fine pieces. The larger chunks had been picked up and I observed them sitting on the counter. The other one was a hard plastic one that was broken into several pieces that I also observed on a counter. After he did this she ended up calling 911 and that is when Dillon left. She estimated the value of the two candle holders to total approximately \$30.

By this time Lt. Walker had finished talking to Jacob and informed me that he had heard some arguing, heard something break and heard #14 say that Dillon threw candles at her. However, he didn't see anything during that altercation/argument. Lt. Walker also had looked out the back door and observed some fresh footprints leading to the garage.

We decided to check the garage for Dillon before continuing on. We discovered Dillon inside after several announcements and Lt. Walker spotting him off to the side of the garage. After instructing Dillon out of the garage, I continued my investigation. He provided me with the following information:

He confirmed that they had been arguing and that he left to go out to the garage to calm down. He also made mention of saying something that [we] probably heard him say some stuff over the phone, but wouldn't describe what he meant. He just said, "...I don't want to say it again....I always say stupid stuff."

He then admitted to having thrown #14 candles, but said that there was no physical assault between anyone. Later while being booked into jail he informed me that he actually had been hit by #14 in the head but didn't want to get into it. I re-contacted #14 at the hospital (see 15-456952 for inquiry on hospital visit). She confirmed that she did hit him, but it was in response to having just been assaulted by Dillon.

Based on the statements of all involved, I established that I had PC to arrest Dillon for City Malicious Mischief - DV. I informed him he was under arrest, placed him in handcuffs and began to escort him to my patrol vehicle. As I walked him around the house to the front, #14 suddenly came running out the front door.

Her demeanor at this time switched instantly and completely from being calm and cooperative to now being completely out

## INCIDENT REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

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INCIDENT CLASSIFICATION  
**MALICIOUS MISCHIEF**

ATTEMPTED  
☐

INCIDENT NUMBER  
**15-456916**

of control and irrational. She lunged towards Dillon and I as she started screaming to not arrest him (this audio was recorded on body camera). I had to turn my body into her as I pulled Dillon out of the way from her grasp and continued on to my patrol vehicle as other officers on scene restrained **#14** from following us. As I got to my patrol vehicle at the end of the block and searched Dillon incident to arrest, I could still hear **#14** out of control screaming.

I then transported Dillon to the Spokane County Jail for booking. About halfway to jail, while listening to the radio, I heard further activity occurring at the residence (see 5-456952).

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.

Ofc. B. Fabian, B447  
#1191  
12/30/15  
Spokane Police Department

# INCIDENT REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>15-456952</b>	
INCIDENT TYPE <b>Information</b>		INCIDENT CLASSIFICATION #1 <b>PERSONS-MENTAL</b>		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>	
RESPONDING TO (Officer Assault)				ASSIGNMENT (Officer Assault)	
REPORTED ON <b>Wed 12/30/2015 00:10</b>		DATE/TIME <b>00:10</b>		OCCURRED ON <b>Wed 12/30/2015 00:10</b>	
DISPATCH TIME <b>00:10</b>		ARRIVED TIME <b>00:18</b>		CLEARED TIME <b>02:30</b>	
REPORT DATE <b>12/30/2015</b>		REPORT TIME <b>02:57</b>		EST. TOTAL PROPERTY LOSS	
PRIMARY CHARGE					UCR/NIBRS CODE
LOCATION OF INCIDENT <b>1223 E Decatur Avenue, Spokane, WA 99207</b>				LOCATION NAME (IF APPLICABLE)	
ENTRY POINT	METHOD	WEAPON/TOOL/FORCE USED	SECURITY	EVIDENCE	
TYPE OF PREMISE (FOR VEHICLES STATE WHERE PARKED) <b>Residence/Home</b>					
SOLVABILITY FACTORS <b>None</b>					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS <b>Chimienti, Walker</b>					
VICTIM/WITNESSES/OTHERS <small>CON-Contact, MIR-Person Mentioned, M-Missing, W-Witness, IN-Institutional, O-Other, G-Legal Guardian, V-Deceased, CY-Complainant/A Victim, C-Complainant, A-Arrested Person, PS-Passenger, RU-Runaway, OW-Owner of Property, VB-Victim - Business, V-Victim - Individual, S-Suspect, D-Driver, PE-Pedestrian, PC-Pedestrian - Cyclist, RO-Registered Owner</small>					
CODE <b>IN-1</b>	NAME: LAST, FIRST, MIDDLE <b>#14</b>			SEX <b>F</b>	RACE/ETHNICITY <b>W-White/Non-Hispanic</b>
DATE OF BIRTH/AGE <b>11/21/1996 19</b>	HEIGHT <b>5'05"</b>	WEIGHT <b>160</b>	BUILD <b>Heavy</b>	HAIR <b>Brown</b>	EYES <b>BLU - Blue</b>
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>1223 E Decatur Avenue, Spokane, WA 99207</b>			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION <b>Employed</b>	EMPLOYER PHONE
ADDITIONAL PHONES <b>(509) 263-5441</b>					
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE <b>#4b</b>		SOCIAL SECURITY NO. <input type="checkbox"/> FAKE <b>#4a</b>	OTHER ID <b>(State ID No.) #4b</b>
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES <b>None</b>				TYPE OF VICTIM	
				MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
HOSPITAL TAKEN TO <b>Sacred Heart</b>		TAKEN BY <b>Ambulance</b>		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	
ATTENDING PHYSICIAN		SUICIDE NOTE FOUND? <input type="checkbox"/>		HOLD PLACED BY <b>SPD</b>	

ID NO /NAME OF REPORTING OFFICER <b>#1084 - Belitz, Todd</b>		DISTRIBUTION	
APPROVAL <b>#647 - Braun, Steven S</b>		DATE/TIME <b>12/30/2015 05:43</b>	

Incident Report #1

12/30/2015 15:45:41.996

# INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION <b>PERSONS-MENTAL</b>				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER <b>15-456952</b>	
CODE <b>W-1</b>	NAME: LAST, FIRST, MIDDLE <b>Fundahn, Jacob N</b>				SEX <b>M</b>	RACE/ETHNICITY <b>W-White/Non-Hispanic</b>	DATE OF BIRTH/AGE <b>09/02/1994 21</b>
HEIGHT <b>6'03"</b>	WEIGHT <b>180</b>	BUILD <b>Light</b>	HAIR <b>Brown</b>	EYES <b>HAZ - Hazel</b>	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>17 E IONGFELLOW Avenue, Spokane, WA 99205</b>				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE	
ADDITIONAL PHONES <b>(509) 499-6199</b>							
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE		SOCIAL SECURITY NO. <input type="checkbox"/> FAKE		OTHER ID	
#4b				#4a			
NARRATIVE							

On 123015 at approximately 0010 hours, I responded to assist units with a domestic incident at 1223 E. Decatur Ave. When I arrived on scene, Officer Fabian had already taken the suspect into custody. As I walked up, I begin to talk with Lieutenant Walker. No further investigation needed to be done on the incident and therefore, Lieutenant Walker and I were merely chatting.

As Officer Fabian walked the suspect pass the front door of the residence, a female then burst out of the front door screaming and yelling and attempted to intervene and interfere with Officer Fabian's arrest. The female was later identified as #14 #14 was screaming for us not to arrest her boyfriend. #14 attempted to physically interfere with the arrest and therefore I took control of her left wrist. Lieutenant Walker held onto her right arm and eventually passed off that control to Recruit Walker.

I attempted to de-escalate #14 and her belligerent behavior however, she refused to calm down. Several times, I attempted to calm her down and talk to her. I asked her what her name was amongst other questions but #14 only screamed and cursed at me and yelled that I needed a warrant to be at her residence. I told #14 that if she calmed down we would just leave the residence. #14 continued to scream and holler as loud as she could.

I did not let go of #14 because I felt if I did, she would either assault me, another officer or attempt to run back down the street to Officer Fabian's location and continue to interfere with his arrest. I yelled to Officer Fabian to get the suspect in the car and leave so that I could let go of #14 #14 again told me that I needed to leave and I informed her that if she would calm down and go inside that I would walk away.

#14 then stated that if I let her go she would go inside. I let go of #14 and as she turned to walk inside, she blurted out that we were going to find a dead body inside tonight because she was going to kill herself. Due to #14 extreme level of agitation and intoxication, I took this as a shallow threat. However, as #14 walked inside, Lieutenant Walker indicated that we should probably take her to Sacred Heart.

Lieutenant Walker informed me that when he was inside of the residence earlier during the investigation, he observed a knife sitting on the kitchen counter. #14 had already slammed the door behind her and locked it. I attempted to look through the blinds into the residence but could only see shadows moving

**INCIDENT REPORT CONTINUED**  
**Spokane Police/Spokane County Sheriff**

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INCIDENT CLASSIFICATION  
**PERSONS-MENTAL**

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**15-456952**

around. Lieutenant Walker, Officer Chimienti, and Recruit Walker were able to look through the other window which led into the living room. Lieutenant Walker indicated that #14 had armed herself with a knife and was standing in the living room.

Officer Chimienti and Recruit Walker both indicated verbally to me that #14 had the knife to her throat at this time. #14 was not alone inside of the residence. Another friend of #14 was inside of the home with her. He was identified as Jacob Fundahn. Officer Chimienti and Recruit Walker both then told me that they could see Jacob attempting to get the knife away from #14. At this point, it was imperative that we make entry into the residence to prevent #14 from harming Jacob with the knife. Jacob was in grave danger and could easily have been stabbed with the knife during the struggle.

Lieutenant Walker agreed that I needed to force entry into the residence to prevent #14 from harming Jacob. I breached the door and began to make entry into the residence. As soon as I cleared the threshold of the door, I looked to my left and I could see #14 standing approximately 5 to 7 feet away from me holding the knife in an ice pick fashion directly in front of her. #14 was facing me when I entered. Jacob was standing directly behind her and had his hands on #14 upper arm area.

#14 looked directly at me and made eye contact with me. I ordered #14 to drop the knife but she merely looked at me and refused to do so.

**CRIME:**

At this point, #14 was an extreme danger to herself but more importantly, I had an obligation to ensure the safety of Jacob who was inside of the residence along with her. This was a care taking function to protect Jacob.

**THREATS TO LAW ENFORCEMENT/PUBLIC:**

#14 had armed herself with a sharp kitchen knife. She was not alone inside of the residence and presented an extreme safety risk to Jacob. When I made entry to the residence, #14 was armed with the very sharp knife and the knife was being held in an ice pick fashion. This is an aggressive gesture and makes it very easy for the person with the knife to forge a violent attack. I was merely 5-7 feet from #14 and she was advancing towards me. The room was very small and I had very little room to retreat backwards. Other officers were entering the house behind me and therefore prevented me from exiting the residence completely. If #14 advanced in a rapid fashion, I would most certainly have been cut or stabbed with the knife as she advanced. This presented an extreme safety threat to myself due to the very close quarters. I was in fear that I would be severely injured and feared for my life at this point in the confrontation. If #14 chose to attack with the knife, I would be on the defense and trying to react to her attack. Action always beats reaction and I would certainly have been gravely injured if not killed.

**ACTIVELY RESISTING ARREST OR ATTEMPTING TO EVADE ARREST BY FLIGHT:**

**INCIDENT REPORT CONTINUED**  
**Spokane Police/Spokane County Sheriff**

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INCIDENT CLASSIFICATION  
**PERSONS-MENTAL**

ATTEMPTED  
☐

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**15-456952**

**#14** was refusing all commands and orders to drop the knife. **#14** was given multiple orders to do so but she merely stared at me and continued to advance in my direction.

For the aforementioned reasons, I had my pistol drawn and pointed in on **#14** while giving her verbal commands. **#14** refused orders to drop the knife and continued to advance towards me. I attempted to retreat backwards out through the door that I entered in, but **#14** continued to walk towards me. **#14** then began to slide to her left so I transitioned and holstered my pistol, and removed my TASER from its holster. I had to make a split second decision and determine if I could safely deploy my TASER before she could attack me with the knife in her hand.

Even though lethal force would have been justified, I chose to apply my TASER (Serial # X12000MNH) in the probe mode (Cartridge # C4101CR50) and both probes made contact with **#14**. One probe contacted **#14** just above her left breast and the other probe contacted **#14** in the left lower abdomen near her waist line. When the probes made contact, the TASER had a good connection and **#14** seized up and neuromuscular incapacitation was achieved. This caused **#14** to fall to the floor and drop the knife. While the cycle was in operation. I moved in towards **#14** along with Officer Chimienti and Recruit Walker and we were able to place Haleigh into handcuffs. **#14** was cooperative at this point.

After **#14** was detained in handcuffs, I spoke with Jacob. Jacob told me the following:

He stated that after **#14** went back inside, she immediately went straight to where the knife was. She opened the drawer to get the knife and picked it up. She then told Jacob "watch me make them not arrest Dillon." **#14** then began to walk towards the front door. Jacob stated that he was uncertain whether she was going to try to harm herself or attempt to come out of the front door and charge us or attack an officer with the knife to prevent us from arresting Dillon.

Jacob stated that once he saw that **#14** had the knife, he was attempting to wrestle it away from her. He stated that was what was occurring when I breached the front door and made entry into the residence. I was wearing a body camera during the incident however, I had not turned it on when I was merely chatting with Lieutenant Walker when I first arrived because the incident was done. When **#14** burst through the front door, I did not have time to turn it on. The incident never slowed down after that point and was tense, uncertain and rapidly evolving and therefore I never had the chance to turn it on.

Lt. Walker and Sgt Lee were on scene and aware of the incident. Corporal Busch arrived and took photos of **#14**, the damage to the front door, the knife and the close quarters of the small front room to the residence. Officer Chimienti placed the spent TASER cartridge, wires and the knife onto police property as evidence.

**#14** was transported to Sacred Heart ER via AMR. I followed and completed the paperwork to check her in as an involuntary commitment. Medics were called to the scene to remove the TASER probes but since the one was close to her breast, they stated that the doctor needed to do it at the hospital. Once at the ER, the nurse removed the probes and **#14** was waiting to see the psych doctor when I left. **#14** did not

**INCIDENT REPORT CONTINUED**  
**Spokane Police/Spokane County Sheriff.**

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INCIDENT CLASSIFICATION  
**PERSONS-MENTAL**

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INCIDENT NUMBER  
**15-456952**

have any visible injuries from the incident.

T. Belitz #1084

SPD B445

# SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>15-456916</b>	
REPORT PURPOSE				REPORTED ON DATE <b>Tue 12/29/2015</b>	TIME <b>23:50</b>
INCIDENT CLASSIFICATION #1 <b>MALICIOUS MISCHIEF</b>		ATTEMPTED <input type="checkbox"/>		INCIDENT XREF <b>15-456952</b>	
INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>		INCIDENT CLASSIFICATION #3	
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>		INCIDENT CLASSIFICATION #4	
DISPATCH TIME		ARRIVED TIME		CLEARED TIME	
PRIMARY CHARGE		REPORT DATE <b>12/30/2015</b>		REPORT TIME <b>16:50</b>	
NARRATIVE				UCR/NIBRS CODE	

On 12/29/15 at approximately 2356 hours I responded to 1223 E Decatur. There was a call of trouble unknown that appeared to be DV related. I was also aware that the male half may have fled the residence prior to our arrival. I approached the residence along with Officer Fabian. We made contact with the female (#14) & male friend (Jacob). We spoke with them inside the residence.

I spoke with Jacob in the kitchen area while Ofc Fabian spoke with Haleigh in the living room. Jacob told me the male (Dillon) had ran out the back door of the house prior to our arrival. Jacob told me they had all been drinking tonight and Haleigh and Dillon began arguing. He said #14 and Dillon are boyfriend and girlfriend. Jacob said he was in a different room but could hear them become violent and heard some glass breaking and crashing around. He said #14 told him that Dillon threw a glass candle holder at her and it broke when she ducked out of the way. I could see some broken glass on the kitchen counter and a large steak knife next to it. I asked him if he was involved or if he had been assaulted and Jacob said he was not involved.

I advised Ofc Fabian of what Jacob told me and I said we could check out back for Dillon in the snow. I opened the back door and could see footprints leading towards a garage in the back yard. We moved towards the garage and I also advised other officers in the area where he ran towards. I pushed open the garage door and called out for Dillon. I could see him hiding inside as I looked through the door crack into the garage. I called him to come out and he did. Ofc Fabian spoke with Dillon and determined he had PC to arrest him. Officers Chimienti, probation Ofc Walker & Officer Belitz arrived about this time to assist us. He handcuffed Dillon and we all began walking back around the front of the house towards the sidewalk.

We got to the area in front of the front door and #14 came charging out right at Ofc Fabian. It appeared she grabbed a hold of Ofc Fabian and Dillon. I grabbed her right arm and had to physically pull her away from them, because she was now physically interfering with the arrest. She was screaming and yelling so loud that it could easily be heard for a block. She yelled she was going to kill herself and that she didn't want Dillon arrested. She continued to yell and scream and I eventually gave up control of her to probation Officer Walker. I went with Ofc Fabian to walk Dillon to the patrol car which was parked three to four houses to the west on Decatur. I could hear #14 continuing to yell and scream at officers and state she was going to kill herself. She was also still yelling not to arrest Dillon. She was completely out of control.

I began walking back towards the residence after assisting Ofc Fabian. I was about halfway back when I yelled up to the officers that she needed to go to the hospital for a mental evaluation. It appeared #14 either pulled away or moved back towards the front door just as I said this and she went inside and slammed the door. Jacob was inside the house with her.

ID NO / NAME OF REPORTING OFFICER <b>#216 - Walker, Joe</b>		DISTRIBUTION	
APPROVAL <b>#244 - Lee, Thomas</b>	DATE/TIME <b>12/30/2015 17:38</b>		

## SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION <b>MALICIOUS MISCHIEF</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>15-456916</b>
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I got up to the front door and yard and told the officers that there were knives in the house. I could see through the open front window into the living room. #14 had went over to the kitchen area and I could see she had a knife in her hand. I could also see Jacob trying to stop her. They both moved into the area of the living room in front of the window. Jacob had #14 in a bear hug position and she was holding the knife in a stabbing motion and he was trying to wrestle the knife out of her hand. One of the other officers also yelled that she had a knife.

It was clearly a life or death struggle that Jacob was in and it was at that point I yelled for Officers to kick the front door in. The front door area was only wide enough for one person. Officer Belitz was closest to the front door and he kicked the door open. Officers were yelling for #14 to drop the knife even prior to the door being kicked in. Officer Belitz ordered her to drop the knife. I could see Jacob was still trying to hold onto #14 and was directly behind her. #14 still had the knife in her hand. Officer Belitz had his firearm in his hand. I yelled for him to taze her and he transitioned to his taser and fired it striking #14. She fell to the floor and the knife flew out of her hand as she was falling.

Officers immediately moved towards her and took control of her. I went towards Jacob and moved him into a back bedroom area. I asked him what she did as soon as the front door got slammed. He said she went to the kitchen immediately and grabbed a knife. I asked him if she said anything and he said she yelled she was going to not allow us to take Dillon to jail. I asked him what that meant to him. Jacob said he believed she was going to come out towards us with the knife to stop us. I asked him what happened when we saw him struggling with her over the knife. He said he was trying to stop her from hurting us or herself.

I requested a sergeant and corporal for photos. Sgt Lee responded to assist with the administrative report because I was directly involved in the incident. Medics responded to remove the taser probes, but advised us that a doctor would need to remove them so she was transported to the hospital.

I advised Sgt Lee of the incident and cleared. See other officers reports for additional information.

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

OFFICER/NUMBER/CALL SIGN

J Walker #216      L166

# SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER	INCIDENT NUMBER <b>15-456952</b>	
REPORT PURPOSE		REPORTED ON DATE <b>Wed 12/30/2015</b>	TIME <b>00:31</b>	INCIDENT XREF <b>15-456916</b>
INCIDENT CLASSIFICATION #1 <b>PERSONS-MENTAL</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>12/30/2015</b>	REPORT TIME <b>03:31</b>
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 12/30/2015 at approximately 0031 hours, I responded to a domestic violence situation at 1223 E Decatur Spokane, WA.

Upon arrival, I contacted Ofc Fabian who was talking to Dillon Simpson. Ofc Fabian told me that he had PC to arrest Dillon Simpson for city malicious mischief DV. When Ofc Fabian was escorting Dillon to his patrol car, #14 charged out the front door of 1223 E Decatur toward him screaming to let Dillon go and to not arrest him. At this time Ofc Belitz and LT Walker grabbed #14 by the arms in order to prevent her from attacking Ofc Fabian.

I replaced LT Walker by getting #14 into left arm control. She was very tense and kept trying to pull away from Ofc Belitz and I. #14 kept yelling at us to let go and that she will kill herself if Simpson is arrested. At one point she even began screaming uncontrollably. A moment later she started begging us not to arrest her boyfriend (Simpson). Her emotions would fluctuate very quickly and made her very unpredictable.

Once Ofc Fabian had Simpson in his car and was in transit to jail, Ofc Belitz and I let go of #14 and she went inside 1223 E Decatur and stated something along the lines that we will 'come back and find a dead body.' She then closed her screen door and started yelling that we will come back and find a dead body.

Next, #14 slammed and locked her front door. LT Walker said that she went into the kitchen and that there are knives where she was. I walked to her living room window, where I could see the door way to her kitchen. Approximately 10 seconds later, I saw #14 walk out of the kitchen holding a knife in her right hand at shoulder height and with a reverse grip as if she was preparing to stab someone or something.

As #14 was walking out of the kitchen with the knife in her hand, her friend Jacob Fundahn was walking out behind her and was grabbing her right wrist and trying to restrain her. I could hear #14 yelling at Fundahn to let go of her.

#14 struggled with Fundahn, for a short period of time, until she reached the living room window where she stood and held the knife to her throat as if she was preparing to harm herself. Fundahn was still grasping her wrist and was trying to restrain her.

ID NO./NAME OF REPORTING OFFICER <b>#1264 - Walker, Eric Ellis</b>		DISTRIBUTION
APPROVAL <b>#472 - Carr, Michael</b>	DATE/TIME <b>12/30/2015 07:19</b>	

## SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION  
**PERSONS-MENTAL**

ATTEMPTED  
☐

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**15-456952**

We forced entry and gave multiple verbal commands for her to drop the knife. Ofc Belitz deployed his taser and as I entered through the front door, I saw #14 in a prone position on the living room floor. I moved and gave her the command to put her hands behind her back. I gained control of #14 left arm, from the prone cuffing position, and placed #14 in handcuffs (DL). (See Ofc Belitz and Chimienti's reports for additional information).

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

Ofc Eric Walker #1264

# SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>15-456952</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Tue 12/29/2015</b>		TIME <b>23:51</b>
INCIDENT CLASSIFICATION #1 <b>PERSONS-MENTAL</b>			INCIDENT CLASSIFICATION #2		INCIDENT XREF <b>15-456916</b>
INCIDENT CLASSIFICATION #3			INCIDENT CLASSIFICATION #4		
DISPATCH TIME		ARRIVED TIME	CLEARED TIME	REPORT DATE <b>12/30/2015</b>	REPORT TIME <b>04:31</b>
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 12/30/15 at approximately 0009 hours I was riding with Officer Walker as his field training officer. We were dispatched to respond to 1223 E Decatur to assist Officer Fabian in locating a domestic violence suspect.

While enroute, Lt Walker advised they had located the suspect in the garage at the residence.

Officer Walker and I then responded directly to the residence.

Officer Fabian had developed probable cause to arrest the male suspect, Dillon Simpson, for malicious mischief DV. Simpson was secured in handcuffs by Officer Fabian and Walker and escorted away from the residence.

As Officer Fabian was escorting Simpson and passing by the front door of the residence, a female exited the residence and began to quickly advance towards Officer Fabian and Simpson. The female, later identified as #14, was yelling very loudly to not arrest Simpson and asking why he was being arrested.

Lt Walker and Officer Belitz took arm control of #14 to prevent her from further obstructing Officer Fabian. Officer Walker replaced Lt Walker, who assisted in escorting Simpson with Officer Fabian.

While Officer Walker and Belitz had #14 in arm control, I could hear her make several statements to the effect of I am going to kill myself if you arrest him. As I moved closer to the front door, a male, later identified as Jacob Fundahn walked to the front door and was standing just inside. #14 continued to ignore Officer Belitz's and Officer Walker's attempts to verbally de escalate the situation. #14 made several requests and statements to the effect of get off my property, you need a warrant, and she was going to file a law suit against us if we arrested Simpson.

From my proximity, I could smell the odor of alcohol on #14 person as she continued to yell loudly.

#14 was very emotional and her behavior was very erratic escalating at times and at other times she was calm and would briefly listen to Officer Belitz's attempts to verbally de escalate her.

#14 agreed to go back inside if we left her house and property.

ID NO./NAME OF REPORTING OFFICER <b>#1068 - Chimienti, Sam</b>		DISTRIBUTION	
APPROVAL <b>#647 - Braun, Steven S</b>	DATE/TIME <b>12/30/2015 05:44</b>		

## SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION <b>PERSONS-MENTAL</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>15-456952</b>
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At that time, Officer Belitz and Walker released her from arm control. As she went back inside her house, she yelled very loud that we were going to find a dead body later tonight. #14 made that statement two or three more times as she slammed the door.

The male, Fundahn, was still inside the house when #14 slammed the door.

Lt Walker had returned to the residence just after #14 had slammed the door and advised us that there were several knives in the kitchen on the counter.

While standing outside, I could hear the sound of #14 voice escalated inside the house. It sounded like she was yelling at someone to let go of her.

Officer Walker then advised that he could see #14 through the living room window and that she had a knife in her hand.

I quickly moved to the living room window and could see inside the living room. I saw #14 holding what appeared to be a kitchen knife in her right hand with the blade pointed at her throat. I could also see Fundahn standing behind #14 with his left arm wrapped around her body and his right hand holding her right wrist. It appeared the Fundahn was attempting to restrain and prevent #14 from harming herself. I drew my firearm to the low ready position, never pointing it directly at #14 and gave several verbal commands directed at her to drop the knife, which she did not comply with.

Because of #14 mixed emotions, her erratic unpredictable behavior, and the potential of her harming herself or Fundahn, Officer Belitz forced entry through the front door of the house. When the front door came open, I could see that Fundahn put his hand up in the air and immediately backed away from #14. I was giving #14 verbal commands to drop the knife and I could hear Officer Belitz give several verbal commands for #14 to drop the knife.

The living room where #14 was standing was very small and she was approximately 4-5 feet from the front door where Officer Belitz was standing.

Officer Belitz then deployed his Taser. Officer Belitz, Officer Walker, and I then quickly moved inside. As I entered the front door, I could see #14 was face down in the prone position. Officer Walker and Belitz moved into the prone handcuffing position while I controlled #14 legs.

#14 was then secured in handcuffs(DL).

I requested medics to respond to remove the Taser probes. I also advised a supervisor of the Taser deployment.

## SUPPLEMENTAL REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

Page 3

INCIDENT CLASSIFICATION <b>PERSONS-MENTAL</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>15-456952</b>
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AMR arrived on scene and transported **#14** to Sacred Heart.

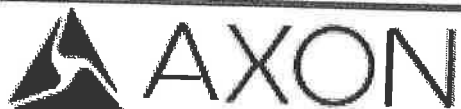
See also Officer Belitz's and Walker's reports for additional information.

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.

Officer S. Chimienti #1068

Team 16 / B444

[illegible]



**Taser Information**  
Dept.

Serial  
Model  
Firmware Version  
Device Name  
Health

SPOKANE CITY POLICE  
DEPARTMENT  
X12000MMH  
TASER X26P  
Rev. 04.010  
T BELITZ  
Active

**Report Generated by**  
Name

Tilley, Ron

Badge ID  
Local Timezone  
Generated On

369  
Pacific Standard Time (UTC -08:00)  
31 Dec 2015 19:56:56

**Device (X26P)**

Seq #	Local Time [dd:mm:yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
1	20 Nov 2013 13:17:00	Power Magazine Change	Manufacturing S/N: XXXXX6 Battery capacity: 66%		
2	20 Nov 2013 13:17:00	Firmware Update	FW Bundle, Rev. 03.041, 4/15/2013		
3	20 Nov 2013 13:17:00	Firmware Update	MC, Rev. 03.041, 4/15/2013		
4	20 Nov 2013 13:17:00	Firmware Update	LDR, Rev. 03.041, 4/15/2013		
5	20 Nov 2013 13:17:00	Firmware Update	CAM, Rev. 01.020, 3/14/2013		
6	20 Nov 2013 13:17:00	Armed		31	66
7	20 Nov 2013 13:17:14	Power Magazine Change	Standard S/N: 092988 Battery capacity: 91%		
8	20 Nov 2013 13:17:14	Armed		31	91
9	20 Nov 2013 13:17:17	Safe	3	32	91
10	20 Nov 2013 13:18:49	Power Magazine Change	Manufacturing S/N: DPM000 Battery capacity: 66%		
11	20 Nov 2013 13:18:49	Armed		30	66
12	20 Nov 2013 13:18:51	Trigger	5		66
13	20 Nov 2013 13:18:57	Trigger	5		66
14	20 Nov 2013 13:19:02	Trigger	5		66
15	20 Nov 2013 13:19:08	Trigger	5		66
16	20 Nov 2013 13:19:13	Trigger	5		66
17	20 Nov 2013 13:19:19	Trigger	5		66
18	20 Nov 2013 13:19:24	Trigger	5		66
19	20 Nov 2013 13:19:30	Trigger	5		66
20	20 Nov 2013 13:19:35	Trigger	5		66
21	20 Nov 2013 13:19:43	Trigger	5		66
22	20 Nov 2013 13:19:49	Trigger	5		66
23	20 Nov 2013 13:19:55	Safe	66	38	66
24	20 Nov 2013 13:43:59	Armed		29	99
25	20 Nov 2013 13:44:08	Armed		29	99
26	20 Nov 2013 13:44:09	Trigger	5		99
27	20 Nov 2013 13:44:18	Safe	10	30	99
28	20 Nov 2013 13:44:37	Armed		30	99

Seq #	Local Time [dd:mm::yyyy Hr:min:Sec]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
573	10 Dec 2015 16:20:50	Armed		18	88
574	10 Dec 2015 16:20:51	Safe	1	18	88
575	10 Dec 2015 16:20:53	Armed		18	88
576	10 Dec 2015 16:20:55	Safe	2	19	88
577	10 Dec 2015 16:21:06	Armed		18	88
578	10 Dec 2015 16:21:11	Safe	5	19	88
579	10 Dec 2015 16:21:12	Armed		19	88
580	10 Dec 2015 16:21:13	Safe	1	19	88
581	10 Dec 2015 16:21:45	Armed		19	88
582	10 Dec 2015 16:21:46	Trigger	5		88
583	10 Dec 2015 16:21:52	Safe	7	19	88
584	20 Dec 2015 18:54:39	Armed		10	88
585	20 Dec 2015 18:54:39	Trigger	5		88
586	20 Dec 2015 18:54:44	Safe	5	11	87
587	21 Dec 2015 01:43:00	Armed		22	87
588	21 Dec 2015 01:44:34	Safe	94	24	87
589	23 Dec 2015 14:58:16	Armed		17	87
590	23 Dec 2015 14:58:19	Trigger	5		87
591	23 Dec 2015 14:58:25	Safe	9	18	87
592	28 Dec 2015 18:46:37	Armed		9	87
593	28 Dec 2015 18:46:39	Trigger	5		87
594	28 Dec 2015 18:46:44	Safe	7	9	87
595	30 Dec 2015 00:08:13	Armed		23	87
596	30 Dec 2015 00:08:14	Trigger	5		87
597	30 Dec 2015 00:08:46	Safe	33	24	86
598	31 Dec 2015 19:35:22	USB			Unknown
599	31 Dec 2015 19:35:54	Time Sync	From '31 Dec 2015 19:35:54' to '31 Dec 2015 19:55:05'		

## Pulse Log Graph

