



SPOKANE POLICE DEPARTMENT

Patrick M. Dobrow
Interim Chief of Police



Internal Affairs Exemption Log

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

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

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

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


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

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

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



Spokane Police Department Use Of Force Report

-  [Print](#) this incident.

Incident Entered By: Sergeant Charles Reynolds

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
1/12/2016	1/9/2016	03:25
Record ID #	Incident No	IA No
9149	16-9755	F16-003
Date/Time Entered		
1/12/2016 19:56		

Incident Summary

Ofc. Belitz used his K-9 "Zeus" to apply force to a residential burglary suspect that barricaded himself in a house and made threats that he had a gun. He also armed himself with a knife from the kitchen. The suspect was wearing 5 layers of clothing that included leather and other thick materials. His injuries were minor.

In compliance with policy per Assistant Chief Meidl 01/27/16.

Incident Location

• #1d : E, Spokane, WA 99207 - : Nevawood

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Fleeing (Felony)	Call For Service	
Weather Condition	Lighting Condition	Distance to Citizen
Clear	Interior Lighting	a-0-3 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	Yes	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Medium	5'10" to 6'0"	
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

Jerry W Shaver

DOB: 8/26/1988 Race: White Gender: Male

Address

- 2000 Alder, Suite/Apt: 36, Direction: N, Ellensburg, WA 98926
- 2000 Alder, Suite/Apt: 36, Direction: N, Ellensburg, WA 98926
- 2000 Alder, Suite/Apt: 36, Direction: N, Ellensburg, WA 98926
- 2000 Alder, Direction: N, Ellensburg, WA 98926

Phone

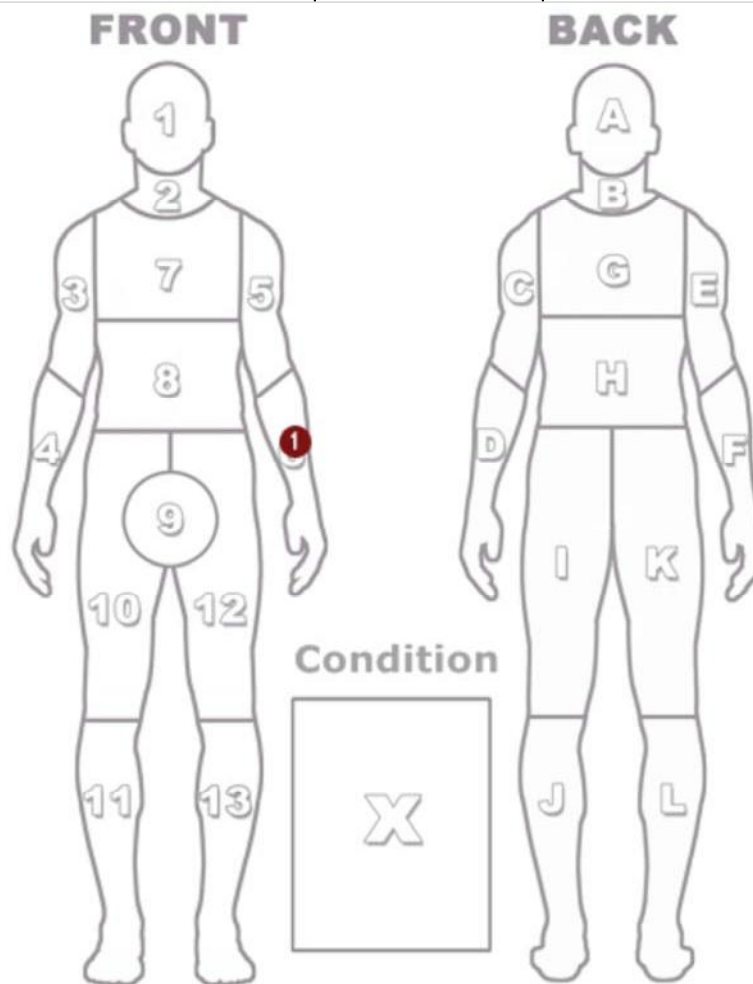
- (509) 494-3345

Types of Resistance Citizen Used Against Officer(s)

- Assaultive

Injuries sustained by this citizen

Injury	Regions	Injury Locations
d-Injury Requiring ER	6	1



Charges against this citizen

- Felony - Property Crime

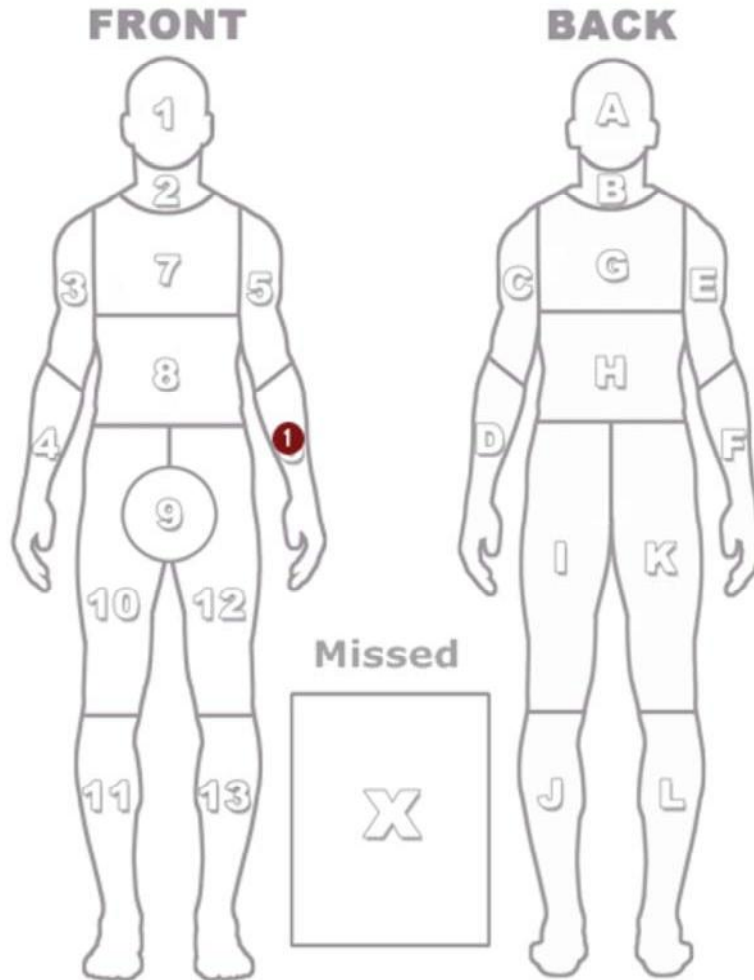
Involved Officers

Officer Todd Belitz - Payroll Number: #5c

Force used by this officer against the citizen

- K9 Application - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
K9 Application	Yes	6	1



Injuries sustained by this officer

Injury	Regions	Injury Locations
No injuries noted or visible		

Officer Witnesses

Officer Brandon Fabian - Payroll Number: #5c

Officer Paul Gorman - Payroll Number: #5c

Officer Michael Russo - Payroll Number: #5c

Attachments

Date Attached	Attachment Description	Attachment Type

1/12/2016	Gorman video w/ marker	
1/12/2016	Fabian video w/ marker	
1/12/2016	Russo video w/ marker	
1/12/2016	CAD	pdf
1/12/2016	Reports	pdf
1/12/2016	Belitz report	pdf
1/12/2016	Kanine UOF	pdf
1/12/2016	Kanine deployment	PDF
1/12/2016	photo log	PDF
1/12/2016	IA additional	doc
1/13/2016	pic	PNG
1/13/2016	pic	PNG
1/13/2016	pic	PNG
1/20/2016	Lt Cowles' IA Summary	doc

Chain of Command History

Sent Dt	From	To	CC	Approved
1/12/2016	Sergeant Charles Reynolds	Internal Affairs	Lieutenant Matthew Cowles	<input checked="" type="checkbox"/>
Sender's Instructions: For your review.				
Recipient's Comments/Response: [Forwarded by Sergeant David Staben]				
1/13/2016	Sergeant David Staben	Lieutenant Matthew Cowles	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: K9 UOF review				
Recipient's Comments/Response: In review of the attached documents reference the use of force (K-9 Contact) by Officer Belitz: The use of force is within Policy. M. Cowles				
1/20/2016	Lieutenant Matthew Cowles	Captain Keith Cummings	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Captain, Attached are documents relating to a use of force (K-9 Contact) by Officer Belitz for your review. Please let me know if you have any questions. Very Respectfully, Matt				
Recipient's Comments/Response: Within policy				
1/26/2016	Captain Keith Cummings	Asst Chief Craig Meidl	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: For your review				
Recipient's Comments/Response: Use of force within policy.				

Entering Officer Signature Line

Sergeant Charles Reynolds

Chain of Command Signature Lines

Sergeant David Staben

Lieutenant Matthew Cowles

Captain Keith Cummings

Asst Chief Craig Meidl



Spokane Police Department
Internal Investigation



CONFIDENTIAL

I.A. #:
Additional

Report #16-009755

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

Ofc. Belitz responded with Zeus and was advised by Officers that they had PC for Residential Burglary on the suspect, Shaver. He had also made threats that he had a gun and Officers saw him arm himself with a knife from the kitchen. He then barricaded himself in a bedroom. Officers had to force the door open to let the dog in the room. Using a K-9 made the situation safer for citizens, Shaver and the Officers onscene.

Shaver's injuries were fairly minor due to the fact that he had 5 layers of clothing on. The layers included a leather coat and other thick layers of clothing.

After being cleared by the hospital Shaver was booked for Residential Burglary.

There were 3 officers that had video footage of the incident. They are all attached.

Sgt. CJ Reynolds #558



Spokane Police Department
Internal Investigation



CONFIDENTIAL

I.A. #:
Additional

Inc # 16-9755

Type: Use of Force – K-9 Contact

Comments.

This review is being completed on 01/20/16. I have noticed a trend that K-9 Officers are not activating their cameras on calls that they are responding to with their dogs. Because of this, I have directed Sgt. Reynolds to provide very clear and precise expectations about their following current policy (practice) in regards to their activating their cameras on calls for service. It is the expectation that unless some exigency makes activation impractical that their own cameras are in use during calls they are responding to.

Sgt. Reynolds will document this training in his Sergeant's Log and ensure that all handlers receive the expectations.

In regards to this specific use of force.

Ofc. Belitz had responded to assist with the investigation of a Burglary in Progress at the location. Ofc. Belitz reasonably believed that the male involved (Shaver) was committing a felony in his presence.

-There was reasonable belief that the subject posed an imminent threat of violence as he had accessed knives at the location. Threatened to use a firearm, and threatened to harm officers and the K-9.

-The subject's resistance (Active physical resistance- Barricading himself inside of a residence not his own, and further secreting himself deeper into the home as officers approached.)

-Because of the subjects actions of secreting himself into a back bedroom, holding the door closed, and threatening to use a "40 caliber" it was unsafe for officers to take the subject into custody.

Conclusion:

-Sgt. Reynolds is directed to provide K-9 Handlers with this Unit's expectations reference the use of the body cameras.

-This use of force is within Policy.

Excerpt from agreed upon 'draft policy' update 05/13/15 (Latest version I could locate)

703.1.2 ACTIVATION OF THE BODY CAMERA

Patrol officers shall activate the body camera at the outset of each contact that is associated with an incident number, whether or not the contact documents a significant incident, forms part of a criminal investigation or has any perceived evidentiary value to the officer. Unless an officer holds a legitimate belief that activating the body camera would be unsafe given the facts and circumstances, the body camera shall be activated. If a safety issue has prevented activation of the body camera, the officer shall document the details in an incident report and report it to the shift supervisor. At no time should officers jeopardize their safety in order to activate a body camera. It is understood that rapidly evolving and complicated situations may delay camera activation due to incident priority. Officers will document this situation in their incident report. During the ASP no discipline will be administered for not activating the camera. Additionally, the City will not utilize videos from the cameras during the Academic Study Phase for disciplinary purposes until bargaining has been completed.

M. Cowles
01/20/16



Spokane Police Department

K9 Use of Force Report

General Use of Force Information

Case # **16-9755** Report Type **Apprehension**
Location **[REDACTED] #1d Spokane, WA** Handler **Todd Belitz**
Date Occurred **1/9/2016** K-9 **Zeus**
Date of Report **1/12/2016 3:00:00 AM** Imm. Supervisor **Jason Reynolds**
Reviewed By
Review Date

Subject Information

Subject's Name **Shaver, Jerry W**
DOB **8/26/1988** Age **27**
SSN
Gender **M**
Address **TRANSIENT**
City **Spokane** Zip Code
State **WA**
Phone #

Medical Information

Visible Injuries present? **Yes** Subject refuse treatment?
Treatment Required? **No** Exam/ Treatment Location **Deaconess ER**
Examined by Doctor? **Yes** Examining Doctor
Explanation of Treatment **Cleaned 2 small punctures**
Time of Exam **3:56 AM**

K-9 Specific Information

Verbal warning given prior to engagement? **Yes** Number of bites or engagements **1**

Subjects actions leading to the Use of Force **Suspect barricaded himself during the commission of a residential burglary. He armed himself with a knife at one point. When the front door was breached, the suspect ran and hid in another room and barricaded that door too. As the second door was being breached, the suspect was attempting to hold the door closed to prevent officers from entering.**

Reason no Verbal warning given?

Off leash apprehension made? **Yes**

On leash contact made? **No**

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

K-9 Assaulted? **No**

K-9 Injured? **No**

List K-9's Injuries

K-9 Treatment costs

Examining Veterinarian

Report Narrative

010916 at approximately 0253 hours, I responded to assist other units with a possible residential burglary at [REDACTED] #1d. I arrived on scene and deployed K-9 Zeus from my patrol car. I contacted the officers who were conducting the investigation and I was told the following:

The owner of the residence, [REDACTED] #1a, had contacted 911 stating that her renter of the location indicated to her that somebody was in the house that did not belong there. The renter was identified as [REDACTED] #1a. [REDACTED] #1a notified her that there was a male inside of the residence he and had entered through an unlocked back door. I asked police radio to contact [REDACTED] #1a and confirm that nobody other than [REDACTED] #1a was allowed to be at the residence.

[REDACTED] #1a indicated that the only person with permission to be in her rental property was [REDACTED] #1a. She did not give permission for anybody else to be there. [REDACTED] #1a was at the location on E. Olympic and officers were conversing with him. I confirmed with Officer Guzzo who was talking to [REDACTED] #1a if anybody was allowed to be inside of the residence. [REDACTED] #1a indicated that he had seen the male through the window of the residence and did not know who he was.

[REDACTED] #1a also confirmed that nobody should have been inside of the residence, he had given nobody permission to be inside, and he lived alone. Other officers could see the male walking around inside of the residence. Officer Guzzo took Doug to a safe location where he could see the male inside of the residence as well. [REDACTED] #1a was asked if he recognized the person inside of his residence and he confirmed that he has never seen him before.

At this time, PC existed to arrest the suspect inside for Residential Burglary. We now had containment on the house and began to formulate a plan to handle the situation. We placed containment on both the front and rear door of the residence. I was standing on the south east corner of the residence along with K-9 Zeus. As we were waiting for more resources, the suspect poked his head outside of the bathroom window. This bathroom window was on the south side of the residence approximately 10 feet from where I was standing with K-9 Zeus.

I notified the male that he was under arrest for residential burglary and that he needed to come outside or I was going to send in my dog and he would find him and bite him. The male yelled at me and told me not to send the dog in. However, the male did not indicate that he was going to come outside. I then made another announcement telling him that he was under arrest for residential burglary that if he did not come outside I would send in my dog and my dog would find him and he would bite him.

Again, K-9 Zeus was with me and the suspect could see him and I commanded K-9 Zeus to bark as well. It would have been impossible for suspect to not have seen and heard K-9 Zeus with the proximity of only 10 feet away. The suspect then went back inside of the residence and said something that sounded like he was going to come out of the front door. I relayed this information to other officers on scene.

However, the suspect did not come out of the front or rear doors. At one point, the suspect did however walk to the front door and kick it very hard from the inside. I maintained my location on the southeast corner of the residence and could hear the male yelling inside. Other units could see him through a window periodically and attempted to get him to surrender. A few minutes went by, so I walked back over to the bathroom window which was open.

This was the same window that the suspect had stuck his head out and saw me and K-9 Zeus the first time I gave him announcements and warnings. This time, I had K-9 Zeus jump up on the picnic bench that was directly outside of the window. I followed K-9 Zeus and even had K-9 Zeus prop his front legs up on the bathroom window. The bathroom door was closed the majority of the way but was still open about 2 to 3 inches.

I poked my head inside of the window and made announcements inside of the building. I yelled loudly "attention inside the building, Spokane Police K-9, suspect you're under arrest, come out now or I will send in my dog and he find you and he will bite you". I commanded K-9 Zeus to bark and then waited. I waited approximately 30 seconds and made the same announcement again through the bathroom window. I command K-9 Zeus to bark again and once he was quiet, I waited for a response.

I received no response from the suspect inside and neither did the other officers on scene. I then took K-9 Zeus back to the east side of the residence and met up with other officers there. While we were waiting for more units to show up and for more resources, officers on the west side of the residence observed the male arm himself with a knife. The male then began to walk around the residence while holding the knife. The units on the west side of the residence relayed to me that they heard the suspect saying that if I send in my dog that he would kill him.

As Officer Russo was conversing with the suspect, the suspect then dropped the knife. We were then given a key from #1a that he thought was for the front door. Our intention was to enter through the front door using the key. Units on the west side of the residence kept us informed of the suspects movements and actions and whether or not his hands were clear of weapons. As we were quietly attempting to use the key on the front door, the suspect heard this and came over and kicked the door. He then barricaded it closed with his foot.

I was then going to go to the back door and attempt to insert K-9 Zeus from there, but as I started to move, Sergeant Meyer notified me over the air that the suspect had walked away from the front door. At this time, Officer Russo breached the door and we moved in. Due to the fact that the suspect had armed himself earlier with a knife, we had assembled a group of multi force options. The first officer at the door had a ballistic shield, followed by an officer with a less lethal TASER in hand. I was next to move through the door with K-9 Zeus.

As Officer Russo breached the front door, we could see that the front room was very small. The suspect was not in the front room so we moved in to the next position of cover. This was a short distance and then opened up to the rest of the house. Officers held there and I made an announcement to give up now I was going to send in my dog and when he found you he would bite you. I received no response from inside of the residence.

SEVERITY OF CRIME:

***There was PC to arrest the suspect inside of the residence for Residential Burglary, a class B felony.

WHETHER THE SUSPECT POSES AN IMMEDIATE THREAT TO THE SAFETY OF THE OFFICERS OR OTHERS:

***The suspect had barricaded himself inside of the home to prevent law enforcement from entering the residence to arrest him. At one point, the suspect had armed himself with a knife and made statements that he was going kill my dog. In my experience, burglary suspects are often times armed and when trapped inside of a location, become aggressive and assaultive. The suspect had not yet been searched and had complete access to the entire residence. Several items inside of the residence, could have been used as weapons and there were several knives inside of the kitchen. One of which the suspect had already armed himself with. There were several locations in the residence that we could not see and the suspect could secrete himself in and set up an ambush on arresting officers. Searching officers would be on the reactionary end of any confrontation and the suspect would have an extreme tactical advantage. Using K-9 Zeus to search and locate the suspect would be the safest and most efficient way to locate and take the suspect into custody.

WHETHER HE IS ACTIVELY RESISTING ARREST OR ATTEMPTING TO EVADE ARREST

BY FLIGHT:

***The suspect was given multiple announcements and warnings by all officers that if he did not surrender, a police K-9 was going to be used and he would be bit. I made 3 separate sets of K-9 announcements telling the suspect inside that he was under arrest along with a fourth announcement from inside the home. The first time, I specifically told the suspect that he was under arrest for residential burglary and that if he did not come out, I would send in my dog and he would be bit. When I made this announcement, the suspect was only 10 feet from me and was looking directly at me and K-9 Zeus. K-9 Zeus barked loudly several times between my announcements. There was no possible way that the suspect did not hear this or see this. A short time later, I made another set of announcements inside of the bathroom window, and while outside the front door, I made another set of announcements saying "attention in the residence, Spokane Police K-9, suspect you are under arrest, give up now or I will send in my dog and when he finds you he will bite you." The suspect clearly knew that he was under arrest but made no effort to surrender. With the fact that I was certain that the suspect heard all given announcements and knew that he was under arrest and still did not surrender, there was no telling what he would do to avoid going to jail.

For the aforementioned reasons, I made one more announcement telling the suspect to give up or I would send my dog. I received no answer so I deployed K-9 Zeus into the residence from our position of cover. K-9 Zeus ran towards the back of the residence and then had a good change of behavior and turned around and ran back toward me and up to a bedroom door.

It was clear that K-9 Zeus had followed the scent to the bedroom door. Just then, Sgt. Meyer notified me on the radio that the suspect had ran into the bedroom and closed the door just as we made entry to the residence. We could not allow the suspect to set up an ambush in the room so I recalled K-9 Zeus and Officer Gorman breached the door. The suspect then attempted to hold the door closed and there was a struggle over opening the door with the suspect and Officer Gorman.

SEVERITY OF CRIME:

***There was PC to arrest the suspect inside of the residence for Residential Burglary, a class B felony.

WHETHER THE SUSPECT POSES AN IMMEDIATE THREAT TO THE SAFETY OF THE OFFICERS OR OTHERS:

***The suspect had barricaded himself inside of the home to prevent law enforcement from entering the residence to arrest him. At one point, the suspect had armed himself with a knife and made statements that he was going to kill my dog. In my experience, burglary suspects are often times armed and when trapped inside of a location, become aggressive and assaultive. The suspect had not yet been searched and had complete access to the entire residence. Several items inside of the residence, could have been used as weapons and there were several knives inside of the kitchen. One of which the suspect had already armed himself with. There were several locations in the residence that we could not see and the suspect could secrete himself in and set up an ambush on arresting officers. Searching officers would be on the reactionary end of any confrontation and the suspect would have an extreme tactical advantage. Using K-9 Zeus to search and locate the suspect would be the safest and most efficient way to locate and take the suspect into custody.

WHETHER HE IS ACTIVELY RESISTING ARREST OR ATTEMPTING TO EVADE ARREST BY FLIGHT:

***The suspect was given multiple announcements and warnings by all officers that if he did not surrender, a police K-9 was going to be used and he would be bit. I made 3 separate sets of K-9 announcements telling the suspect inside that he was under arrest along with a fourth announcement from inside the home. The first time, I specifically told the suspect that he was under arrest for residential burglary and that if he did not come out, I would send in my dog and

he would be bit. When I made this announcement, the suspect was only 10 feet from me and was looking directly at me and K-9 Zeus. K-9 Zeus barked loudly several times between my announcements. There was no possible way that the suspect did not hear this or see this. A short time later, I made another set of announcements inside of the bathroom window, and while outside the front door, I made another set of announcements saying "attention in the residence, Spokane Police K-9, suspect you are under arrest, give up now or I will send in my dog and when he finds you he will bite you." The suspect clearly knew that he was under arrest but made no effort to surrender. With the fact that I was certain that the suspect heard all given announcements and knew that he was under arrest and still did not surrender, there was no telling what he would do to avoid going to jail.

Officer Gorman was able to get the door open and hold it open just enough for me to send K-9 Zeus into the room. As K-9 Zeus entered the room, he immediately located and contacted the suspect on the left forearm as he was attempting to hold the door closed. I was only 2-3 feet from the suspect when K-9 Zeus made contact. However, he was behind the door when I deployed K-9 Zeus. K-9 Zeus pulled the suspect away from the door and I was able to enter the room.

Once inside of the room, the suspect had pulled his right arm under his chest and appeared to be reaching for a weapon in his jacket. I gave K-9 Zeus his command to stay on the contact and maintain control of the suspects left arm while I took control of his right arm. Once I got control of the suspects right arm, I passed it off to the other officers when they reached my position.

I then moved over and took control of K-9 Zeus. I gave him his out command and he came off of the contact immediately. K-9 Zeus was on the contact for approximately 15-20 seconds. I had to leave him on the bite for that duration due to the fact that the suspect appeared to be attempting to access a weapon in his jacket when I first came in the room. As soon as I took K-9 Zeus off of the contact, the other officers were able to place the suspect into custody.

The suspect was later identified as Jerry Shaver. Shaver was notified that he was under arrest for residential burglary. Shaver was transported to Deaconess ER for medical evaluation. Once at the hospital, we removed Shavers top layers so that he could be evaluated. Shaver was wearing 5 layers of clothing at the time of the contact. He was wearing a thick lined leather jacket, a thick lined fleece, a denim jacket, a heavy hoody and a long sleeve t-shirt.

After all of the layers were removed, I could see that Shaver had 2 small punctures on his left forearm. One on the front near his wrist and the other on the back near the top of his forearm. These punctures were cleaned and needed no further medical treatment, The doctor also took an x-ray of Shavers forearm and it showed that there were no broken bones.

While at the hospital, I spoke to Shaver and asked him if he heard my K-9 announcements. Shaver stated that he heard all of them and did see K-9 Zeus and heard him barking when he poked his head out of the bedroom window. I asked Shaver why he did not surrender after hearing my announcements and he said "well, the dog isn't going to kill me so I stayed in."

After he was medically cleared for jail, Shaver was transport there and booked for residential burglary. Sergeant Reynolds was notified of the contact and minor injury to Shaver. Corporal Daniel responded and took photos of the punctures on Shavers arm.

T. Belitz #1084
SPD K17

Handler's Signature (X) _____

Incident History for: #SP160009755 Xref: #SP160009781

Entered 01/09/16 02:46:34 BY 91104 911252
Dispatched 01/09/16 02:52:35 BY PCC01 1210
Enroute 01/09/16 02:52:35
Onscene 01/09/16 02:57:28
Closed 01/09/16 11:09:28

Initial Type: BURGC Final Type: BURGR (BURGLARY REPORT, RESIDENTIAL)
Initial Priority: 2 Final Priority: 2
Disposition: 1E Source: 9 Primary Unit: L288
Police BLK: SPB3NL
Group: P3 Beat: Map Page: 31
Loc: #1d, SPK btwn N ADDISON ST & N STANDARD ST <5000> (V)
Name: #1a #1b Addr: #1d Phone: #1c

/024634 (911252) ENTRY MALE IS COMP RENTAL HOUSE, RENTOR OF HOUSE IS AT #1d WITH COM P NOW, MALE ENTERED HOUSE THROUGH UNLOCKED BACK DOOR, UNK WEAPON S , MALE IS IN BATHROOM AT LOC NOW
/024739 SUPP TXT: MALE: WM DRK CLOTHING , NFI.
/024757 SUPP TXT: RENTOR IS INTOX
/024838 SUPP TXT: RENTOR: #1a #1b
/024843 (1210) CALLBK T/91104
,CONF THERE ARE 2 MALES REFD IN THIS CALL? A S USP AND A RENTER (W/COMP AT THE STANDARD LOC?)
/024934 (911252) SUPP TXT: SUSP IS IN #1d , RENTOR IS WITH COMP AT #1d NOW
/025002 SUPP TXT: #1a ARMED PIPE , WITH COMP AT #1d NDARD
/025026 SUPP TXT: MALE IN BG THREATENING TO GO TO #1d MPIC
/025048 CHANGE NAM: #1a --> #1a #1b
/025055 (1210) CALLBK T/91104
, DOES #1a KNOW THE SUSP? IS ANYONE ELSE AT THE OLYMPIC ADD?
/025102 CHANGE TYP: BURGC --> BURGR
RSP: P --> P
PRI: 2 --> 2
/025102 HOLD
/025113 (911252) SUPP TXT: #1a IS GOING TO #1d WITH PIPE
/025150 SUPP TXT: #1a LIVES AT #1d ALONE
/025214 (1210) CALLBK T/91104
, DOES #1a HAVE A CELL ON HIM? IF SO, WHAT IS THE #?
/025220 (911252) SUPP TXT: #1a : DBLU JACKET , BLU JEANS , GRY TENNIS SHOES
/025235 (1210) DISPER B444 #1264 WALKER, ERIC
#1068 CHIMIENTI, SAMUEL
/025235 ASSTER B447 #1191 FABIAN, BRANDON
/025245 (911252) SUPP TXT: #1a DOES NOT HAVE A CELL PHONE
/025314 SUPP TXT: ###
/025338 (1210) ASSTER B445 #1084 BELITZ, TODD
/025427 REMINQ B447 WANT, B447, , , , , #1a #1b , , , ,
/025444 (1243) *ASSTER B449 [#1d , SPK]
#1243 VALENCIA, ANDRES
/025502 (1244) *ASSTER B448 [#1d , SPK]
#1244 GUZZO, ANTHONY
/025728 (1210) ONSCNE B449

/031951 ONSCNE B446 [FRONT]
 /032050 (271) *ASSTER L220 [#1d ,SPK]
 #271 KANNBERG, ERIC M
 #369 TILLEY, RONALD G
 ,SH%ER, G%, J% NOT MATCHING W/AGE RANGE
 /032120 (1210) MISC
 /032226 NEWLOC B448 [VERBALS]
 /032259 MISC ,L288 STILL STANDING BY WINDOW, MAKING WAY TO
 KITCHEN, HANDS CLEAR
 /032307 MISC ,L288 MAKING WAY TOWARDS YOU GUYS
 /032319 MISC ,L288 HANDS CLEAR, STILL AT FRONT DOOR
 /032332 MISC ,444-L288, WHATS HE DOING?
 /032344 MISC ,L288, FOOT AT FRONT DOOR, CAUSING DISTRACTION
 AT THE BACK
 /032349 MISC ,B445, BREACH BACK DOO?
 /032400 MISC ,L288, HES AWAY FROM FRONT DOOR?
 /032402 MISC ,BREACHED?
 /032411 MISC ,B448 CLAIMING HE HAS GUN IN THAT ROOM
 /032413 MISC ,CAN'T SEE IT
 /032421 MISC ,***** HOLD TRAFFIC NOTHING IN HANDS *****
 **** L288
 /032430 MISC ,L288 WENT INTO ROOM RIGHT TO LEFT
 /032436 MISC L288 ,.
 /032444 MISC L288 ,BACK UNIT GO TO THE FRONT
 /032450 MISC L288 ,INSERT DOG
 /032531 (271) *ONSCNE L220
 /032531 *ONSCNE L220
 /032615 (1210) MISC B441 ,ONE DETAINED, RELEASE AIR
 /032647 MISC L288 ,NEED CPL FOR ENTRY TO HOUSE...AND AT HOSP
 /032703 ASSTER P303 [#1d ,SPK]
 #767 DANIEL, JEREMY
 /032925 REMINQ B441 WANT,B441,,,,,,,,,SHAVER,JERRY,W,1988,08,26,,,,,
 ,,
 /033124 (698) *REMINQ B441 MWANT,,,,,,,,,,,,, #4b ,,,,,,,,,,
 /033202 (1210) MISC B441 ,,,,,,,,,,POSITIVE ID ON SHAVER FROM DOL PIC
 /033247 (783) *ONSCNE D470
 /033933 *PREMPT D470
 /034221 (1210) MISC B448 ,TO B449 APPLE TV REMOTE IN POCKET?
 /034225 MISC B449 ,AFFIRM
 /034400 (698) *CLEAR B441 ,PSTAT/ASST PSTAT/VIDY
 /034410 (1210) \$PREMPT B447
 /034423 \$PREMPT B446
 /034430 (1084) *CHGLOC B445 [DEAC]
 /034449 (691) \$PREMPT K12
 /034450 (1264) *TRANS B444 [DEACONESS] M/0.0
 ,1 MALE
 /034509 (1243) *PREMPT B449
 /034606 (781) \$PREMPT B442
 /034646 (767) *CLEAR P303 ,PSTAT/ASST PIX AT SCENE
 /034651 *ASSTER P303 [#1d AV ,SPK]
 #767 DANIEL, JEREMY
 /034656 *PREMPT P303
 /034700 (271) *CLEAR L220 ,PSTAT/ASST PSTAT/VIDY
 /034739 (1234) MISC B448 ,#####
 /034924 (1264) *REMINQ B444 MWANT,,,,,,,,,,,,, #4b ,,,,,,,,,,
 /035100 *REMINQ B444 MWANT,,,,,,,,,SHAVER,JERRYW,1988,08,26,,,,,,,,,
 ,,
 /035330 (1210) \$PREMPT L288
 /035332 (1084) *ONSCNE B445
 /035617 (1264) *TRANSC B444 [DEACONESS] M/4.6
 /035711 (1244) *REMINQ B448 MWANT,,,,,,,,,SHAVER,JERRYW,1988,08,26,,,,,,,,,

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/035728      *MISC      B448      ,PSTAT/CFS PSTAT/RPT PSTAT/RPT(AFF) PSTAT/VIDY
              PSTAT/FEL
/035747      *CLEAR      B448
/040954 (1234 ) $CROSS      #SP160009781
/042055      MISC      B445      ,#####
/043745 (1244 ) *ASSTOS      B448      [DEAC]
              #1244      GUZZO, ANTHONY
/043755      *CHGLOC      B448      [NC]
/043911 (1210 ) ASSTER      L288      [DEACONESS]
              #607      MEYER, RICHARD
/044520 (767 ) *ASSTER      P303      [DEAC]
              #767      DANIEL, JEREMY
/044606 (1234 ) $CROSS      #SP160009781
/044606      DUP      #SP160009781
/044606      DUP      NAM: ZWARG , PAM S 111658
              ADR: 4919 N STANDARD
              PHO: 5094838010
/045007 (1244 ) *ONSCNE      B448
/045717      *REMINQ      B448      MWANT,,,,,,,,,SHAVER, JERRYW, 1988, 08, 26,,,,,,,,,
              ,,,,,
/045802 (767 ) *ONSCNE      P303
/045805 (781 ) *ASSTER      B442      [DEAC]
              #781      RUSSO, MICHAEL
/045809      *ONSCNE      B442
/050451      *MISC      B442      ,PSTAT/ASST PSTAT/RPT PSTAT/VIDY
/050658      *CHGLOC      B442      [ NC]
/050702      *ONSCNE      B442
/050941      *ONSCNE      B442
/053811 (1084 ) *NEWLOC      B445      [PAPER]
/055147 (767 ) *NEWLOC      P303      [CAR]
/055219 (1264 ) *TRANS      B444      [JAIL] M/0.0
              ,1 MALE
/055316 (1084 ) $PREMPT      B445
/055641 (607 ) *ONSCNE      L288
/055705 (1264 ) *TRANSC      B444      [JAIL] M/1.2
/060040 (767 ) *MISC      P303      ,PICS AT DEAC OF K9 CONTACT
/060050      *CLEAR      P303      ,PSTAT/ASST PIX
/062108 (1264 ) *NEWLOC      B444      [1]
/062704 (1243 ) *ASSTOS      B449      [NC]
              #1243      VALENCIA, ANDRES
/062719      *CLEAR      B449      ,PSTAT/ASST PSTAT/VIDY
/062849 (1264 ) *MISC      B444      ,SHAVER BOOKED FOR RES BURG.
/062858      *MISC      B444      ,PSTAT/ASST PSTAT/RPT
/062904      *CLEAR      B444      DSP: 1E
/063319 (781 ) *CLEAR      B442
/064043 (1244 ) *CLEAR      B448      DSP: 1E --> 1E
/072402 (1144 ) OK      L288
/110928 (676 ) CLEAR      L288
/110928      CLOSE      L288

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Incident History for: #SP160009781 Xref: #SP160009755

Entered 01/09/16 04:09:54 BY PCC03 1234
Closed 01/09/16 04:46:06

Initial Type: CHKEV Final Type: CHKEV (CHECK FOR EVIDENCE)

Initial Priority: 3 Final Priority: 3

Disposition: DUP Source: V Primary Unit:

Police BLK: SPD7CH

Group: P7 (P3) Beat: Map Page: 33

Loc: 800 W 5TH AV ,SPK -- DEACONESS HOSPITAL ,SPK btwn S WALL ST & S LINCOLN ST
(V)

Name: #1a #1b Addr: #1d Phone: #1c

/040954 (1234) COPY ,RM #6, PHOTOS OF K9 CONTACT
/040954 \$CROSS #SP160009755
/041004 CHANGE LOC: #1d ,SPK --> 800 W 5TH AV ,
SPK,
DGP: P3 --> P7,
BLK: SPB3NL --> SPD7CH,
SRC: --> V

/041009 HOLD
/044606 \$CROSS #SP160009755
/044606 DUP #SP160009755
/044606 CANCEL
/044606 CLOSE

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-009755	
INCIDENT TYPE Arrest, Information		INCIDENT CLASSIFICATION #1 BURGLARY-RESIDNTL		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3		INCIDENT CLASSIFICATION #2 PROP-DAMAGE BY CITY	
				ATTEMPTED <input type="checkbox"/>	
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Sat 01/09/2016 02:46	DATE/TIME	OCCURRED ON Sat 01/09/2016 02:15	DATE/TIME	OCCURRED TO Sat 01/09/2016 02:57	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 01/09/2016	REPORT TIME 04:53	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE 9A.52.025(1) BURGLARY-RESIDENTIAL					UCR/NIBRS CODE / 220
LOCATION OF INCIDENT #1d			LOCATION NAME (IF APPLICABLE) Spokane, WA 99207		
ENTRY POINT Door Rear	METHOD Unsecured	WEAPON/TOOL/FORCE USED	SECURITY Interior Lights	EVIDENCE	
TYPE OF PREMISE (FOR VEHICLES STATE WHERE PARKED) Residence/Home					
SOLVABILITY FACTORS PC Affidavit Completed, Suspect Arrested, Witness to Crime					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS Belitz, Walker					
VICTIM/WITNESSES/OTHERS					
CODE A-1	NAME: LAST, FIRST, MIDDLE Shaver, Jerry W			SEX M	RACE/ETHNICITY W-White
HEIGHT 5'10"	WEIGHT 185	BUILD Medium	HAIR Red or Auburn	EYES BLU - Blue	DATE OF BIRTH/AGE 08/26/1988 27
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 2000 N ALDER #36 Ellensburg WA 98926			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) (509) 494-3345					
CHARGE LEVEL Felony Class B		DESCRIPTION 9A.52.025(1) BURGLARY-RESIDENTIAL			UCR/NIBRS CODE /220
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CITATION #	DATE	TIME	BOOKED WHERE Spokane County Jail	DATE 01/09/2016	TIME 03:26
ARREST LOCATION #1d			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	
ID NO./NAME OF REPORTING OFFICER #1244 - Guzzo, Anthony				DISTRIBUTION	
APPRCVL #472 - Carr, Michael		DATE/TIME 01/09/2016 08:14			

Incident Report #1

01/09/2016 08:22:52.172

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL		ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 16-009755	
DRIVER'S LICENSE <input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE #4a	OTHER ID (ID Card) #4b		
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 DEACONESS	TAKEN BY SO/SPD Escort by	<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN		SUICIDE NOTE FOUND? <input type="checkbox"/>
[REDACTED]					
CODE V-1	NAME: LAST, FIRST, MIDDLE #1a		SEX M	RACE/ETHNICITY -	DATE OF BIRTH/AGE #1b
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY, STATE, ZIP #1d		RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Cell) #1c					
RELATIONSHIP TO SUSPECT Victim was Stranger		VICTIM OF Ofns # 9A.52.025(1) BURGLARY-RESIDENTIAL		OFNDR # A-1	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES			TYPE OF VICTIM Individual		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"/>
[REDACTED]					
CODE C-1	NAME: LAST, FIRST, MIDDLE #1a		SEX F	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE #1b
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY, STATE, ZIP #1d		RESIDENTIAL STATUS		PHONE #1c
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Home) #1c					

NARRATIVE

On 1/9/2016 at approximately 0252 hours, I was dispatched to #1d on the report of a residential burglary. The complainant, #1a advised her neighbor, #1a came over to her house and told her that a male had entered his house through an unlocked back door. She went on to tell 911 that the male was in the bathroom now. She also informed that #1a had armed himself with a pipe.

#1a was heard in the background threatening to go #1d. The next update #1a gave was that #1a had went back over to #1d

Upon arrival on scene, I saw that Ofc. Valencia was speaking to #1a in the alley behind #1d. I went over

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-009755
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and began speaking with #1a.

#1a informed me that he lives at #1d alone. He came back into his home to find several items disturbed. It was clear to him that someone had been in his house. He frequently leaves his back door unlocked, and he believes this is how the suspect got into his house. He went to his bathroom and found that the door was closed. He believed this was odd, and opened the door. He found a male later identified as Jerry Shaver sitting on his toilet. He attempted several times to tell Jerry to leave, but Jerry just sat on the toilet mumbling to himself. #1a went back to his neighbor's house, retrieved an axe, and went back to #1d. He tried several more times to get Jerry to leave his house. This was unsuccessful, and Jerry continued to just mumble to himself. #1a left to go outside and smoke a cigarette. It was at about this point that police arrived.

#1a told other officers that he left for the bar between 2000 and 2200 hours. He returned back to the house near the time when he called 911. Also it is worth noting that #1a appeared to be intoxicated.

I confirmed with #1a that nobody was allowed to be in his house. #1a confirmed that he lived at the house alone, and was willing to press charges against anyone for being inside of his house. Furthermore, #1a gave police permission to go inside the home and attempt to arrest the suspect.

While speaking with #1a the bathroom light in the rear of the home turned off. A short time after that, Jerry opened the bathroom window. I illuminated his face with a flashlight and began giving him instructions to come out of the house. Jerry mentioned something about "call his son" or something along those lines. Jerry refused to leave the house despite being given several commands.

#1a was standing near me and also saw Jerry through the window. He confirmed that he has never seen Jerry in his life. He also informed me that Jerry does not have permission to be inside of his house. #1a also informed me that he does not have a son, step son, or anyone that someone would believe is his son.

I stood outside the home while other officers attempted to get Jerry to come outside. Someone overheard Jerry say that he was going to blow his head off. Other officers viewing Jerry from outside the home also advised that Jerry had armed himself with a knife.

I moved to the other side of the home and began speaking with Jerry through the window. Jerry paced back and forth throughout the home, moving very erratically. He moved from front door to back door, attempting to hold each one of them shut. I told Jerry several times that he needed to leave the home with nothing in his hands. Jerry informed me that he had a DOC warrant. I told him that we could handle the warrant. Jerry told me that it was not the warrant that he was concerned about, but a potential residential burglary charge. Jerry told me several times that I needed to contact #1a son, but was unable to provide a name for this gentleman.

I told Jerry several times that we did not want to hurt him. I also told him that we did not want to bite him with a dog if we could avoid it.

Jerry became very agitated, and said that he had a .40 caliber handgun in the back bedroom. Shortly after this, he sprinted to the back bedroom. Near this time, Jerry darted quickly to the bedroom of the home, shutting the door

Incident Report #1

CONTINUED ON NEXT PAGE

01/09/2016 08:22:52 828

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-009755
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behind him. I shouted at Jerry to not grab a gun.

Shortly after this, other officers breached the door and went into the home and arrested Jerry. While doing this, they had to breach 2 doors. Please see their reports for further details regarding this process.

After Jerry was detained, officers walked Jerry out of the front of the home. #1a confirmed that he had never seen Jerry in his life. He also confirmed that this was the gentleman that he saw in his bathroom earlier. #1a informed me that Jerry appeared to be under the influence of drugs when he spoke with him in the bathroom. He believed this because of how wide Jerry's eyes were. I briefly walked through the home with #1a and he showed me several items that had been disturbed.

Items were thrown all over his living room and bedroom. I also observed a lighter, some foil, and some residue on the foil. #1a confirmed that these were not his items.

After Jerry was identified, we found that Jerry did not in fact have a DOC warrant as he thought. Also, while searching Jerry incident to arrest, other officers located the remote to an "Apple TV" in front left jeans pocket. The remote activated the Apple TV inside of #1a home. #1a also confirmed that the remote was not on his table where he normally keeps it. I returned this Apple TV remote to #1a.

Cpl. Daniels responded to the scene and took photographs.

I gave #1a a crime victim card with his incident number on it.

Jerry was booked into jail by Ofc. Walker for residential burglary. I also completed a PC affidavit.

Please see other officer's reports for further regarding this incident.

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.

A. Guzzo #1244

Incident Report #16

END OF INCIDENT REPORT

01/09/2016 08:22:52,875

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-009755	
INCIDENT TYPE Arrest, Information		INCIDENT CLASSIFICATION #1 BURGLARY-RESIDNTL		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #2 PROP-DAMAGE BY CITY <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #4	
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Sat 01/09/2016 02:46	DATE/TIME	OCURRED ON Sat 01/09/2016 02:15	DATE/TIME	OCURRED TO Sat 01/09/2016 02:57	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 01/09/2016	REPORT TIME 04:53	EST TOTAL PROPERTY LOSS
PRIMARY CHARGE 9A.52.025(1) BURGLARY-RESIDENTIAL					UCR/NIBRS CODE / 220
LOCATION OF INCIDENT #1d ██████████ Spokane, WA 99207				LOCATION NAME (IF APPLICABLE)	
ENTRY POINT Door Rear	METHOD Unsecured	WEAPON/TOOL/FORCE USED	SECURITY Interior Lights	EVIDENCE	
TYPE OF PREMISE (FOR VEHICLES STATE WHERE PARKED) Residence/Home					
SOLVABILITY FACTORS PC Affidavit Completed, Suspect Arrested, Witness to Crime					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS Belitz, Walker					
<small> CON - Control, MIF - Person Monitored, B - Working, W - Witness, IN - Institutional, O - Other, G - Legal Guardian, V - Deceased, EV - Co-plaintiff, H - Victim, C - Forfeiture, A - Arrested Person, PB - Passenger, BR - Response, CW - Owner of Property, VD - Victim - Rape, V - Victim - Sexual Abuse, S - Suspect, B - Crime PE - Person in PC P - Perpetrator, C - Child, RD - Registered Owner </small>					
CODE A-1	NAME: LAST, FIRST, MIDDLE Shaver, Jerry W			SEX M	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE 08/26/1988 27	HEIGHT 5'10"	WEIGHT 185	BUILD Medium	HAIR Red or Auburn	EYES BLU - Blue
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP Transient			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (509) 494-3345					
CHARGE LEVEL Felony Class B	DESCRIPTION 9A.52.025(1) BURGLARY-RESIDENTIAL				UCR/NIBRS CODE /220
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION #	DATE	TIME	BOOKED WHERE Spokane County Jail		DATE 01/09/2016
					TIME 03:26
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
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 #1244 - Guzzo, Anthony	DISTRIBUTION
APPROVAL #369 - Tilley, Ronald	DATE/TIME 01/09/2016 21:36

Incident Report #1

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL		ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 16-009755	
DRIVER'S LICENSE <input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE #4a	OTHER ID (ID Card) #4b		
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 DEACONESS	TAKEN BY SO/SPD Escort by	<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN	SUICIDE NOTE FOUND? <input type="checkbox"/>	HOLD PLACED BY
CODE V-1	NAME: LAST, FIRST, MIDDLE #1a		SEX M	RACE/ETHNICITY -	DATE OF BIRTH/AGE #1b
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) #1c					
RELATIONSHIP TO SUSPECT Victim was Stranger		VICTIM OF Offns. # 9A.52.025(1) BURGLARY-RESIDENTIAL		OFNDR # A-1	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES			TYPE OF VICTIM Individual		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 C-1	NAME: LAST, FIRST, MIDDLE #1a		SEX F	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE #1b
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP #1d Spokane, WA 99207		RESIDENTIAL STATUS	PHONE #1c	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Home) #1c					

NARRATIVE

On 1/9/2016 at approximately 0252 hours, I was dispatched to **#1d** on the report of a residential burglary. The complainant, **#1a** advised her neighbor, **#1a** came over to her house and told her that a male had entered his house through an unlocked back door. She went on to tell 911 that the male was in the bathroom now. She also informed that **#1a** had armed himself with a pipe.

#1a was heard in the background threatening to go **#1d**. The next update **#1a** gave was that **#1a** had went back over to **#1d**.

Upon arrival on scene, I saw that Ofc. Valencia was speaking to **#1a** in the alley behind **#1d**. I went over

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-009755
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and began speaking with #1a .

#1a informed me that he lives at #1d alone. He came back into his home to find several items disturbed. It was clear to him that someone had been in his house. He frequently leaves his back door unlocked, and he believes this is how the suspect got into his house. He went to his bathroom and found that the door was closed. He believed this was odd, and opened the door. He found a male later identified as Jerry Shaver sitting on his toilet. He attempted several times to tell Jerry to leave, but Jerry just sat on the toilet mumbling to himself. #1a went back to his neighbor's house, retrieved an axe, and went back to #1d. He tried several more times to get Jerry to leave his house. This was unsuccessful, and Jerry continued to just mumble to himself. #1a left to go outside and smoke a cigarette. It was at about this point that police arrived.

#1a told other officers that he left for the bar between 2000 and 2200 hours. he returned back to the house near the time when he called 911. Also it is worth noting that #1a appeared to be intoxicated.

I confirmed with #1a that nobody was allowed to be in his house. #1a confirmed that he lived at the house alone, and was willing to press charges against anyone for being inside of his house. Furthermore, #1a gave police permission to go inside the home and attempt to arrest the suspect.

While speaking with #1a the bathroom light in the rear of the home turned off. A short time after that, Jerry opened the bathroom window. I illuminated his face with a flashlight and began giving him instructions to come out of the house. Jerry mentioned something about "call his son" or something along those lines. Jerry was referring to #1a son when he said "call his son." Jerry refused to leave the house despite being given several commands.

#1a was standing near me and also saw Jerry through the window. He confirmed that he has never seen Jerry in his life. He also informed me that Jerry does not have permission to be inside of his house. #1a also informed me that he does not have a son, step son, or anyone that someone would believe is his son.

I stood outside the home while other officers attempted to get Jerry to come outside. Someone overheard Jerry say that he was going to blow his head off. Other officers viewing Jerry from outside the home also advised that Jerry had armed himself with a knife.

I moved to the other side of the home and began speaking with Jerry through the window. Jerry paced back and forth throughout the home, moving very erratically. He moved from front door to back door, attempting to hold each one of them shut. I told Jerry several times that he needed to leave the home with nothing in his hands. Jerry informed me that he had a DOC warrant. I told him that we could handle the warrant. Jerry told me that it was not the warrant that he was concerned about, but a potential residential burglary charge. Jerry told me several times that I needed to contact #1a son, but was unable to provide a name for this gentleman.

I told Jerry several times that we did not want to hurt him. I also told him that we did not want to bite him with a dog if we could avoid it.

Jerry became very agitated, and said that he had a .40 caliber handgun in the back bedroom. Shortly after this, he sprinted to the back bedroom, shutting the door behind him. I shouted at Jerry to not grab a gun.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-009755
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Shortly after this, other officers breached the door and went into the home and arrested Jerry. They had to breach the front door to the home as well as the bedroom door. Please see their reports for further details regarding this process.

After Jerry was detained, officers walked Jerry out of the front of the home. #1a confirmed that he had never seen Jerry in his life. He also confirmed that this was the gentleman that he saw in his bathroom earlier. #1a informed me that Jerry appeared to be under the influence of drugs when he spoke with him in the bathroom. He believed this because of how wide Jerry's eyes were. I briefly walked through the home with #1a and he showed me several items that had been disturbed.

Items were thrown all over his living room and bedroom. I also observed a lighter, some foil, and some residue on the foil. #1a confirmed that these were not his items.

After Jerry was identified, we found that Jerry did not in fact have a DOC warrant as he thought. Also, while searching Jerry incident to arrest, other officers located the remote to an "Apple TV" in Jerry's front left jeans pocket. The remote activated the Apple TV inside of #1a home. #1a also confirmed that the remote was not on his table where he normally keeps it. I returned this Apple TV remote to #1a.

Cpl. Daniel responded to the scene and took photographs.

I gave #1a a crime victim card with his incident number on it.

Jerry was booked into jail by Ofc. Walker for residential burglary. I also completed a PC affidavit.

Please see other officer's reports for further regarding this incident.

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.

A. Guzzo #1244

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-009755	
REPORT PURPOSE			REPORTED ON DATE Sat 01/09/2016	TIME 02:46
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 01/09/2016	REPORT TIME 05:20
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 01-09-16 at approx 0257 hours I responded to [redacted] #1d reference a report of a residential burglary. Radio advised the suspect entered the occupied residence through an unlocked back door. The suspect was currently in the bathroom. Radio advised [redacted] #1a lives alone at the target location.

When I arrived on-scene officers had contact with [redacted] #1a outside the residence. The suspect was still believed to be inside the location. We maintained a perimeter around the location. The suspect stuck his head out of an open bathroom window on the south side of the house. We made verbal contact with the subject. The subject was provided with directives to exit the house with nothing in his hands. The subject was very animated and excited. Initially he did not engage in dialogue other than profanities. He said he would come out the front door. He exited the bathroom and disappeared from our view. The subject did not make an attempt at that time to come to the front door. The subject secreted himself in a room for several minutes before we were able to get another visual of him.

When the subject exited the bedroom into the living room we were able to see him from a window on the west side of the residence. I stood at the window and engaged the subject in conversation. The subject was still very animated and excited. His emotional state was up and down. At times I could speak with him calmly but then he would amp himself up into a tirade. When we spoke he talked about all the points he had referring to his criminal record. He said he was not going back to prison. I explained to him that we just needed him to come outside and talk to us. I explained that he was not helping the situation by refusing to come outside. He warned us not to come into the house. I reassured him that we did not want to use force on him. I told him he would not be hurt if he just followed directives and exited the residence.

The male said his name was Jerry Shaver. Jerry at times walked to the front door. He would start to yell and hold the door closed. He talked on the cell phone several times while he excitedly paced around the living room. I continued to instruct Jerry to exit the residence and talk to us. Jerry said he would hurt the police dog if we entered the location. He became more escalated, he said if we came in he would blow his head off making gesture of a gun to his head. In a fit of rage he quickly ran to the kitchen, I still had a visual on him. He ripped a draw out of the kitchen counter and armed himself with a knife. I immediately put that information out so officers covering the front and back

ID NO./NAME OF REPORTING OFFICER #781 - Russo, Michael	DISTRIBUTION	
APPROVAL #161 - Schaal, Jeffrey	DATE/TIME 01/09/2016 07:38	

Supplemental Report #1

01/09/2016 07:43:37 745

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-009755
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door were aware. Jerry looked back at me and dropped the knife in the kitchen. It seemed at times Jerry was out of control but there were glimpses of rational thought. His erratic behavior seemed consistent with methamphetamine use. Several times when he spoke he had mentioned meth and how he was there to take the meth out of the location. Ofc Guzzo came to my location to continue verbals with Jerry. I went to the front door to assist with the entry team.

An entry plan was made to go in the front door and hold. I had the key to the door. The entry team consisted of a shield, hands team, less lethal and K9. The door was locked. I attempted to unlock the door while officers were talking to the suspect through the window. The suspect came to the front door and seemed to be holding it closed keeping the dead bolt locked. We needed to get him away from the front door so we could make entry. They distracted him away from the front door, it was relayed that his hands were clear. At this time there was a window of opportunity where we had separation from the front door. I forced entry into the residence. I kicked the door causing damage to the door and frame. The force of the kick defeated the locking mechanism giving us a positive breach. The subject retreated and attempted to barricade himself in the bedroom. due to his unstable and erratic behavior there was concern he could be arming himself and fortifying his position. It was unknown if he had any weapons on him and at one point he had already armed himself with a knife.

We forced entry into the bedroom and the K9 was inserted. The K9 made contact with the suspect. (See Ofc Belitz's report for more information) I entered the bedroom. Officers were struggling to get the suspects right arm under control. I was able to control the suspects left arm. The suspect was in the prone position on the bed. While I controlled his left arm I could feel the suspect tensing his muscles attempting to resist control. When his right arm was under control we were able handcuffs using a prone cuffing technique. Jerry was escorted out of the residence and transported to the hospital to be medically evaluated.

Cpl Daniel responded and took photos of damage to the front door.

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 M Russo #781

Supplemental Report #1	END OF ADDITIONAL REPORT
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01/09/2016 07:43:37.901

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-009755	
REPORT PURPOSE			REPORTED ON DATE Sat 01/09/2016	TIME 02:46
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 01/09/2016	REPORT TIME 20:32
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 01/09/2016 at approximately 0252 hours, I was dispatched to **#1d** Ave Spokane, WA for an alleged burglary.

Dispatch notified me that the renter, later identified as **#1a** of the residence at **#1d** **#1d** was at **#1d** and that there was a male in the bathroom of his residence and that he had entered through an unlocked back door. Radio also advised that **#1a** was on his way back to the residence at **#1d** and was armed with a pipe.

Upon arrival to **#1d**, **#1a** was located in the alley to the south of the residence and confirmed that an unknown male, later identified as Jerry Shaver, was still inside his residence and that he did not have permission to be there. (See Ofc Guzzo's report for additional information)

I maintained a position directly south of the residence to make sure Shaver did not escape out the back door. I could hear and see Shaver inside yelling for us to call his mother and to call **#1a** son and they will tell us why he was there.

Other officers arrived on scene, including a K-9 unit. The house was breached and the K-9 unit made contact with the suspect (See Ofc Belitz's report for information on the K-9 contact).

After Shaver was placed under arrest for residential burglary, he was handcuffed (DL) placed in the back of my patrol vehicle. I transported shaver to Deaconess hospital.

During the time Shaver was in my custody, he made statements along the lines **#7a**
#7a

Shaver told me that they all went to the residence to do drugs. He said that he had injected himself with heroin and passed out. He said that when he woke up everyone was gone. Shaver then said that he went out to the living room and went to sleep on the couch and woke up to **#1a** hitting him with a cane and accusing him of taking all of his drugs.

ID NO./NAME OF REPORTING OFFICER #1264 - Walker, Eric Ellis		DISTRIBUTION ATF, Department of Corrections, Gang Unit, Regional Drug Task Force	
APPROVAL #369 - Tilley, Ronald	DATE/TIME 01/09/2016 21:39		

Supplemental Report #1

01/09/2016 21:43:34.185

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-009755
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Shaver continued to say that #1a left the house after hitting him with the cane and then the police showed up. He also said that he didn't come out when we ordered him to because he was scared.

While at the hospital, Shaver #7a

#7a

After being treated for minor injuries at the hospital, I transported Shaver to the Spokane County Jail. #7a

#7a

Shaver was booked into Spokane County Jail on the charge of Residential Burglary.

See Officer Guzzo's and Officer Belitz'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

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-009755	
REPORT PURPOSE			REPORTED ON DATE Sat 01/09/2016	TIME 02:46
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 01/09/2016	REPORT TIME 20:27
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 1/9/16 at approximately 0252 hours, I was dispatched to a report of a Residential Burglary in progress at **#1d** Ave. While enroute I was informed by Dispatch that there was an unknown/uninvited male in the residence.

Once on scene I joined numerous other officers in the effort to secure the residence while other officers spoke with the resident of that home to confirm that the male is unknown and has no permission to be there. During this time he also provided us with keys to the front door to help facilitate entry into his house.

There were multiple verbal contacts with the suspect from within the house at several different windows (see other officer's reports). While they did that I held security on the front door. While there I could periodically hear the suspect inside yelling and making random statements about killing the [K9] dog if it came in. At one point the officers on the other side of the house informed us in the front that the suspect, later identified as Jerry W. Shaver, had gone to the kitchen and armed himself with a knife. Shortly after they informed us he had put it down.

While they kept him occupied on the other side of the house with verbals, those of us on the front side moved up to the door and attempted to gain access using the keys provided. Before we could do this, Jerry heard the keys and started slamming on the door from the inside. The other units were again able to draw him to the rear. The decision was made and we utilized this opportunity to breach the front door.

I was in front holding the shield. As soon as the door was breached, we pushed inside and cleared the first room as we also held the entrance to the next room. The officers on the outside informed us that he had dashed into the back bedroom just as we entered the house. I again approached the door with the shield. Another officer attempted to breach the door and in doing so it appeared that something was blocking it on the other side. The door was opened enough for the K9 Unit to be utilized at that time (see Ofc. Belitz's report). Within seconds after the dog entering the room I could hear that the suspect had been bitten and we all pushed into the bedroom to apprehend him.

I initially layed my shield down on his lower back/legs to control him from movement. Within seconds of the situation evolving and officers moving, I had to discard the shield to take control of

ID NO./NAME OF REPORTING OFFICER #1191 - Fabian, Brandon	DISTRIBUTION	
APPROVAL #433 - Yamada, Isamu	DATE/TIME 01/10/2016 08:30	

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01/10/2016 08:32:57.519

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-009755
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the suspect's right arm. He had momentarily pulled it back under him. Once both arms were behind his back and handcuffed, he was taken outside where I assisted another officer in searching him incident to arrest.

During the entire incident from the first moment we made verbals with Jerry till we breached the final bedroom door, we made continuous announcements declaring who we were, that we wanted him to come out of the house, and that he would be bitten if he didn't comply. These announcements came throughout the interaction from numerous different officers at several different vantage points around the house.

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
1/10/16
Spokane Police Department

Supplemental Report #1	END OF ADDITIONAL REPORT
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01/10/2016 08:32:57.597

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-009755	
REPORT PURPOSE			REPORTED ON DATE Sat 01/09/2016	TIME 02:46
INCIDENT CLASSIFICATION #1 BURGLARY-RESIDENTIAL	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2	ATTEMPTED <input type="checkbox"/>	
INCIDENT CLASSIFICATION #3	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	ATTEMPTED <input type="checkbox"/>	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 01/11/2016	REPORT TIME 23:36
PRIMARY CHARGE				LCR/NIBRS CODE
NARRATIVE				

010916 at approximately 0253 hours, I responded to assist other units with a possible residential burglary at #1d. I arrived on scene and deployed K-9 Zeus from my patrol car. I contacted the officers who were conducting the investigation and I was told the following:

The owner of the residence, #1a, had contacted 911 stating that her renter of the location indicated to her that somebody was in the house that did not belong there. The renter was identified as #1a. #1a notified her that there was a male inside of the residence he had entered through an unlocked back door. I asked police radio to contact #1a and confirm that nobody other than #1a was allowed to be at the residence.

#1a indicated that the only person with permission to be in her rental property was #1a. She did not give permission for anybody else to be there. #1a was at the location on E. Olympic and officers were conversing with him. I confirmed with Officer Guzzo who was talking to #1a if anybody was allowed to be inside of the residence. #1a indicated that he had seen the male through the window of the residence and did not know who he was.

#1a also confirmed that nobody should have been inside of the residence, he had given nobody permission to be inside, and he lived alone. Other officers could see the male walking around inside of the residence. Officer Guzzo took #1a to a safe location where he could see the male inside of the residence as well. #1a was asked if he recognized the person inside of his residence and he confirmed that he has never seen him before.

At this time, PC existed to arrest the suspect inside for Residential Burglary. We now had containment on the house and began to formulate a plan to handle the situation. We placed containment on both the front and rear door of the residence. I was standing on the south east corner of the residence along with K-9 Zeus. As we were waiting for more resources, the suspect poked his head outside of the bathroom window. This bathroom window was on the south side of the residence approximately 10 feet from where I was standing with K-9 Zeus.

I notified the male that he was under arrest for residential burglary and that he needed to come outside or I was going to send in my dog and he would find him and bite him. The male yelled at me and told me not to send the dog in. However, the male did not indicate that he was going to come outside. I then made another announcement telling him that he was under arrest for residential burglary that if he did not come outside I

ID NO./NAME OF REPORTING OFFICER #1084 - Belitz, Todd	DISTRIBUTION	
APPROVAL #329 - Teigen, Troy	DATE/TIME 01/12/2016 05:16	

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SUPPLEMENTAL REPORT CONTINUED

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would send in my dog and my dog would find him and he would bite him.

Again, K-9 Zeus was with me and the suspect could see him and I commanded K-9 Zeus to bark as well. It would have been impossible for suspect to not have seen and heard K-9 Zeus with the proximity of only 10 feet away. The suspect then went back inside of the residence and said something that sounded like he was going to come out of the front door. I relayed this information to other officers on scene.

However, the suspect did not come out of the front or rear doors. At one point, the suspect did however walk to the front door and kick it very hard from the inside. I maintained my location on the southeast corner of the residence and could hear the male yelling inside. Other units could see him through a window periodically and attempted to get him to surrender. A few minutes went by, so I walked back over to the bathroom window which was open.

This was the same window that the suspect had stuck his head out and saw me and K-9 Zeus the first time I gave him announcements and warnings. This time, I had K-9 Zeus jump up on the picnic bench that was directly outside of the window. I followed K-9 Zeus and even had K-9 Zeus prop his front legs up on the bathroom window. The bathroom door was closed the majority of the way but was still open about 2 to 3 inches.

I poked my head inside of the window and made announcements inside of the building. I yelled loudly "attention inside the building, Spokane Police K-9, suspect you're under arrest, come out now or I will send in my dog and he find you and he will bite you". I commanded K-9 Zeus to bark and then waited. I waited approximately 30 seconds and made the same announcement again through the bathroom window. I command K-9 Zeus to bark again and once he was quiet, I waited for a response.

I received no response from the suspect inside and neither did the other officers on scene. I then took K-9 Zeus back to the east side of the residence and met up with other officers there. While we were waiting for more units to show up and for more resources, officers on the west side of the residence observed the male arm himself with a knife. The male then began to walk around the residence while holding the knife. The units on the west side of the residence relayed to me that they heard the suspect saying that if I send in my dog that he would kill him.

As Officer Russo was conversing with the suspect, the suspect then dropped the knife. We were then given a key from #1a that he thought was for the front door. Our intention was to enter through the front door using the key. Units on the west side of the residence kept us informed of the suspects movements and actions and whether or not his hands were clear of weapons. As we were quietly attempting to use the key on the front door, the suspect heard this and came over and kicked the door. He then barricaded it closed with his foot.

I was then going to go to the back door and attempt to insert K-9 Zeus from there, but as I started to move, Sergeant Meyer notified me over the air that the suspect had walked away from the front door. At this time, Officer Russo breached the door and we moved in. Due to the fact that the suspect had armed himself

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earlier with a knife, we had assembled a group of multi force options. The first officer at the door had a ballistic shield, followed by an officer with a less lethal TASER in hand. I was next to move through the door with K-9 Zeus.

As Officer Russo breached the front door, we could see that the front room was very small. The suspect was not in the front room so we moved in to the next position of cover. This was a short distance and then opened up to the rest of the house. Officers held there and I made an announcement to give up now I was going to send in my dog and when he found you he would bite you. I received no response from inside of the residence.

SEVERITY OF CRIME:

***There was PC to arrest the suspect inside of the residence for Residential Burglary, a class B felony.

WHETHER THE SUSPECT POSES AN IMMEDIATE THREAT TO THE SAFETY OF THE OFFICERS OR OTHERS:

***The suspect had barricaded himself inside of the home to prevent law enforcement from entering the residence to arrest him. At one point, the suspect had armed himself with a knife and made statements that he was going kill my dog. In my experience, burglary suspects are often times armed and when trapped inside of a location, become aggressive and assaultive. The suspect had not yet been searched and had complete access to the entire residence. Several items inside of the residence, could have been used as weapons and there were several knives inside of the kitchen. One of which the suspect had already armed himself with. There were several locations in the residence that we could not see and the suspect could secrete himself in and set up an ambush on arresting officers. Searching officers would be on the reactionary end of any confrontation and the suspect would have an extreme tactical advantage. Using K-9 Zeus to search and locate the suspect would be the safest and most efficient way to locate and take the suspect into custody.

WHETHER HE IS ACTIVELY RESISTING ARREST OR ATTEMPTING TO EVADE ARREST BY FLIGHT:

***The suspect was given multiple announcements and warnings by all officers that if he did not surrender, a police K-9 was going to be used and he would be bit. I made 3 separate sets of K-9 announcements telling the suspect inside that he was under arrest along with a fourth announcement from inside the home. The first time, I specifically told the suspect that he was under arrest for residential burglary and that if he did not come out, I would send in my dog and he would be bit. When I made this announcement, the suspect was only 10 feet from me and was looking directly and me and K-9 Zeus. K-9 Zeus barked loudly several times

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Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION BURGLARY-RESIDNTL	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-009755
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between my announcements. There was no possible way that the suspect did not hear this or see this. A short time later, I made another set of announcements inside of the bathroom window, and while outside the front door, I made another set of announcements saying "attention in the residence, Spokane Police K-9, suspect you are under arrest, give up now or I will send in my dog and when he finds you he will bite you." The suspect clearly knew that he was under arrest but made no effort to surrender. With the fact that I was certain that the suspect heard all given announcements and knew that he was under arrest and still did not surrender, there was no telling what he would do to avoid going to jail.

For the aforementioned reasons, I made one more announcement telling the suspect to give up or I would send my dog. I received no answer so I deployed K-9 Zeus into the residence from our position of cover. K-9 Zeus ran towards the back of the residence and then had a good change of behavior and turned around and ran back toward me and up to a bedroom door.

It was clear that K-9 Zeus had followed the scent to the bedroom door. Just then, Sgt. Meyer notified me on the radio that the suspect had ran into the bedroom and closed the door just as we made entry to the residence. We could not allow the suspect to set up an ambush in the room so I recalled K-9 Zeus and Officer Gorman breached the door. The suspect then attempted to hold the door closed and there was a struggle over opening the door with the suspect and Officer Gorman.

SEVERITY OF CRIME:

***There was PC to arrest the suspect inside of the residence for Residential Burglary, a class B felony.

WHETHER THE SUSPECT POSES AN IMMEDIATE THREAT TO THE SAFETY OF THE OFFICERS OR OTHERS:

***The suspect had barricaded himself inside of the home to prevent law enforcement from entering the residence to arrest him. At one point, the suspect had armed himself with a knife and made statements that he was going to kill my dog. In my experience, burglary suspects are often times armed and when trapped inside of a location, become aggressive and assaultive. The suspect had not yet been searched and had complete access to the entire residence. Several items inside of the residence, could have been used as weapons and there were several knives inside of the kitchen. One of which the suspect had already armed himself with. There were several locations in the residence that we could not see and the suspect could secrete himself in and set up an ambush on arresting officers. Searching officers would be on the reactionary end of any confrontation and the suspect would have an extreme tactical advantage. Using K-9 Zeus to search and locate the suspect would be the safest and most efficient way to locate and take the suspect into custody.

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WHETHER HE IS ACTIVELY RESISTING ARREST OR ATTEMPTING TO EVADE ARREST BY FLIGHT:

*****The suspect was given multiple announcements and warnings by all officers that if he did not surrender, a police K-9 was going to be used and he would be bit. I made 3 separate sets of K-9 announcements telling the suspect inside that he was under arrest along with a fourth announcement from inside the home. The first time, I specifically told the suspect that he was under arrest for residential burglary and that if he did not come out, I would send in my dog and he would be bit. When I made this announcement, the suspect was only 10 feet from me and was looking directly at me and K-9 Zeus. K-9 Zeus barked loudly several times between my announcements. There was no possible way that the suspect did not hear this or see this. A short time later, I made another set of announcements inside of the bathroom window, and while outside the front door, I made another set of announcements saying "attention in the residence, Spokane Police K-9, suspect you are under arrest, give up now or I will send in my dog and when he finds you he will bite you." The suspect clearly knew that he was under arrest but made no effort to surrender. With the fact that I was certain that the suspect heard all given announcements and knew that he was under arrest and still did not surrender, there was no telling what he would do to avoid going to jail.**

Officer Gorman was able to get the door open and hold it open just enough for me to send K-9 Zeus into the room. As K-9 Zeus entered the room, he immediately located and contacted the suspect on the left forearm as he was attempting to hold the door closed. I was only 2-3 feet from the suspect when K-9 Zeus made contact. However, he was behind the door when I deployed K-9 Zeus. K-9 Zeus pulled the suspect away from the door and I was able to enter the room.

Once inside of the room, the suspect had pulled his right arm under his chest and appeared to be reaching for a weapon in his jacket. I gave K-9 Zeus his command to stay on the contact and maintain control of the suspects left arm while I took control of his right arm. Once I got control of the suspects right arm, I passed it off to the other officers when they reached my position.

I then moved over and took control of K-9 Zeus. I gave him his out command and he came off of the contact immediately. K-9 Zeus was on the contact for approximately 15-20 seconds. I had to leave him on the bite for that duration due to the fact that the suspect appeared to be attempting to access a weapon in his jacket when I first came in the room. As soon as I took K-9 Zeus off of the contact, the other officers were able to place the suspect into custody.

The suspect was later identified as Jerry Shaver. Shaver was notified that he was under arrest for residential burglary. Shaver was transported to Deaconess ER for medical evaluation. Once at the hospital, we removed Shavers top layers so that he could be evaluated. Shaver was wearing 5 layers of clothing at the time of the contact. He was wearing a thick lined leather jacket, a thick lined fleece, a denim jacket, a heavy hoody and a long sleeve t-shirt.

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After all of the layers were removed, I could see that Shaver had 2 small punctures on his left forearm. One on the front near his wrist and the other on the back near the top of his forearm. These punctures were cleaned and needed no further medical treatment, The doctor also took an x-ray of Shavers forearm and it showed that there were no broken bones.

While at the hospital, I spoke to Shaver and asked him if he heard my K-9 announcements. Shaver stated that he heard all of them and did see K-9 Zeus and heard him barking when he poked his head out of the bedroom window. I asked Shaver why he did not surrender after hearing my announcements and he said "well, the dog isn't going to kill me so I stayed in."

After he was medically cleared for jail, Shaver was transport there and booked for residential burglary. Sergeant Reynolds was notified of the contact and minor injury to Shaver. Corporal Daniel responded and took photos of the punctures on Shavers arm.

T. Belitz #1084

SPD K17

Supplemental Report #1

END OF ADDITIONAL REPORT

01/12/2016 05:22:47 485

RECEIVED
SPOKANE POLICE RECORDS
2016 JAN 9 PM 12 00

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

DATE: 1/9/16

REPORT NUMBER: 160009755

CHARGES REQUESTED: Residential Burglary

DEFENDANT: SHAVER, JERRY W 08/26/1988 W/M

STATUS: In Custody

VICTIM(S): #1a
DATE/TIME OF CRIME: 1/9/16 0246 hours
LOCATION OF CRIME: #1b Ave. 99207
DATE/TIME OF BOOKING: 1/9/16 0557 hours
INVESTIGATOR: Officer A. Guzzo #1244
APPROVED BY: *[Signature]* 5296229

WITNESSES	ADDRESS	PHONE #
#1a Officer Guzzo	#1b 1100 W. Mallon Ave.	#1c 242-8400

EVIDENCE CONSISTS OF: Photographs, Statements, Officer Observations

RECEIVED BY: _____ SUBMITTED TO PROSECUTORS OFFICE
DATE: _____ TIME: _____

**STATEMENT OF INVESTIGATING OFFICER
AFFIDAVIT OF FACTS**

STATE OF WASHINGTON
COUNTY OF SPOKANE

REPORT NUMBER: **160009755**

DEFENDANT: **SHAVER, JERRY W 08/26/1988 W/M**

The undersigned, a law enforcement officer, competent to testify, states as follows: That he believes that the listed crime(s) were committed by the above named defendant/defendants in the City and County of Spokane, State of Washington, on 1/9/2015 at approximately 0246 hours, because:

Victim [REDACTED] #1d can testify to the following:

- He lives at [REDACTED] #1a alone.
- He walked into his home and found several items in his house disturbed, and appeared as if someone had rummaged through his belongings.
- It was clear to him that someone had been inside of his house.
- He walked into his bathroom and found the defendant sitting on the toilet mumbling to himself.
- He suspects the defendant entered the home through his back door, which was unlocked.
- It appeared the defendant was under the influence of some type of drug.
- He left the home briefly so that he could go to his neighbor's house to call the police and arm himself with an axe.
- He returned to his home and told the defendant several times to get out of his house.
- The defendant refused and continued sitting on the toilet.
- He went outside and waited for the police to arrive.
- He has never seen the defendant before.
- The defendant did not have permission to be in his house.
- The defendant has never been allowed inside of his house.
- He wished to press charges against the defendant for being in his house.
- He confirmed the man police arrested inside of the house was the man that he saw in his bathroom.

Ofc A.Valencia #1244

- He is a fully commissioned police officer for the City of Spokane and was working in that capacity on 1/9/16 at approximately 0257 hours.
- He responded to [REDACTED] #1d on the report of a residential burglary.
- While assisting other officers in searching the defendant incident to arrest, a remote to an "Apple TV" was located in the defendant's left front jeans pocket
- This apple TV controlled the "Apple TV" in the defendant's living room.

Ofc A.Guzzo #1244 can testify to the following information:

- He is a fully commissioned police officer for the City of Spokane and was working in that capacity on 1/9/16 at approximately 0257 hours.
- He responded to [REDACTED] #1d on the report of a residential burglary.
- He contacted the victim, [REDACTED] #1a and took his statement.
- He observed the defendant standing inside the home through the window.
- He told the defendant to leave the house several times.
- Police eventually made entry into the home and arrested the defendant in the bedroom.
- A corporal responded to take photos of the scene.
- He completed this PC affidavit.

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

DATE: 1/9/2016 PLACE: SPOKANE, WASHINGTON

SIGNATURE: 

Officer A. Guzzo #1244

