



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</i> , 122 Wn.App. 84, 94 (2004)
#2b	Records relating to commission of Juvenile offenses.	Redacted to protect the personal information of a juvenile in the court system. May not be released to the	RCW 13.50.050 (Juvenile Courts and Juvenile Offenders) and RCW

		public except by court order.	13.50.100 (4) (a) and (b) (Keeping and Release of Records by Juvenile Justice or Care Agencies). <i>Deer v. DSHS</i> , 122 Wn.App. 84, 94 (2004)
#2c	Child Victim of Sexual Assault	This redaction protects information revealing the identity (name, address, location, or photograph) of child victims of sexual assault who are under age eighteen.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
#2d	Child victims or child witnesses	Information re a child witness / victim is protected to assure the rights under law: to not have name, address, nor photograph disclosed by any law enforcement agency w/o permission of the child or parents/guardians.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
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 identicard revealing the identity of an individual performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigative activity.	RCW 42.56.230(7)(c) (Personal Information)
#7d	Law Enforcement Information Sheet	Contains confidential data used for law enforcement purposes. Disclosure has no legitimate value to the public and can endanger an individual's safety. Contains specific intelligence information the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7e	Confidential Informant information	Contains identifying information which could reveal the identity of a confidential informant. Considered intelligence information, used in a	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims).

		confidential manner for law enforcement purposes, protected to preserve the life and personal safety of the informant and family. Specific intelligence information compiled by law enforcement, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	Ashley v. Public Disclosure <i>Comm'n</i> , 16 Wn.App. 830, 836 (1977).
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

Incident Entered By: Sergeant Glenn Bartlett

Assigned Investigator: [Incident pending assignment]

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
1/11/2016	1/9/2016	18:25
Record ID #	Incident No	IA No
9146	16-10383	F16-004
Date/Time Entered		
1/11/2016 21:32		

Incident Summary

While responding to a DV w/ a weapon call Officer McMurtrey initiated a foot pursuit of a possible suspect. The suspect resisted arrest and a level 2 strike and taser were used. The suspect sustained a cut lip, complained his wrist and left side of face were sore and possible broke a tooth.

In compliance with policy per Assistant Chief Meidl 01/31/16.

Incident Location

- 2217 4th AV, Direction: E, Spokane, WA 99202 - : South Central

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Resisting Arrest	Call For Service	
Weather Condition	Lighting Condition	Distance to Citizen
Snow	Exterior Lighting	
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	No	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Small	6'1" to 6'3"	
Officer Assessment of Citizen Condition During Incident		
None Detected		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Reporting/Involved Citizen Information

Lonnie Lacy

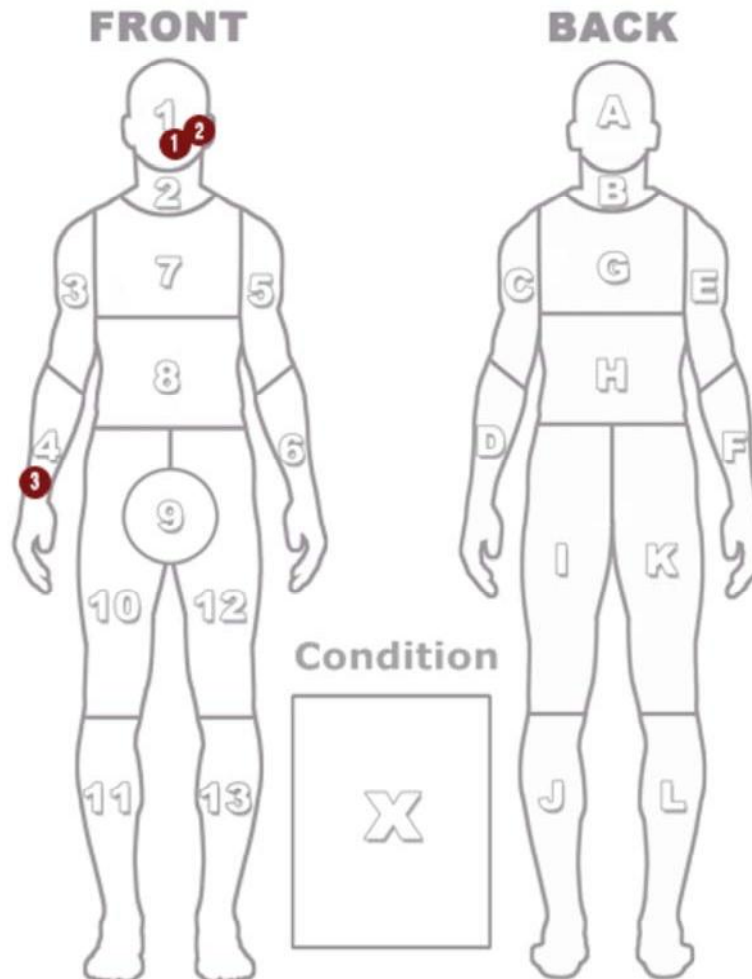
DOB: 6/6/1980 Race: Black Gender: Male

Types of Resistance Citizen Used Against Officer(s)

- Assaultive
- Active Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
b-Minor Visible Injury	1	1
c-Injury Requiring Medics	1, 4	2, 3



Charges against this citizen

- Warrant

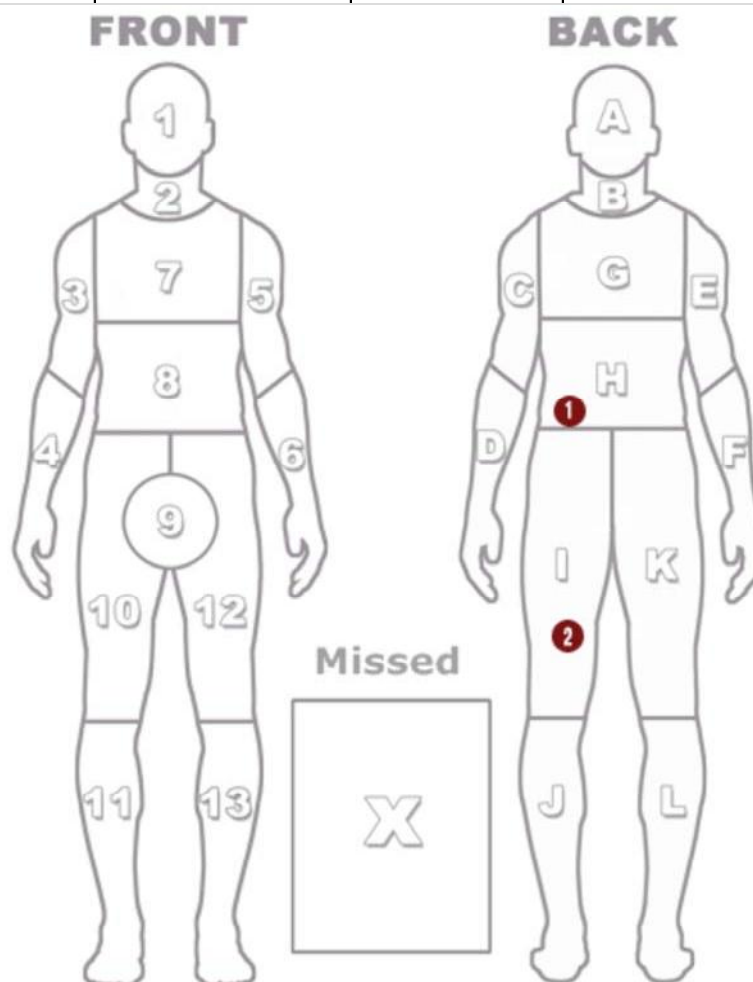
Involved Officers

Officer Elina Bishop - Payroll Number: #5c

Force used by this officer against the citizen

- TASER-Probe - Was force effective: No
- TASER-Drive - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
TASER-Probe	No	H	1
TASER-Drive	Yes	I	2

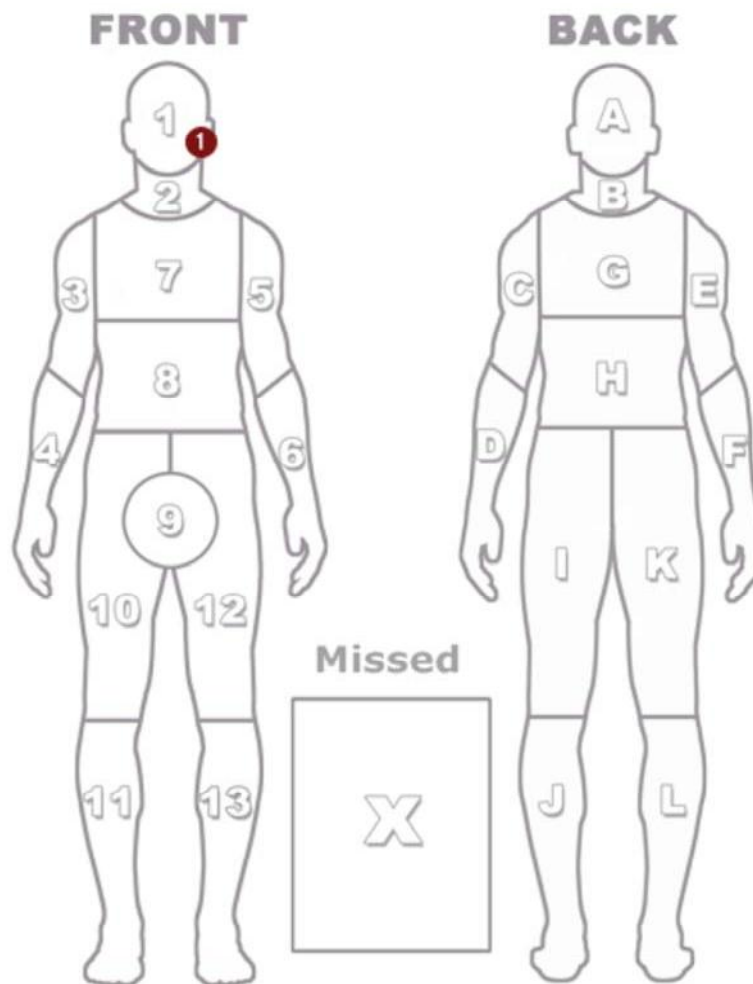


Officer Jeremy Howe - Payroll Number: #5c

Force used by this officer against the citizen

- Level 2 Tactic - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Level 2 Tactic	Yes	1	1

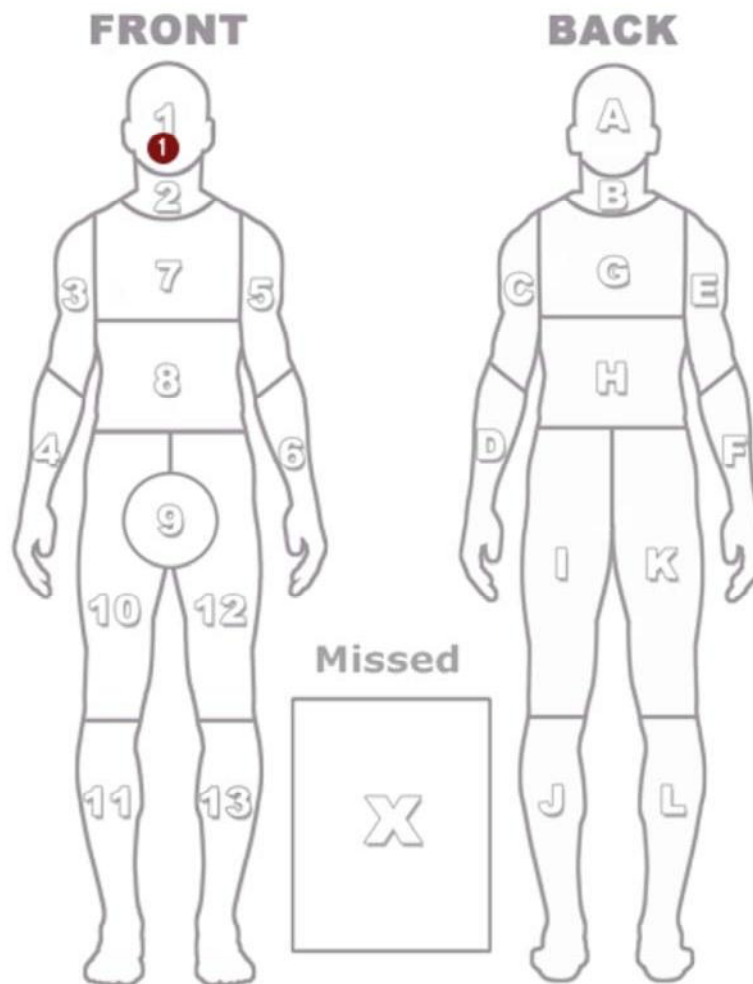


Officer Christopher McMurtrey - Payroll Number: #5c

Force used by this officer against the citizen

- Takedown Technique - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Takedown Technique	Yes	1	1



Officer Witnesses

Officer Alexis Kester - Payroll Number: #5c

Officer Nicholas Spolski - Payroll Number: #5c

Officer Rhian Wilkinson - Payroll Number: #5c

Attachments

Date Attached	Attachment Description	Attachment Type
1/13/2016	Howe Report	pdf
1/13/2016	Bartlett Report	pdf
1/13/2016	Bishop Report	pdf
1/13/2016	Kester Report	pdf
1/13/2016	Marquez Report	pdf
1/13/2016	McMurtrey Report	pdf
1/13/2016	Spolski Report	pdf
1/13/2016	Wilkinson Report	pdf
1/13/2016	CAD Reports	pdf
1/13/2016	Photo Log	pdf
1/14/2016	Bishop Additional 2	pdf
1/14/2016	pic	PNG

1/14/2016	pic	PNG
1/14/2016	pic	PNG
1/14/2016	pic	PNG
1/14/2016	pic	PNG
1/14/2016	pic	PNG
1/14/2016	pic	PNG
1/14/2016	pic	PNG
1/20/2016	4th DV	pdf
1/21/2016	IA Additional	pdf
1/21/2016	Arnzen IA Addt	doc
1/25/2016	SME Analysis Kendall, Boothe, King and Jensen	docx
2/2/2016	Email Distribution	msg
5/24/2016	Taser Log	pdf

Chain of Command History

Sent Dt	From	To	CC	Approved
1/14/2016	Internal Affairs	Internal Affairs	Lieutenant Alan Arnzen	<input type="checkbox"/>
Sender's Instructions: Use of Force for review- Lacy				
Recipient's Comments/Response: At your request to add an additional report.				
1/14/2016	Lieutenant Steven Braun	Sergeant Glenn Bartlett	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Per your request.				
Recipient's Comments/Response: [Forwarded by Sergeant Glenn Bartlett]				
1/14/2016	Internal Affairs	Internal Affairs	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Added Bishops additional				
Recipient's Comments/Response: [Forwarded by Sergeant David Staben]				
1/14/2016	Sergeant David Staben	Lieutenant Alan Arnzen	(none)	<input type="checkbox"/>
Sender's Instructions: UOF review				
Recipient's Comments/Response: Glenn, per our conversation, please attach reports from xref incident, more detail on why no one told you he was handcuffed, and clarification as to the hammer strike in ref to the Taser time frame. Lt. Arnzen 095				
1/18/2016	Lieutenant Alan Arnzen	Sergeant Glenn Bartlett	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: For additional info per our discussion see 1st page. Lt. Arnzen 095				
Recipient's Comments/Response: Added DV info report				
1/21/2016	Sergeant Glenn Bartlett	Lieutenant Alan Arnzen	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Added DV info report				
Recipient's Comments/Response: Officer McMurtrey's take down causing minor facial injury was within policy. Officer Howe's hammer strike to Lacey's face was within policy and justified by his heightened reasonable belief Lacey was accessing a weapon. It may have caused minor facial (or tooth) injuries Officer Elina Bishops use of the TASER on Lacey's back area was within policy and justified by her reasonable belief he was accessing a weapon. It appears to have caused no lasting injury. See addt for further review. Lt. Arnzen 095				
1/21/2016	Lieutenant Alan Arnzen	Captain Daniel Torok	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Captain Torok for your review and recommendations. Lt. Arnzen 095				
Recipient's Comments/Response: I was notified of this use of force early on in the review process. I asked DT instructor Sgt. Kendall to review the reports. He reviewed the reports and completed an analysis. I sent a copy of that analysis to Sgt. Bartlett and encouraged him to seek input from our defensive tactics instructors on use of force reviews, if necessary. The analysis was later reviewed by SPD subject matter experts in defensive tactics and use of force. (Lt. King, Sgt. Boothe, and Ofc. Jensen). They concurred with				

Sgt. Kendall's analysis. I concur with the subject matter experts, Sgt. Bartlett and Lt. Arnzen that this use of force was within policy. An IA complaint was initiated in regards to the demeanor/ conduct unbecoming involving Ofc. McMurtrey on the transport to jail.

1/25/2016

Captain Daniel Torok

Asst Chief Craig Meidl

(none)

**Sender's Instructions:** for review

Recipient's Comments/Response: Under the totality of the circumstances in this incident, this use of force was within policy. It was clear from the behavior of the subject that he continued to attempt to grab an unknown item after officers indicated they were patting him down for weapons. It was reasonable for the officers to believe the subject may be reaching for a weapon after they explained to him what they were doing and he refused repeated commands to quit resisting and continued reaching into unsearched areas. Based on Ofc. Bishop's loud and excited statement that he had grabbed something after all of the above had occurred, and his attempt to still access this unknown item, the officers elevated their force to prevent what they believed may quickly evolve into a deadly force incident.

Assigned Investigator Signature Line

[Incident pending assignment]

Chain of Command Signature Lines

Lieutenant Steven Braun

Sergeant Glenn Bartlett

Sergeant David Staben

Lieutenant Alan Arnzen

Captain Daniel Torok

Asst Chief Craig Meidl



Spokane Police Department
Internal Investigation



CONFIDENTIAL

IA#
Additional

Use of force summary

Sergeant Bartlett did a very thorough review of this use of force. I concur with his findings.

Officer McMurtrey engaged in a foot pursuit of a possible DV suspect who was possibly armed with an ax handle. The suspect, Lacey didn't obey commands to stop knowing it was a police officer chasing him and telling him to stop. Officer McMurtrey used a take down to stop and control Lacey. This caused minor injuries to his face. This use of force is within policy. A subsequent struggle ensued during and after cuffing as Lacey didn't comply with officer's orders.

Officer Howe assisted in the arrest. When they had Lacey cuffed and were trying to search him he continued to fail to comply with officer's commands to stop reaching for stuff. Lacey's actions led the officers to believe he might be armed.

Officer Elina Bishop was one of the last to arrive and excitedly announced, "right there" multiple times and, "whatever he is reaching for" that further alarmed the other officers. Officer Howe looked and saw Lacey clutching something with his hand. Officer Howe used a hammer strike to the side of Lacey's face to stop his further actions of reaching around. He also told Officer Bishop to TASER him. The use of the hammer strike was justified and within policy based up Officer Howe's reasonable belief that Lacey was reaching for a weapon.

Officer Bishop was unaware at that time that Lacey was handcuffed. She saw him reaching around and not complying with the officers. She saw a bulge near his waist band where he was reaching his hand and thought it was a weapon when she announced multiple times, "right there" and stated, "whatever he is grabbing right there in his waistband." After announcing TASER multiple times she did TASER him. The probes didn't make complete contact based upon his clothing. She then completed the circuit for the last 2 seconds by using a drive stun on Lacey. Officers were then able to gain control of Lacey. The use of the TASER was justified and within policy based on the Officer Bishop's reasonable belief Lacey was reaching for a weapon. It was only after the application she realized he was handcuffed.

The officers on scene thought Lacey was possible reaching for a weapon. Their words and actions support this reasonable belief throughout their contact with him.

The video shows he had an extreme range of motion for someone who was handcuffed.

The officers didn't tell Sergeant Bartlett that Lacey was handcuffed. It appears this wasn't intentional and just an oversight on their parts. Officer Bartlett addressed this with the officers.

Lacey did mention to Sergeant Bartlett that he thought he had some MJ in his pocket. It may have been what he was reaching for as no weapon was found.

The injuries to Lacey appear to be minor and consistent with the force used.

Lt. Arnzen 095



Spokane Police Department
Internal Investigation



CONFIDENTIAL

**I.A. #:
Additional**

Incident Being Investigated:

Incident #16-10383

Use of force- TASER deployment, Level 2 strike, injury from take down to prone cuffing.

Officer Interview Summary:

Officer McMurtrey advised that he "forcibly" took a male to the ground after a short foot pursuit. The take down was in a residential yard covered in snow. The male had refused commands to stop or get on the ground.

Officer Howe advised at the scene that the male was "digging" in his waistband area and he thought the male had a weapon. He advised that he struck the male on the left side of his face. When asked to clarify the strike he described a palm strike. I asked if it was the soft part of his hand. He stated it was indicated the palm of his hand.

After viewing the body camera footage it appeared that Officer Howe also yelled for Officer Bishop to tase Lacy. I asked him what led to this request. He told me Lacy had something black in his hand. He was unsure what it was, but later thought it was Lacy's underwear or a glove.

Officer Bishop advised at the scene that the male was reaching for something in his pants or waist area. She believed he was reaching for a weapon. She advised she deployed her TASER in probe mode believing the male was reaching for a weapon.

At the time of the incident none of the officers involved advised that the male was handcuffed when tased and struck. Officer E. Bishop did advise the next day she was not aware Lacy was handcuffed until after viewing her body camera video. Officer J. Howe advised that he thought other officers had told me Lacy was handcuffed while he was reaching in his pockets. It should be noted that Officers J. Howe and E. Bishop did accurately document that Lacy was handcuffed in their written reports.

At the beginning of the following shift, (01/10/2016) Officer Bishop contacted me with a concern about her report. She explained that the male had been handcuffed at the time she deployed the TASER. She explained that she did not know that he was handcuffed until later when she reviewed her bodycam. She also added that at the time the male was reaching in his waistband that she believed he was reaching for a weapon and another officer was telling her to tase the male. I explained that she should complete a supplemental report clarifying what she had just told me. I encouraged her to include any other details she remembered.

Suspect Interview Summary:

I spoke with Lonnie Lacy at the scene. I observed that his upper lip had blood on it and appeared to be swollen. He told me the left side of his face was sore and had pain in his wrist. He later told me he

thought he had broken his tooth. I looked and could not determine if he indeed had a broken tooth. He was checked by medics and Cpl. Spiering photograph Lacy's injuries.

I asked Lacy what had occurred. He told me he was walking to the store and saw a patrol car. He knew he had a DOC warrant and walked away. He told me he ran because of the warrant. He acknowledged that he knew it was the police who were chasing him.

Witness Interview Summary: None Found

Physical Evidence

Photos
Body Camera video
TASER cartridge

Investigative Summary

On 01/09/2016 at approximately 1815 hours Officers Spolski and Howe were dispatched to a Domestic Violence with a weapon call. The complainant advised he lives at [REDACTED] #1d and his roommate had struck him with an ax handle. The complainant then walked approximately one block away to the Zip Trip at 3rd and Altamont.

The suspect was described as a B/M that was approximately 7 feet tall. Wearing dark pants and a black shirt. Radio was unable to find him in with the name given.

Officers McMurtrey Wilkinson and I self-dispatched themselves to the call.

Officer McMurtrey arrived on scene first and advised that the complainant was not at 3rd and Altamont. He advised radio he was walking to the 4th address.

While walking to the address a citizen stopped him and asked if he was looking for someone. The citizen advised that a tall B/M was running from him, though Officer McMurtrey did not see the male at that time. Lacy was wearing a black shirt and dark pants.

Officer McMurtrey then observed the male, later identified as Lonnie Lacy, walking towards the 4th address, where the DV reportedly occurred. Lacy looked towards Officer McMurtrey and began running north. It was dark out with ambient light from nearby houses and a street light. Lacy was approximately three to four houses away when Ofc. McMurtrey first saw him. Lacy ran west and then back south towards the address. Officer Spolski cut off Lacy's path of escape, but Lacy refused to comply. Officers believed Lacy was the suspect from the DV who had been armed with an ax handle.

Officer McMurtrey took Lacy to the ground. Officer Wilkinson and Howe arrived to assist. Officer Spolski controlled Lacy's legs as the other officers attempted to handcuff him. Lacy struggled to get away, reaching into his pockets and around his waist several times.

Officers were able to get Lacy into handcuffs, but not fully control his hands. Lacy is tall and very thin, RQPN lists him as 6'1"/160 pounds. Lacy was able to move his handcuffed hands nearly to the front of his waist. As officers were attempting to search Lacy he continually reached into his pockets and area around his waist. Lacy was told multiple times to quit reaching into his pants, but did not comply.

Officer Howe took hold of Lacy's left arm. Lacy was able to break free and grab Officer Howe's leg. Lacy continued to struggle. He heard Officer E. Bishop yell that Lacy was reaching into his waistband trying to grab something. Lacy has his hands in the back of his waistband and attempts to roll over on his side as he is lying on his stomach. Officer J. Howe saw something black in his hand and believed it could

be a weapon. Howe later told me he believed the black item he saw could have been a piece of clothing or a black glove Lacy had with him. He delivered a single hammer strike to the left side of Lacy's head/face. He stated he delivered the strike after Officer E. Bishop yelled that Lacy was reaching into his waistband but, before she deployed her TASER. Officers immediately start asking Lacy where his gun is.

Lacy is continuing to struggle with officers as Officer Bishop arrives and recognizes him. She moves around to the area of his feet. She clearly states that she sees Lacy reaching for something in his waistband and Lacy begins to struggle more. Officer Bishop clearly announces "TASER" three times. Another officer advises her to tase Lacy and she deploys the TASER in probe mode. Lacy was wearing loose fitting, baggy clothing and the probes did not appear to affect him. Bishop then used a drive stun to the back of his left leg. Other officers were then able to control his hands.

The TASER probes lodged in Lacy's clothing. One fell out and the other was removed from his jacket.

No weapon was found after searching Lacy.

Conclusion

After my review of body camera footage, officer reports and interviews with officers and Lacy, I have reached the following conclusion.

Lacy reasonably matched the description of the domestic violence suspect. Officer McMurtry clearly identified himself as a police officer and ordered Lacy to stop. This is supported by Lacy's statement that he saw a police officer (McMurtry), knew he had a DOC warrant and ran from the officer. It is also supported by body camera footage.

Officer McMurtry's take down of Lacy is reasonable based on his non-compliance, reasonable belief that he was involved in the domestic violence incident and his refusal to comply with Officer Howe's commands to stop. The DV suspect had reportedly struck someone with an ax handle, but no other description was provided.

Officer Howe took hold of Lacy's left arm and Lacy attempted to pull away. Lacy also wrapped his arm around Officer Howe's leg during the attempt to handcuff Lacy. Lacy continually tried to access the area near his waistband numerous times throughout this incident, both prior and after being handcuffed. Based on officer reports and body camera video I believe a reasonable officer would conclude that Lacy was reaching for a weapon in his waistband.

As officers continued to attempt to search him, Lacy intentionally struggled to impede the search, adding to the officer's fear that he was attempting to access a weapon. Officers verbalized this in the body camera video.

Officer Howe's use of a single "Hammer Strike" to the left side of Lacy's face was and exceptional use of the technique, but I believe reasonable under the circumstances. Officer Bishop had just yelled that Lacy was reaching for something. After the "Hammer Strike" Officer Howe yelled for Officer Bishop to tase lacy.

As this incident evolved officers were unable to control Lacy's hands, even after he was detained in handcuffs with four officers present (McMurtry, Wilkinson, Spolski and Howe). Lacy was wearing loose fitting, baggy clothing and continued to struggle. He reached into and near his

waistband numerous times. When officers would verbalize that Lacy was reaching for his waistband he would reach further into the area he was concealing his hands.

At one point he attempted to roll onto his side to conceal his hands. This is supported by officer reports and body camera video.

Although Lacy was handcuffed his hands were not controlled to prevent him from accessing a weapon in his waistband. The officers were attempting to control his hands and search him, but Lacy's actions prevented them from accomplishing this.

At the time Officer Bishop deployed her TASER in probe mode she was unaware that Lacy was handcuffed. She tells other officers that Lacy is reaching for "something" and points to Lacy's waistband near the small of his back as officers attempted to search Lacy. Officer Bishop gave three TASER warning and another officer (possibly Howe) tells her to tase Lacy. After the TASER was deployed in probe mode it did not appear to be effective. During that same 5 second deployment she followed up with a drive stun to the back of Lacy's left leg. This is supported by her reports, body camera video and the download information from her TASER. Officer Bishop's TASER log indicated that the deployment was only effective during the last approximately 2 seconds of the deployment.

After reviewing the reports, body camera footage and statements I believe the force used during this incident was reasonable and within policy. The officers concern that Lacy had a weapon concealed on his person and was intentionally hindering their search of him is evident in the body camera video and their written reports.

Policy was followed after the deployment with the request of medics and a supervisor. However, I was not advised of the unusual occurrence of the person being in handcuffs when the Hammer Strike was used and the TASER deployed. This issue has been addressed with the officers present.

Officer McMurtrey's report does not read in chronological order in areas. This leads the reader to believe Lacy was not in handcuffs at the time of the TASER deployment. Officer McMurtrey did not think it led the reader to conclude the TASER was deployed before Lacy was placed in handcuffs.

During my review of this use of force. I viewed the body camera footage of Officer McMurtrey's transport of Lacy to jail. Officer McMurtrey's comments to Lacy were unprofessional, inappropriate, unnecessary and not acceptable conduct within the Spokane Police Department. It should be noted that during this transport there was also a civilian observer in the vehicle. I believe Officer McMurtrey's conduct is in violation of the following standards:

Canon 4

Standard 4.9:

Members of the Spokane Police Department shall at all times conduct themselves in a manner which does not discredit the law enforcement profession or the Spokane Police Department.

Standard 4.11:

Members of the Spokane Police Department shall be courteous and respectful in their official dealings with the public, fellow members, superiors and subordinates.

LEVEL II TECHNIQUES (ACTIVE COUNTER MEASURES)

The objective reasonableness of this applied technique will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Further, determining whether the force used to effect a particular seizure was reasonable under the Fourth Amendment requires a careful balancing of, "the nature and quality of the intrusion of the subject's Fourth Amendment interests". The severity of the crime at issue, the immediate threats to officers and others and whether the subject is actively resisting arrest or attempting to evade arrest by flight are key in determining the reasonableness of the application of this technique.

CLOSED FIST AND HAMMER FIST STRIKES

309.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER device on certain individuals should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capicum (OC) spray.
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

G. Bartlett #401
Sergeant Team 11
01/12/2016



SPOKANE POLICE DIVISION

INTERIM CHIEF OF POLICE

PATRICK M. DOBROW

- MEMORANDUM -

TO: Captain Torok
FROM: Sergeant Kendall
DATE: 1/11/2016
RE: Inc. #16-010383

On 1/11/2016 Captain Torok contacted me reference incident # 16-010383. He wanted me to review the documentation and provide an evaluation on the use of force deployments in this call.

After reading the documentation of this incident and viewing related BWC footage I find that the application of Officer Bishop's TASER deployment in probe mode was reasonable. Although difficult to view on video it was apparent by the officer's verbal commands and heightened officer activity that specific suspect actions warranted extreme concern. Multiple officers yelled to the suspect to stop reaching for an item. Officer Bishop documented that she believed the suspect was accessing a weapon (specifically a gun) based on where he was reaching and an observed bulge in his pants. As the threatening elements of this incident continued to unfold she alerted the officers on her plan to deploy the TASER in probe mode.

The TASER did not produce the desired effect. She attempted to complete the circuit through a Drive Stun application on the suspect's lower body. At this point Officers were able to gain better control and limit the suspect's efforts to access his belt line and pockets

Officer Bishop submitted an additional report clarifying her on scene perceptions. She wrote her original report in a manner that would lead the reader to believe that she was aware that the suspect had been handcuffed. Her additional report clarified that she was unaware until after the use of force deployment.

Officer Howe was alerted by on scene officers that the suspect was accessing something in his waist band. Officer Howe's perception at this moment was that the suspect had accessed a weapon. He specifically documented that he thought the suspect was holding a gun and was in fear of being shot. Officer Howe's deployment of a hammer fist strike was well documented and reasonable under the described circumstances.

After reading the reports it was very clear that the suspect was capable of "beyond normal" range of motion even after properly being handcuffed. All of the officers described his ability to have the range of motion and flexibility to manipulate a potential weapon near the front and back of waist band area. Whether there was knowledge of being handcuffed or not, the suspect's actions and threat concerns were contributing factors in the officer's decision of chosen force options.

Due to the fact that the applications of these force options were deployed under handcuffed conditions, this incident should warrant an in depth evaluation. After watching the BWC and reading the documentation there was a specific moment where the handcuffed suspects' actions created an out of the norm threat to the on scene officers. The heightened concern was displayed through their verbal commands, tone in their voices and chosen force options. Once this concern was brought under control the officers utilizes the



reasonable amount of force to conclude apprehension, searching and transport efforts.

We should not second guess reasonable applications of force but a tactical debrief is a healthy way to consider other options under similar situations in the future and enhance training for our officers.

Other option considerations:

- There were at least 5 officers on scene during this force deployment. Body weight and manual force could have been a consideration and would have been less intrusive. They had enough personnel on scene to assign two officers per arm on the handcuffed individual to control his movement while one officer conducted a thorough pat down search.
- Joint lock techniques may have been effective in controlling the suspect's hand and arm movement. (Reverse Goose Neck, SWTL, Goose Neck, Finger Locks)
- Strikes have limited capability but can provide windows of opportunity for control techniques. A reasonably applied strike may disrupt a mission driven suspect long enough for application of a control technique.
- Pinning the suspects hand(s) as he tried to access the perceived weapon is another control technique that could be considered during close quarter apprehension efforts. Once pinned officers can adjust tactics, equipment and assistance in controlling the removal of the hand(s) and/or weapon.

Verbal Defense and Influence:

During my evaluation I reviewed BWC footage of the transport of the suspect to jail. Officer McMurtrey's comments and conversation with the suspect did not provide positive contributions to this call. De-Escalation efforts should be a priority in our occupation and we should not fuel an emotionally driven mindset down a negative path.

Sergeant Shawn Kendall



Incident History for: #SP160010371 Xref: #SP160010383

Entered 01/09/16 18:11:18 BY 91103 911251
Dispatched 01/09/16 18:15:07 BY PCC03 1267
Enroute 01/09/16 18:15:07
Onscene 01/09/16 18:18:34
Closed 01/09/16 20:18:05

Initial Type: DVW Final Type: DVW (DOMESTIC VIOLENCE W/WEAPON)
Initial Priority: 2 Final Priority: 2
Disposition: 1A Source: 9 Primary Unit: D274
Police BLK: SPC5EC
Group: P5 Beat: Map Page: 33
Loc: #1d ,SPK btwn S LEE ST & S STONE ST <300> (V)
Name: #1a #1b Addr: ZIP TRIP 3RD/ALTA Phone: 5095356390

/181118 (911251) ENTRY 2 AGO HIT IN CHEST WITH HANDLE OF AX BY MALE.
MEDICS DECLINED. MALE LIVES IN HOUSE WITH COMP
. SUSP STILL AT LOC: #1d IN BASEMENT
. OCC'D IN KITCHEN . UNK OTHER WEAPONS.
/181118 \$FCSEND ,Incident data pushed to folder
/181119 (*****) \$FCACK ,Processed Successfully
/181136 (1267) PISEEN
/181222 (911251) SUPP TXT: POSS HIGH. SUSP: EVERETT,DAVID BM 700 WEA
RING: BLK SHIRT, DARK PANTS. IS STILL AT LOC N
OW IN BASEMENT
/181226 (1267) HOLD
/181348 (911251) CHANGE LOCI: --> CENEX ZIP TRIP,
NAM: MALE --> #1a #1b
TXT: COMP WILL BE AT LOC. TO CLARIFY SUSP IS A
T #1d IN BASEMENT ###
/181441 (1267) MISC ,....11D FOR A BM DAVID EVERETT
/181507 DISPER D365 #1224 HOWE, JEREMY
/181507 ASSTER D369 #969 SPOLSKI, NICHOLAS
/181511 (1047) *ASSTER D363 #1047 MCMURTREY, CHRISTOPHER
/181627 (1016) *ASSTER D361 [303 S ALTAMONT ST ,SPK]
#1016 WILKINSON, RHIAN
/181640 (1267) MISC ,....11D FOR COMP
/181834 NEWLOC D363 [3RD/ALTA]
/181951 (1016) *REMINQ D361 MVEH,AOG8020,,,,,,,,,,,,,,,,,,,,,
/182135 (1267) CHGLOC D363 #1d
/182140 MISC D363 ,WALKING TO 4TH ADDR
/182149 (401) *ASSTER L214 #1d
#401 BARTLETT, GLENN
/182227 (1267) MISC ,....11D FOR COMP OR SUSP IN RQLO INFO
/182252 (1224) *REMINQ D365 MVEH,AIK5943,,,,,,,,,,,,,,,,,,,,,
/182326 (969) *ONSCNE D369
/182354 (1224) *ONSCNE D365
/182421 (1267) MISC
/182425 (931) *ASSTER D360 ,WM RUNNING SB 3RD
#931 KESTER, ALEXIS
#1023 BISHOP, ELINA
/182430 (994) *ASSTER B320 #1d
#994 BODE, CHRISTOPHER
#1276 MARQUEZ, TIMOTHY
/182439 (1085) *ASSTER B328 #1d
#1085 STONE, DAVID
#1275 STEWART, MATTHEW
/182439 (1267) ONSCNE D363
/182440 (591224) *ASSTER K94 #1d

/182455	(1274)	*ASSTER	B325	#591224 THURMAN, JEFFREY [REDACTED] #1d
				#1274 ANDERSON, STEPHEN
				#1177 BRIGGS, NICK
/182513	(667)	*ASSTER	D271	[REDACTED] #1d
				#667 STRASSENBERG, DANIEL
/182519	(244)	*ASSTER	L244	[REDACTED] #1d
				#244 LEE, TOM
/182521	(1267)	NEWLOC	D363	[2217 E 4TH]
/182554		MISC	D365	,SLOW DOWN ONE DETAINED
/182555	(1274)	*PREMPT	B325	
/182557	(591224)	*PREMPT	K94	
/182607	(1267)	NEWLOC	D365	[2217 E 4TH]
/182608	(1085)	*PREMPT	B328	
/182613	(1267)	NEWLOC	D360	[2217 E 4TH]
/182648	(401)	*ONSCNE	L214	
/182650	(929)	*ASSTER	D274	[2217 E 4TH]
				#929 LYONS, CORY
/182654	(1267)	REMINQ	D360	WANT,D360,,,,,,LACY,RONNIE,D,1980,06,06,,,,,,
				,,,
/182734	(681)	*ASSTER	D272	[2217 E 4TH]
				#681 HEUETT, KYLE
/182822	(1267)	ASSTER	P323	[2217 E 4TH]
				#560 SPIERING, NATHAN J
				,TASER DEPLOYMENT - IN BACK
/182903		MISC	D360	
/182908	(244)	*ONSCNE	L244	
/182932	(1267)	\$PREMPT	D360	
/182941		\$PREMPT	D365	
/182941		\$PREMPT	D363	
/182941		\$PREMPT	L214	
/182950		\$PREMPT	L244	
/182950		\$PREMPT	D369	
/182956		\$PREMPT	P323	
/183024		\$PREMPT	D361	
/183024		\$PREMPT	D274	
/183024		\$PREMPT	D272	
/183024		\$PREMPT	D271	
/183024		\$PREMPT	B320	
/183034		HOLDC		
/183346		MISC		,TASER DEPLOYMENT IN BACK
/183407		MISC		,**DISREGARD LAST
/183517		DISPOS	D274	#929 LYONS, CORY
/183517		ASSTOS	D272	#681 HEUETT, KYLE
/183615		CHGLOC	D272	[REDACTED] #1d
/183615		CHGLOC	D274	[REDACTED] #1d
/183637		CHANGE		LOC: 303 S ALTAMONT ST ,SPK --> 2228 E 4TH AV
				,SPK,
				LOCI: CENEX ZIP TRIP --> ,
				ADR: SAME --> ZIP TRIP 3RD/ALTA
/183639	(681)	*ONSCNE	D272	
/183642	(1267)	NEWLOC	D272	[REDACTED] #1d ,SPK]
/183642		NEWLOC	D274	[REDACTED] #1d ,SPK]
/183645	(929)	*ONSCNE	D274	
/183656	(1267)	ONSCNE	D272	
/183858		ASSTOS	D369	[REDACTED] #1d ,SPK]
				#969 SPOLSKI, NICHOLAS
/183858		\$ASSTOS	L244	[REDACTED] #1d ,SPK]
				#244 LEE, TOM
/184115		ASSTER	D271	[REDACTED] #1d ,SPK]
				#667 STRASSENBERG, DANIEL

/184132		NEWLOC	D272	
/184147		ASSTOS	D365	[REDACTED] #1d , SPK]
				#1224 HOWE, JEREMY
/184238	(667)	*ONSCNE	D271	
/184305	(1253)	REMINQ	D274	WANT, D274, , CA, WA, , , , EVERETT, DAVID, , 1964, 04, 18,
				M, , , , , , , , ,
/184328		REMINQ	D274	WANT, D274, , CA, WA, , , , EVERETT, DAVID, L, 1964, 04, 18
				M, , , , , , , , ,
/184536		REMINQ	D369	WANT, D369, , , , , , , , , STAUDINGER, KEVIN, J, 1964, 03, 18,
				, , , , , , , , , 8
/184655		REMINQ	D272	WANT, D272, , , , , , , , , PALINKAS, MICHAEL, R, 1965, 08, 17,
				M, , , , , , , , ,
/184758		REMINQ	D365	WANT, D365, , , , , , , , , WALKER, WILLIAM, E, 1944, 02, 19, M,
				, , , , , , , , ,
/184820		REMINQ	D365	WANT, D365, , , , , , , , , [REDACTED] #4b , , , , , 3
/185646	(667)	*MISC	D271	, PSTAT/ASST PSTAT/VIDY
/185932	(244)	*CLEAR	L244	
/185947	(1224)	*NEWLOC	D365	[CAR/PAPER]
/190241	(1267)	CROSS		#SP160010383
/190354	(929)	*CHGLOC	D274	[LOGAN]
/190402	(681)	*CHGLOC	D272	[LOGAN/PAPER]
/190543	(969)	*CHGLOC	D369	[PAPER/2]
/190847	(929)	*ONSCNE	D274	
/190952	(681)	*ONSCNE	D272	
/191524	(969)	*MISC	D369	, PSTAT/ASST PSTAT/PAPER
/191530		*MISC	D369	, PSTAT/RPT
/191559		*MISC	D369	, RPT WRITTEN UNDER #SP160010383
/192041	(667)	*CLEAR	D271	
/192129	(969)	*ONSCNE	D369	
/194810	(681)	*CLEAR	D272	DSP: 1B
				, PSTAT/ASST PSTAT/RPT
/195247	(929)	*MISC	D274	, PSTAT/CFS PSTAT/RPT PSTAT/VIDY
/195251		*MISC	D274	, NO PC
/200110	(1267)	\$PREMPT	D365	
/200110		\$PREMPT	D369	
/201805	(929)	*CLEAR	D274	DSP: 1B --> 1A
/201805		CLOSE	D274	

Incident History for: #SP160010383 Xref: #SP160010371

Entered 01/09/16 18:29:32 BY PCC03 1267
Dispatched 01/09/16 18:29:32 BY PCC03 1267
Enroute 01/09/16 18:29:32
Onscene 01/09/16 18:29:32
Closed 01/09/16 21:16:59

Initial Type: WARRNT Final Type: WARRNT (WARRANT, ATTEMPT/PICK-UP)
Initial Priority: 3 Final Priority: 3
Disposition: 1H Source: R Primary Unit: D360
Police BLK: SPC5EC
Group: P5 (P6) Beat: Map Page: 33
Loc: 2217 E 4TH AV ,SPK btwn S LEE ST & S STONE ST <300> (V)
Name: Addr: Phone:

/182932 (1267) \$OUTSRV ,NO MORE INFORMATION
/182932 DISPOS D360 #931 KESTER, ALEXIS
#1023 BISHOP, ELINA
/182941 ASSTOS D365 ,NO MORE INFORMATION
[2217 E 4TH]
#1224 HOWE, JEREMY
/182941 \$ASSTOS D363 [2217 E 4TH]
#1047 MCMURTREY, CHRISTOPHER
/182941 \$ASSTOS L214 [2217 E 4TH]
#401 BARTLETT, GLENN
/182950 ASSTOS L244 [2217 E 4TH]
#244 LEE, TOM
/182950 \$ASSTOS D369 [2217 E 4TH]
#969 SPOLSKI, NICHOLAS
/182952 (1179) CALLBK D360 T/PCC03
/182956 (1267) ASSTER P323 ,DOC CONFIRMED
[2217 E 4TH]
#560 SPIERING, NATHAN J
/183004 (1253) CALLBK D360 T/PCC03
/183015 (1267) MISC D360 ,MEDICS ENRT
/183024 ASSTER D361 ,UNRESTRICT
[2217 E 4TH]
#1016 WILKINSON, RHIAN
/183024 \$ASSTER D274 [2217 E 4TH]
#929 LYONS, CORY
/183024 \$ASSTER D272 [2217 E 4TH]
#681 HEUETT, KYLE
/183024 \$ASSTER D271 [2217 E 4TH]
#667 STRASSENBERG, DANIEL
/183024 \$ASSTER B320 [2217 E 4TH]
#994 BODE, CHRISTOPHER
#1276 MARQUEZ, TIMOTHY
/183046 (929) *ONSCNE D274
/183125 (1267) MISC ,*****PURSUIT & RONNIE ENTRY OCC UNDER #SP38
3
/183136 (994) *ONSCNE B320
/183150 (1267) MISC ,*****FOR CORRECT TIMES FOR PURSUIT CHK #SP10
371
/183154 CHANGE LOC: 2217 E 4TH --> 2217 E 4TH AV ,SPK,
DGP: P6 --> P5,
BLK: --> SPC5EC
/183235 (667) *ONSCNE D271
/183304 (1267) REMINQ D360 WANT,D360,,,,,,LACY,RONNIE,D,1980,06,06,,,,,
,,,

/183314	(657	)	ONSCNE	D272	
/183328	(1267	)	MISC		,MEDICS CLR'D IN DOC CONF
/183353			MISC		,TASER DEPLOYMENT IN BACK
/183423	(667	)	*PREMPT	D271	
/183517	(1267	)	\$PREMPT	D274	
/183517			\$PREMPT	D272	
/183634	(244	)	*NEWLOC	L244	[2228 E 4TH]
/183858	(1267	)	\$PREMPT	D369	
/183858			\$PREMPT	L244	
/184003			REMINQ	D360	WANT,D360,,,,,,,,,LACY,LONNIE,D,1980,06,06,,,,,,,,
/184037			MISC		'' ,***DISREGARD RONNIE -- LONNIE IS SUBJ W/DOC S -1
/184132			NEWLOC	D365	
/184147			\$PREMPT	D365	
/184303	(1047	)	*TRANS	D363	[JAIL] M/0
/184642	(994	)	*CHGLOC	B320	[PROPERTY]
/184736	(560	)	*ONSCNE	P323	
/184820	(931	)	*NEWLOC	D360	[PAPER]
/185039			*REMINQ	D360	MWANT,,,,,,,,,LACY,LONNIED,1980,06,06,,,,,,,,,,,,,
/185101	(560	)	*CLEAR	P323	'' ,PSTAT/ASST PICS
/185129	(1016	)	*MISC	D361	,1B
/185129			*ONSCNE	D361	
/185237			*CLEAR	D361	,PSTAT/ASST PSTAT/RPT PSTAT/VIDN FORGOT
/185336	(1047	)	*TRANSC	D363	M/3.8
/185546			*REMINQ	D363	MWANT,,,,,,,,,LACY,RONNIEDENNELL,1980,06,06,,,,,
/185716	(401	)	*CLEAR	L214	'''''''' ,PSTAT/ASST PSTAT/VIDY
/190226	(1267	)	MISC		,OCA/831847
/190241			CROSS		#SP160010371
/195849	(994	)	*ONSCNE	B320	
/195944			*CLEAR	B320	,PSTAT/RPT PSTAT/ASST
/201544	(969	)	*ASSTER	D369	[PAPER]
/201552					#969 SPOLSKI, NICHOLAS
/202716	(1047	)	*ONSCNE	D369	
/202716			*MISC	D363	,PSTAT/RPT PSTAT/MISD PSTAT/WAR PSTAT/CFS
/202735			*CLEAR	D363	DSP: 1H ,BOOKED FOR WARRANT, CITED AND RELEASED FOR OB STRUCTING.
/203726	(969	)	*MISC	D369	,PSTAT/ASST PSTAT/RPT
/203727			*CLEAR	D369	
/211653	(931	)	*MISC	D360	,PSTAT/ASST PSTAT/RPT PSTAT/VIDY
/211659			*CLEAR	D360	
/211659			CLOSE	D360	

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-010383	
INCIDENT TYPE Arrest		INCIDENT CLASSIFICATION #1 WARRANT ARREST		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #2 OBSTRUCT OFFICER	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #4	
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Sat 01/09/2016 18:29	DATE/TIME	OCCURRED ON Sat 01/09/2016 18:20	DATE/TIME	OCCURRED TO Sat 01/09/2016 19:30	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 01/09/2016	REPORT TIME 19:29	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE M-10.07.032 OBSTRUCTING					UCR/NIBRS CODE /
LOCATION OF INCIDENT 4th Avenue & Stone, Spokane, WA			LOCATION NAME (IF APPLICABLE)		
SOLVABILITY FACTORS Suspect Arrested					
RELATED INCIDENT NUMBERS					INCIDENT XREF 16-010371
ADDITIONAL REPORTING OFFICERS E. Bishop, J. Howe					
VICTIM/WITNESSES/OTHERS <small>CON-Contact, MIR-Person Mentioned, M-Missing, W-Witness, IN-Institutional, G-Other, G-Legal Guardian, V-Deceased, CV-Complainant is Victim, C-Complainant, A-Arrested Person, PS-Passenger, RU-Runaway, OW-Owner of Property, VB-Victim - Business, V-Victim - Individual, S-Suspect, D-Driver, PE-Pedestrian, PC-Pedestrian - Cyclist, RO-Registered Owner</small>					
CODE A-1	NAME: LAST, FIRST, MIDDLE Lacy, Lonnie Dennell			SEX M	RACE/ETHNICITY B-Black
HEIGHT 6'01"	WEIGHT 150	BUILD Light	HAIR Black	EYES BRO - Brown	DATE OF BIRTH/AGE 06/06/1980 35
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP transient			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
CHARGE LEVEL Gross Misdemeanor		DESCRIPTION M-10.07.032 OBSTRUCTING			UCR/NCIC CODE
WARRANT #	BAIL	TYPE OF ARREST Taken Into Custody			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION # 6Z0197440	DATE 01/09/2016	TIME 18:57	BOOKED WHERE Spokane County Jail		DATE 01/09/2016
ARREST LOCATION 2217 E 4TH, Spokane, WA 99202		STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN		CHARGES <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED	SUSPECT ARMED WITH
JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED	NOTIFIED BY	DISPOSITION OF JUVENILE
DRIVER'S LICENSE <input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE #4a	OTHER ID (State ID No.) #4b (Social Security No.) #4a		

On 010916 at approximately 1829 hours, I responded to the Cenex store at 303 S. Altamont in a report of a DV assault that was reported to have occurred at **#1d** Ave in Spokane, WA.

At the store, a clerk advised that a male did call 911 then left. I walked to the address to investigate

ID NO./NAME OF REPORTING OFFICER #1047 - McMurtrey, Christopher	DISTRIBUTION
APPROVAL #560 - Spiering, Nathan	DATE/TIME 01/10/2016 03:30

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION WARRANT ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-010383
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the report.

The suspect, was reported to be a black male, David Everett. He was described as being tall, about 7 feet and wearing a black shirt and dark pants.

While walking to the house, a citizen alerted me that there was a black male running from me. I did not see him at the time. She advised he was tall, I asked if he was about seven feet tall, and she repeated that she believed he was tall.

She pointed at male that was walking toward the target address. She identified him as the male running from me.

I observed a black male walking toward the target address. He was tall, but from the distance, I was unable to tell exactly how tall. It was dark out. He was about half a block from the house. He saw me and began running NB on Stone. He was wearing clothing similar to the clothing of the DV assault suspect described in the call.

At that time, I was investigating a crime of domestic violence in which the suspect had reportedly struck the victim with an axe handle.

The suspect, who was running, was wearing similar clothing, appeared to have similar physicals and was in the location contemporaneous to the alleged crime.

I chased after the male on foot. I warned him several times that I was the police and told him to stop.

I was wearing department issued police uniform with badge and patches affixed.

I caught the male in the front yard of 2217 E 4th. He was yelling at Officer Howe, who was giving him commands to stop and surrender. The male did not surrender, nor stop.

I forced the suspect onto the ground and attempted to place him in to custody. He sustained a laceration to his lower lip and nose, consistent with a take down in the snow. I used a forceful takedown for the following reasons:

Crime: I was investigating a domestic violence crime involving one male assaulting another with an axe handle. The suspect was obstructing my investigation.

Threat: The suspect in the crime was reported to be armed with an axe or axe handle. This suspect matched the description was in the same location and fled at the sight of police. He was wearing large bulky clothing and had not been searched. He was fleeing into unknown houses where it was

INCIDENT REPORT CONTINUED

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Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION
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INCIDENT NUMBER
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assumed he did not live or belong. I did not know the extent to which he was willing to go to flee arrest.

Resistance: The suspect fled at the sight of police contemporaneous to a domestic violence assault with a weapon allegation. The suspect willfully and intentionally ignored several lawful orders to surrender by a police officer in department uniform. The suspect jumped over fences and ran in attempt to evade arrest. When cornered by another officer the suspect continued to aggress on his position, became animated, argumentative, and refused to comply or surrender.

The suspect, later identified as L. Lacy continued to fight and resist arrest once he was on the ground and in the prone position. I gave him numerous commands to place his arms out to which he did not comply. He continually and forcefully tried to tuck his hands under his body and into his waistband area. This caused me great concern for my safety. He was able to resist three police officers', all weighing over two hundred pounds, attempts to subdue him.

Officer E. Bishop and A. Kester arrived to assist while the suspect was still violently struggling our attempts to place him into custody. Officer Bishop warned us that she saw something in his waistband and was reaching for it. Due to our positioning, I was unable to see his waistband area. This causes me great concern for my safety and that of other officers and citizens in the area.

It is common for suspects to carry weapons capable of causing great bodily injury and/or death in their waistband area. Lacy, due to his continual violent resistance, prevented us from searching him.

Officer Bishop deployed her taser, which was preceded by a verbal warning alerting officers of its imminent deployment. See her report.

Lacy was taken into custody, (HC/DL) and searched incident to arrest by other officers. His property was placed into a bag and later turned over to the custody of jail staff.

Lacy stated that he had lost his cell phone. We searched the area, however, were unable to locate it. I explained to him that it would not have been lost had he complied with police directives.

I learned that Lacy had an outstanding warrant for his arrest for a DOC escape community custody felony violation.

Sergeant Barlett was informed of the use of force which caused Lacy's injuries caused by a take down technique. See his investigation.

I transported Lacy to jail. While transporting him to jail, Lacy made numerous threats that he would shoot me and my family in the face. He also threatened to assault me. Due to his continued noncompliance, I warned jail staff that he was confrontational.

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION WARRANT ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-010383
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He was compliant with jail staff and booked into jail for his warrant. I cited and released him for obstructing a police officer.

Photos were taken of his injuries on scene.

I was wearing a body camera, which recorded the incident. See video.

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

Officer C. McMurtrey 1047/D363

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-010371	
INCIDENT TYPE Information		INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>	
RESPONDING TO (Officer Assault)				ASSIGNMENT (Officer Assault)	
REPORTED ON Sat 01/09/2016 18:11	DATE/TIME	OCCURRED ON Sat 01/09/2016 18:11	DATE/TIME	OCCURRED TO Sat 01/09/2016 18:11	DISTRICT
DISPATCH TIME 18:15	ARRIVED TIME 18:18	CLEARED TIME	REPORT DATE 01/09/2016	REPORT TIME 19:13	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE					UCR/NIBRS CODE
LOCATION OF INCIDENT #1d Spokane, WA 99202				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS None					
RELATED INCIDENT NUMBERS					INCIDENT XREF 16-010383
ADDITIONAL REPORTING OFFICERS Ofc. Heuett					
VICTIM/WITNESSES/OTHERS					
CODE CON-1	NAME: LAST, FIRST, MIDDLE Everett, David L			SEX M	RACE/ETHNICITY B-Black
HEIGHT 6'11"	WEIGHT 250	BUILD Medium	HAIR Black	EYES BRO - Brown	DATE OF BIRTH/AGE 04/18/1964 51
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 2228 E 4th, Spokane, WA 99202			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
CODE CON-2	NAME: LAST, FIRST, MIDDLE Staudinger, Kevin Jay			SEX M	RACE/ETHNICITY W-White
HEIGHT 5'10"	WEIGHT 150	BUILD Light	HAIR Red or Auburn	EYES BLU - Blue	DATE OF BIRTH/AGE 03/18/1964 51
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 2228 E 4th Avenue #B, Spokane, WA 99202			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE #4a	OTHER ID (ID Card) #4b	

NARRATIVE

On 010916 at approximately 1836 hours, I responded to **#1d** regarding a DV with a weapon. **#1a** called and advised that a 7' tall black male named David had hit him in the chest with an axe handle at **#1d**. The male had initially called from the Zip Trip, 303 S. Altamont, but left before Officer's arrived.

ID NO/NAME OF REPORTING OFFICER #929 - Lyons, Cory	DISTRIBUTION	
APPROVAL #607 - Meyer, Richard	DATE/TIME 01/09/2016 21:18	

Incident Report #1

01/19/2016 01:12:23 234

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-010371
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Upon arrival, we contacted a male who identified himself as #1a in front of the house. #1a had a pop cup from Zip Trip, but denied being at Zip Trip or calling the Police.

We knocked on the door and contacted the home owner, William Walker, invited us in. William stated that there was no #1a there, and stated that David was in the basement.

I started to get William to come into the living room and Ofc. Heuett contacted a male who was not following orders in the kitchen. I moved to assist Ofc. Heuett and started to pat down the male, who was now sitting in the kitchen. I started to pat the male down for possible weapons and I heard Ofc. Heuett make verbal contact with someone behind me. I turned and could see a male, who was later identified as David Everett, standing and holding a 3 to 4 foot axe handle. I drew my duty weapon and we ordered David to drop the axe handle. David complied and we ordered him to turn and put his hands on his head. David complied and I placed him into handcuffs. I advised David that he was not under arrest, just being detained.

I moved David into the living room and due to our initial contact, I patted him down for additional weapons.

I read David his constitutional rights, which he waived. I asked David what happened and he stated that he lives at #1d and does work for the owners. #1a has been stealing items and the owners asked him to have #1a leave. David advised that he did not have a confrontation with #1a tonight and denied hitting him with the axe handle. #1a advised that he carries the axe handle because its a rough neighborhood and he brought it upstairs because he heard yelling.

Officer Spolski contacted Kevin J. Staudinger who stated that he was downstairs and didn't see or hear anything.

I attempted to re-contact #1a and was advised that he had already been released.

Once we determined the investigation was complete I took David out of handcuffs.

At this time there is no probable cause to charge David with a crime.

C. Lyons #929

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.

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-010371	
REPORT PURPOSE				REPORTED ON DATE Sat 01/09/2016 18:11	INCIDENT XREF 16-010383
INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>		INCIDENT CLASSIFICATION #2	
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>		INCIDENT CLASSIFICATION #4	
DISPATCH TIME		ARRIVED TIME		REPORT DATE 01/09/2016	
		CLEARED TIME		REPORT TIME 19:13	
PRIMARY CHARGE					UCR/NIBRS CODE
VICTIM/WITNESSES/OTHERS <small>CON-Contact, MIR-Parson Mentioned, M-Missing, W-Witness, IN-Institutional, O-Other, G-Legal Guardian, V-Deceased, CV-Complainant, B-Victim, C-Complainant, A-Attested Person, PS-Pastor, BU-Runaway, OW-Owner of Property, VB-Victim - Business, V-Victim - Individual, S-Suspect, D-Driver, PE-Pedestrian, PC-Pedestrian - Cyclist, RD-Registered Owner</small>					
CODE CON-1	NAME: LAST, FIRST, MIDDLE Palinkas, Michael R			SEX M	RACE/ETHNICITY W-White
HEIGHT 5'08"	WEIGHT 160	BUILD Light	HAIR Brown	EYES GRN - Green	DATE OF BIRTH/AGE 08/17/1965 50
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP			RESIDENTIAL STATUS	PHONE (509) 535-5565
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL ADDRESSES					ADDRESS TYPE Transient
ADDITIONAL ADDRESSES 2228 E 4th, Spokane, WA 99204					ADDRESS TYPE Temporary
ADDITIONAL PHONES (Home) (509) 535-5565					

NARRATIVE

On 010916, I assisted other Officers, reference a foot pursuit in the area of 2217 E. 4th. They advised that they had one male in custody. I assisted in taking Officer McMurtreys vehicle from the zip trip at 3rd and Altamont to 2217 E. 4th.

I then responded to **#1d** reference the other half of the call. Dispatch advised that Mark Johnson called from the zip trip at 3rd and Altamont. He advised that at **#1d** he was hit in the chest with the handle of an ax. **#1a** lives in the house and the suspect is still at the location. The incident occurred in the kitchen and the male was described as a black male named David Everett. He was described as 7-00, wearing a black shirt and dark pants and he should be still in the basement at **#1d**.

Upon arrival, I observed a white male, later identified **#1a**, walking up to the front porch at **#1d**. He was holding a zip trip pop and was knocking on the front door. He identified himself verbally and told me that he just picked up the pop that was laying outside in the snow and he thought it was someone's inside.

I had other Officer's contact **#1a**, reference the incident. I knocked on the front door and was invited inside by a male, later identified as William Walker. I observed a male in the kitchen, later identified as Michael Palinkas. Michael was in and out of my view and would not listen to simple

ID NO./NAME OF REPORTING OFFICER #681 - Heuett, Kyle		DISTRIBUTION	
APPROVAL #607 - Meyer, Richard	DATE/TIME 01/09/2016 21:14		

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-010371
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instructions to come talk to me about the incident. He started to walk out of the kitchen and towards the basement and laundry room area. He quickly grabbed two coats and placed them over both hands. He had a large butcher knife sitting on the kitchen counter directly behind him and he was not following commands to show me his hands and to sit down.

I took right arm control to frisk #1a for weapons. As we started to frisk #1a down, the basement door quickly opened up. There was a large black male about 7-00 tall, holding a yellow ax handle. I could not see the ax portion of the ax and Officer Lyons head was about three feet from the ax. I told the male to place his hands on top of his head and he quickly placed the ax behind the door frame.

It should be noted that the ax was about 3-4 feet long, with the ax removed from the bottom.

I patted #1a down for weapons. I interviewed him, reference the Dv. He advised that David got into an argument with #1a in the kitchen. He denied that anything physical happened and told me that it was just an argument. He told me that at one point he left and went to the Zip Trip to get some coffee. He denied calling the Police from the Zip Trip and seemed confused by my questions about the incident.

See other Officer's reports for further. It was determined that there was on pc that a crime was committed.

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

K. Heuett #681
SPO D272

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-010383	
REPORT PURPOSE			REPORTED ON DATE Sat 01/09/2016		TIME 18:11
INCIDENT CLASSIFICATION #1 WARRANT ARREST		ATTEMPTED <input type="checkbox"/>		INCIDENT CLASSIFICATION #2 ATTEMPTED <input type="checkbox"/>	
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>		INCIDENT CLASSIFICATION #4 ATTEMPTED <input type="checkbox"/>	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME		REPORT DATE 01/09/2016	REPORT TIME 19:32
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 1-9-16 at about 1811 hours I was dispatched to the Zip Trip at 3rd and Altamont in reference to a DV. The employee called 911 for another male to report there had been an assault at #1d The male victim claimed he had been assaulted with an axe handle. The victim said David Everett was the suspect and he was a very tall black male.

Other officers arrived in the area before me and advised over the radio that the victim wasn't there. Officer McMurtrey advised he was going to walk from the Zip Trip to #1d

A minute or two later I heard McMurtrey advise he was in foot pursuit of the suspect through an alley. The last thing I heard was the suspect was running westbound.

When I arrived I saw other officers in the front yard of 2217 E 4th contacting a tall black male and then quickly a physical altercation began. The altercation took place in the front yard of that address about two feet away from the chain link fence near the sidewalk. The front yard was covered in snow and very slick and cold.

I was about half a block away at that point and ran to assist. When I arrived I saw Officer Wilkinson and McMurtrey fighting with the male. The male was face down and fighting wildly. I could see his left arm was loose so I stepped in and took control of his left arm. I held his arm in a wrist lock and maintained control of it until the suspect could be cuffed. While holding his arm he continued to fight and at one point he tried to break my grip of him and grabbed me around the leg. I yelled at the male several times to stop fighting and stop resisting.

We were able to cuff the male and once he was cuffed we began to search him for weapons. While the suspect was cuffed he continued to struggle and began reaching towards the front of his waist band and reaching into the back of his waist band. He was commanded several times to stop reaching for anything, but the suspect continued. He was also continuing to thrash around and struggle with us. The suspect was very flexible and he was able to reach the front of his waist band with both hands from both directions.

ID NO./NAME OF REPORTING OFFICER #1224 - Howe, Jeremy		DISTRIBUTION	
APPROVAL #244 - Lee, Thomas	DATE/TIME 01/10/2016 00:34		

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INCIDENT CLASSIFICATION
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At this point I had started checking the left side of the suspect's body for weapons. Right about then I heard Officer Bishop yell "there it is, he's grabbing it" or something similar to that. I looked down and saw the male had reached into the back of his waist band towards his right side with both of his hands and I saw him clutching something inside his pants. At that point I believed he had just accessed a gun he had hidden and I now feared for my life and the lives of all my partners since we were all in very close proximity to each other. When the suspect's hands were pulled out of his waist band I could see what looked like something black in his hand. His hands were moving wildly as if he was trying to keep whatever he was holding. At that point because I thought he was holding a gun and feared being shot I delivered one hammer strike with my right hand to the side of the suspects face.

Crime:

We were investigating a DV assault with a weapon. The suspect was also under arrest for obstructing.

Threats to officers and public:

The suspect was digging around in his waist band. His waist band and the rest of him had not been checked yet. The suspect was very flexible and even though he was handcuffed he could easily reach areas on his body where he could conceal a weapon. The address where we were fighting with the suspect was unknown. I had no idea if the address was friendly to the suspect and all of our backs were to the front door. In my experience people who run from the police and when caught begin fighting are very dangerous and many police officers have been injured and killed in these exact situations.

Resistance:

The suspect had attempted to flee on foot when told to stop by police. When he was cornered he began fighting with multiple officers. He had at one point grabbed me by the leg and tried pulling me off him. He was continuing to ignore commands to stop fighting and stop reaching for things. He was able to reach into his waist band and appeared to be clutching an object. He was ordered several times to drop the item I believed he was holding. I ordered him to drop the gun (believing he had a gun) and told him if he didn't drop the gun he would be shot. Even after I struck him in the face he continued to resist and reach around his waist band and doing everything in his power to keep us from controlling his hands.

We were all finally able to control his hands and we searched him thoroughly fully expecting to find a firearm. Both of the suspect's hands were now empty and I could not find the item he had been holding. We finished searching the

SUPPLEMENTAL REPORT CONTINUED

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INCIDENT CLASSIFICATION

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suspect and did not find any weapon.

We stood the suspect up and searched him again because it was very difficult to conduct a full and proper search while the suspect was lying on the ground. When that search was completed I asked the suspect if he was injured.

The suspect (who was identified as Lonnie Lacey) said the side of his head hurt and his arms and wrist hurt. At that point medics were requested to check him out. I could see the suspect was bleeding from the mouth and there as blood in the snow where the fight occurred. I looked at the left slid of his face above his cheek and saw a red mark consistent with the strike I gave him.

See other officers supplemental reports for further. This concludes my involvement in this case.

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

Officer J. Howe #1224

SUPPLEMENTAL REPORT

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-010383	
REPORT PURPOSE		REPORTED ON DATE Sat 01/09/2016	TIME 18:26	INCIDENT XREF
INCIDENT CLASSIFICATION #1 OBSTRUCT OFFICER	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 22:19
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 01/09/2016 at approximately 1826 hours I responded to 2217 E 4th to assist officers with a foot pursuit.

Officers had been dispatched to 3rd and Altamont on the report of domestic violence with a weapon. Radio advised that the complainant had been struck with an ax handle by his roommate at **#1d**. **#1d**. The roommate was described as a B/M, 7-00 tall wearing dark pants and a black t-shirt.

Officer McMurtey could not locate the complainant and advised he was going to walk to the address, which was approximately one block away (see Officer McMurtrey's report).

When I arrived officers had Lacy in handcuffs and were attempting to search him. Lacy was moving around and said several times "There's nothing on me".

Lacy was on his feet and was continuing to struggle.

After he was searched and placed in the car I asked him what had occurred. He told me he was walking to the store and knew he had a Department of Corrections warrant. Lacy said he ran because he had the warrant.

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.

Bartlett G.F. #401
L214

ID NO./NAME OF REPORTING OFFICER #401 - Bartlett, Glenn		DISTRIBUTION	
APPROVAL #244 - Lee, Thomas	DATE/TIME 01/10/2016 00:42		

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-010383	
REPORT PURPOSE			REPORTED ON DATE Sat 01/09/2016		TIME 18:11
INCIDENT CLASSIFICATION #1 OBSTRUCT OFFICER		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 WARRANT ARREST		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME		REPORT DATE 01/09/2016	REPORT TIME 21:59
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On Saturday January 9, 2016 at 1811 hours I responded to the report of Domestic Violence at **#1d** Ave. The report stated that a Black Male assaulted the victim with an Axe Handle. As I approached the residence I observed a Black Male walking away from the area of the house. He looked over his shoulder and saw myself and OFC McMurtrey. He then started running North bound away from our location.

OFC McMurtrey and myself began chasing the suspect, later identified as Lonnie Lacy, on foot. Lonnie turned west through an alley, then jumped the back fence of 2217 E. 4th Ave. He had to jump a second fence of the same yard before reaching the front yard. Other officers were able to cut off Lonnie before he was able to make it back on to the roadway. When I came around the corner of the house I observed the other officer's attempting to detain Lonnie in handcuffs. I observed Lonnie continue to struggle against the officer and attempt to reach into his pockets. It was obvious to me that Lonnie was trying to access something either in his waist band or pockets. OFC McMurtrey and OFC Howe were able to secure Lonnie in handcuffs. Lonnie, however, continued to resist. He kept rolling from side to side, reaching around his waist. He kept pulling his hands away from the officers trying to hold him to the ground. At one point during the struggle I saw him reach inside the back of his pants. I then used my foot to hold his right hand to the ground. While Lonnie was on the ground pulling his arms away from the Officers, reaching for his waist band and pockets, and attempting to tuck his hands under his torso I advised him several times to stop resisting, relax his arms, and stop reaching for his waist and pockets.

1. At this point in my investigation I was aware that the suspect, Lonnie Lacy, had committed the crime of Obstructing a Law Enforcement Officer, and was suspected of committing Assault with a deadly weapon. He also committed the act of Burglary when jumped the fence at 2217 E. 4th Ave, by entering the yard with the intent of committing the crime of obstructing.
2. I believed that Lonnie Lacy posed a threat to myself and the other officers on scene because he was actively resisting uniformed police officers while reaching for his waist band and pockets. I knew that his waist band and pockets had not been PAT Frisked for weapons. I observed him take great measures to avoid being detained by running one and a half blocks and jumping two fences. I was convinced that he was willing to do anything in his power to avoid being detained by police up to and including assaulting anyone of the officers on scene with a weapon. He was so determined to reach in his waist band or pockets that after being detained in handcuffs he continued to fight against law enforcement and reach into his waist band.
3. Lonnie was actively resisting Law enforcement by running away from the police of foot and continued to run after being advised to stop. After be taken to the ground by police he continued to resist police by pulling his

ID NO./NAME OF REPORTING OFFICER #1016 - Wilkinson, Rhian		DISTRIBUTION	
APPROVAL #244 - Lee, Thomas	DATE/TIME 01/10/2016 00:41		

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION

OBSTRUCT OFFICER

ATTEMPTED



INCIDENT NUMBER

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arms away from the police and tuck them under his body. After being handcuffed, Lonnie continued to resist Law enforcement officers by pulling his hands and arms away from the police while reaching into his waist band and pockets.

After Lonnie made several attempts to reach into his waist band and pockets after being advised to stop resisting and lay still OFC Bishop attempted to use an Electronic Control Device (Tazer) in probe mode. The Tazer had no visible effect on Lonnie's behavior. After quickly developing a plan to separate Lonnie's hands from his Torso and allow us to safely conduct a PAT Frisk, two officers lifted Lonnie's arms away from his body while another officer conducted a Prone PAT Frisk.

Lonnie then was escorted to a Patrol vehicle where he was evaluated by medics for the Tazer application. He was then escorted to the Spokane County Jail where he was booked for Obstructing and his DOC Warrant.

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

OFFICER/NUMBER/CALL SIGN

Wilkinson/1016/D361

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-010383	
REPORT PURPOSE		REPORTED ON DATE Sat 01/09/2016	TIME 18:29	INCIDENT XREF 16-010371
INCIDENT CLASSIFICATION #1 OBSTRUCT OFFICER	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 WARRANT ARREST		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 01/09/2016	REPORT TIME 19:05
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

NARRATIVE:

On Saturday January 9, 2016 at about 1818 hours Ofc Kester and I (two man car) were enroute to a different call when we heard Ofc McMurtrey say over the air that he was in foot pursuit.

I knew prior to Ofc McMurtrey's radio traffic that he was on a domestic violence with a weapon call in which the complainant/victim said he had been hit in the chest with a handle of an axe by a male roommate. The complainant on that call described the suspect as a black male, 7'00 tall, wearing a black shirt and dark pants. Radio was not able to locate the name they gave for the suspect in our local database. That can be an indicator that someone is lying about their name.

I heard Ofc McMurtrey's radio traffic that he was unable to locate the complainant/victim of that call at the gas station, and he was then walking to the suspect address of [REDACTED] #1d. The next radio traffic I heard from Ofc McMurtrey was that he was in foot pursuit. Due to the fact that Ofc McMurtrey was on a domestic violence call with a weapon, and was walking to suspect's residence, and then said he was in foot pursuit, I believed he was in foot pursuit of the suspect from the suspect's house.

Ofc Kester and I arrived onscene at 2217 E 4th. I observed Ofc McMurtrey, Ofc Howe, and Ofc Spolski kneeling down around the male, later identified as Lonnie Lacy. Ofc Wilkinson was there as well. As I walked up to them I heard Ofc Wilkinson tell Lonnie to stop reaching for things at least twice. They were trying to pat frisk Lonnie for weapons and Lonnie was squirming around purposefully not allowing officers to get a thorough pat frisk done on him.

I observed the male's face and recognized him as either Ronnie or Lonnie Lacy. The male verbally identified himself as Lonnie Lacy. I know Lonnie has an extensive criminal history.

Lonnie was lying on his stomach with his head up near the front fence of the yard. Ofc Howe was on Lonnie's right side up near his shoulder area. Ofc McMurtrey was on Lonnie's right side as well down near his legs. Ofc Spolski was on Lonnie's left side. I was standing up to the left of Ofc McMurtrey. As they rolled Lonnie up on his right hip to frisk the front left of him, I observed Lonnie reach his hands under his belt into the right hip area of his pants. I observed a bulge in his waistband exactly where he was now reaching. The bulge was of the size that could have easily concealed a knife or gun. Lonnie was wearing very baggy pants. The pants were baggy enough

ID NO./NAME OF REPORTING OFFICER #1023 - Bishop, Elina		DISTRIBUTION
APPROVAL #244 - Lee, Thomas	DATE/TIME 01/10/2016 00:33	

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Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION
OBSTRUCT OFFICER

ATTEMPTED



INCIDENT NUMBER

16-010383

that they could have concealed a gun or knife. Officers advised Lonnie that they were frisking him for weapons. He knew the officers intentions at that time, and he chose that exact moment to reach into his waistband and under his belt to try and gain access to whatever was in there. Based on his determination to access that item, the location of it being in his waistband, and the bulge I observed, I believed Lonnie was reaching for a gun or knife.

I yelled to the officer's "right there" numerous times and shined my flashlight on the area where Lonnie had been reaching. Other officers were trying to get control of Lonnie's hands. Lonnie is skinny and flexible and is able to reach around the front of his body even when his hands are in handcuffs.

Lonnie continued to struggle by squirming around with other officers and not take his hands out of the area of his waistband. It was very apparent that there was something Lonnie was trying to gain control of in his waist band area and now conceal from officers. I could no longer see Lonnie's hands and I was concerned he now had control of a weapon that he had previously hid in his waistband.

I deployed my taser in probe mode to the left lower back area of Lonnie for the following reasons:

CRIME: I knew Ofc McMurtrey had been investigating a domestic violence call in which the complainant said he was struck with a axe handle. Lonnie had also ran from Ofc McMurtrey in a foot pursuit and obstructed Ofc McMurtrey's abilities to investigate the initial domestic violence incident.

THREAT: In the initial domestic violence call, the suspect had used an axe to assault another person. The suspect was described as a black male, 7'00, wearing a black shirt and dark pants. Lonnie was a black male wearing a black shirt who ran from the area of the suspect's house. Lonnie loosely fit the description of the suspect male of the DV. I knew Ofc McMurtrey was unable to locate the complainant/victim on the domestic violence incident where he said he would be waiting for police contact. It was unknown if the complainant/victim of the domestic violence incident had returned home and been assaulted again by the suspect (possibly now Lonnie). The extent of the complainant/victim's injuries were unknown at that time as well.

I recognized Lonnie as either Ronnie or Lonnie Lacy when I arrived. He verbally identified himself as Lonnie Lacy. I know Lonnie Lacy to have a very extensive criminal record.

When I arrived onscene and first observed other officers around Lonnie trying to pat frisk him, I heard other officers tell Lonnie numerous times to stop reaching for things. Lonnie was purposefully trying to make it difficult for officers to pat frisk him thoroughly by rolling and squirming around. Lonnie was wearing very baggy pants held up with a belt and boxer style underwear underneath them. He also was wearing a large puffy style coat, an oversized black hoodie style sweatshirt, and a tee shirt. I thought he could possibly be the suspect in the domestic violence incident. That

SUPPLEMENTAL REPORT CONTINUED

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INCIDENT CLASSIFICATION
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suspect had been armed with an axe.

Lonnie had not been completely pat frisked for weapons, he refused numerous commands to stop reaching for things and allow offices to pat frisk him thoroughly, and now I had observed him reach his handcuffed hands into the right side waistband of his pants underneath his belt at what appeared to be a bulge in the side of his pants.

Officers were trying to get control of his hands and get them out of his waistband. Lonnie is skinny and is able to reach his arms well around the sides of his body. He is flexible enough that if he accessed a weapon, he would still be able to utilize the weapon while in handcuffs. It appeared to me that Lonnie had his hands around the right side of his body in his waistband area still, possibly now even more around the front of him. It is very common for people to conceal handguns and knives in their waistband area. I was now afraid that Lonnie had accessed a weapon and had it in his hands. Ofc Howe and Ofc McMurtrey and Ofc Spolski were so close to Lonnie that they were touching him. I was concerned Lonnie could seriously assault any of us with a gun or knife. I was also concerned that Lonnie now had either a gun or knife in his hands and could inadvertently injure himself with the weapon while he continued to struggle with officers.

I heard Officer Howe yell at Lonnie something to the effect of let go, making me further believe Lonnie now had a weapon in his hands.

Despite multiple officers being onscene Lonnie was still able to overcome the officer's attempts at controlling his arms/hands, and was actively accessing his waistband area. I knew that the waistband area is frequently where ppersons carry firearms and other weapons. If Lonnie was able to access a firearm or other weapon it would have put myself, other officers, himself, and bystanders in immediate danger. Further, if Lonnie was allowed to access a firearm it would have dictated an increased level of force be utilized by officers, likely resulting in seroius injury or death to Lonnie. As such, I deemed it reasonable and necessary to immediately incapacitate Lonnie to prevent him from accessing a weapon, and that the quickest and most effective way to accomplish the incapacitation was the use of my issued taser.

RESISTANCE: Lonnie had just ran from police in a foot pursuit. He was actively resisting officers by rolling around and squirming, making it purposefully difficult for officers to conduct a thorough pat frisk for weapons on him. He made a conscious and determined effort to reach into his right waist band area where guns and knives are commonly concealed on a person while officers were trying to frisk him for weapons. Officers advised Lonnie that they were trying to frisk for weapons, so it was even more concerning that Lonnie knew that was the intent of officers at that time, and it was at that time that he made the conscious and determined decision to try and access whatever was in his waistband.

I removed my taser and yelled taser a few times to the other officers and to Lonnie as a verbal

SUPPLEMENTAL REPORT CONTINUED

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INCIDENT CLASSIFICATION
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warning. It appeared other officers still did not have control of Lonnie's hands at that time. I then applied my taser in probe mode to the lower left back area of Lonnie. I felt it necessary to use probe mode as it was imperative that Lonnie be completely incapacitated as quickly as possible. Probe mode of the taser ususally has a complete incapacitation effect, where drive stun is based on pain complainance.

Due to Lonnie's determination to access whatever was in his waistband I feared the pain complianance effect of drive stun would not work on him and I did not want to jeopardize other officer's safety by trying drive stun, and if failing to get the necessary effect on Lonnie, take more time to again use probe mode.

When I deployed my taser it did not appear to have any significant effect on Lonnie at that time. I could hear the taser clacking as though the circuit was not complete. As it was still in its 5 second cycle, I tried to apply the taser (now with the cartridge deployed) to his lower left leg to complete the connection. It still did not appear to have a significant effect on Lonnie.

Officers were able to gain control of Lonnie's hands. They completed another pat frisk for weapons. No weapon was every located. Lonnie admitted later to officers that he was reaching for marijuana/weed he thought he had on him in his pocket. Radio advised Lonnie had an outstanding DOC escape from community custody warrant.

After Lonnie was frisked for weapons, I observed one of the taser probes was hanging loosely from the cartridge line. It never connected with Lonnie or his clothing. The other probe was stuck in Lonnie's puffy jacket. No probes had entered Lonnie's body.

Corporal Spiering arrived and took photographs of the above described probes. He removed the probe from Lonnie's jacket. Ofc Bode and Ofc Marquez took the taser cartridge and probes to place on Police Property as Evidence.

Medics arrived onscene but were not needed to remove the probes. Sgt Bartlett was onscene as well and notified of the above information.

Lonnie was transported to Jail and booked on his warrant and obstructing.

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 E. Bishop #1023

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-010383	
REPORT PURPOSE		REPORTED ON DATE Sat 01/09/2016	TIME 18:11	INCIDENT XREF 16-010371
INCIDENT CLASSIFICATION #1 WARRANT ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 01/09/2016	REPORT TIME 19:15
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 1/9/16 at 1824 hours, Officer E Bishop and I (two man unit) were enroute to an unrelated call when we heard Officer McMurtrey in foot pursuit so we responded to assist.

I knew from listening to radio traffic that officers were responding to a DV with a weapon where the complainant, #1a, called and stated a male who lives with him at, #1d, hit him in the chest with an axe handle. The suspect was described as a black male, 7'00" tall, wearing dark pants and a black shirt and was still at the house on 4th. The complainant was waiting at Cenex Zip Trip (3rd and Altamont).

Officer McMurtrey advised he did not see the complainant at Zip Trip and would walk to the residence. Just minutes later Officer McMurtrey advised he had a male running southbound from 3rd at 1824 hours. At 1825 hours officer's advised one was detained and they were now at 2217 E 4th.

As we arrived on scene, Officer's Howe, Wilkinson, Spolski and McMurtrey were already on scene in the front yard of 2217 E 4th with a male who at that time was in handcuffs. He was a black male wearing a black top and tan pants. They were attempting to do a pat down of the male and had to continually tell him to stop reaching for things. He was in the prone position on his stomach but I could tell he was still squirming and moving around not complying with officers. His hands were behind his back in handcuffs but he kept pulling his hands from the officer's grip.

I heard Officer E Bishop say "right there" in his waistband. It appeared he was grabbing or reaching for something in the back waistband of his pants. I attempted to help in gaining control of his hands to keep him from reaching for items on his person but he continued squirming. The male was wearing layers of clothing and had a puffy vest/jacket on making it very hard to check for any weapons on him. This put officers as well as the suspect in a very dangerous position. It was unknown what weapons may be concealed on the male and what the males intentions were. Officer Bishop advised she was going to deploy her taser on the male and did so. She deployed her taser to the back area of the male. See her additional for more information. We continued to thoroughly search the male for any weapons. Officer Bishop advised radio of the males name which then came back showing he had a felony warrant.

Officer Spiering arrived on scene for photos and the male who was now identified as, Lonnie D Lacy

ID NO./NAME OF REPORTING OFFICER #931 - Kester, Alexis	DISTRIBUTION	
APPROVAL #244 - Lee, Thomas	DATE/TIME 01/10/2016 00:35	

SUPPLEMENTAL REPORT CONTINUED

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Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION
WARRANT ARREST

ATTEMPTED
☐

INCIDENT NUMBER
16-010383

(6/6/80), in the back of Officer McMurtrey's patrol car. Medics also responded due to the taser deployment.

Lacy made the comment he wanted to make sure we had his phone. I checked the yard where he was detained and did not see a phone.

I was wearing a body camera at the time of the incident. See video for more information.

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

A.Kester #931
SPD D360

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-010383	
REPORT PURPOSE			REPORTED ON DATE Sat 01/09/2016	TIME 19:00	INCIDENT XREF
INCIDENT CLASSIFICATION #1 WARRANT ARREST		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 01/09/2016		REPORT TIME 21:42
PRIMARY CHARGE					UCR/NIBRS CODE
VICTIM/WITNESSES/OTHERS <small>CON-Contact; MIR-Parson Mentioned; M-Missing; W-Witness; IN-Individual; O-Other; G-Legal Guardian; V-Deceased; CV-Complainant is Victim; C-Complainant; A-Arrested Person; PS-Passenger; RU-Runaway; OW-Owner of Property; VB-Victim - Business; V-Victim - Individual; S-Suspect; D-Driver; PE-Pedestrian; PC-Pedestrian - Cyclist; RO-Registered Owner</small>					
CODE W-1	NAME: LAST, FIRST, MIDDLE Bellus, Christopher A			SEX M	RACE/ETHNICITY W-White/Non-Hispanic
DATE OF BIRTH/AGE 12/12/1968 47					
HEIGHT 5'09"	WEIGHT 220	BUILD Medium	HAIR Sandy	EYES BRO - Brown	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 2217 E 4th Avenue, Spokane, WA 99202			RESIDENTIAL STATUS Full Time Resident	PHONE (509) 701-0116
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL ADDRESSES					ADDRESS TYPE
ADDITIONAL PHONES (Home-Cellular or Car) (509) 701-0116					
NARRATIVE					

On 1-9-16 at around 1845 hours, Officer Bode and I responded to the 2200 block of East 4th Ave, to provide assistance to Officer C. McMurtrey, who was involved in a foot pursuit with a wanted suspect, named Lonnie Lacy.

On scene we arrived to support the investigation. I met with Officer E. Bishop, who asked me to take custody of a spent Taser Cartridge (S/N-C4104091R) and place it into property.

After securing the cartridge, I interviewed the listed witness, Chris Bellus, who resides at 2217 East 4th Ave. Bellus stated on this date at around 1830 hours he heard yelling coming from the front yard of his residence. Bellus stated when he looked outside his front door he observed 2 SPD Officers struggling with a male on the ground near the side walk. Bellus stated as he was stepping off his front porch, a SPD Officer asked him to stay inside the residence until the suspect was under control. Bellus stated he complied with the Officer's request and went back inside.

Bellus stated he has lived at the listed address for 8 years and didn't know the suspect or why he ran into his yard.

With the interview complete and the scene secured, Officer Bode and I drove to the Property Control Center to place the Taser cartridge into evidence.

ID NO./NAME OF REPORTING OFFICER #1276 - Timothy, Marquez		DISTRIBUTION	
APPROVAL #560 - Spiering, Nathan	DATE/TIME 01/10/2016 03:35		

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION
WARRANT ARREST

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

T. Marquez #1276

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-010383	
REPORT PURPOSE			REPORTED ON DATE Sat 01/09/2016	TIME 18:11	INCIDENT XREF 16-010371
INCIDENT CLASSIFICATION #1 WARRANT ARREST		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 01/09/2016		REPORT TIME 19:24
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 010916, I responded to DV at [REDACTED] #1d. Radio advised that the complainant, [REDACTED] #1a, was calling from the Cenex at Altamont/3rd and reported his roommate, David Everett, hit him in the chest two times with an axe handle. He was described as a black male, approx 7-0, wearing a black shirt and black pants.

While enroute I heard Ofc. McMurtrey advise that he could not locate the complainant at the Cenex and would be walking to [REDACTED] #1a. I responded to the 4th address and saw Ofc. McMurtrey and Ofc. Wilkinson at the corner of Stone/4th.

As I got out of my car I saw Ofc. McMurtrey and Ofc. Wilkinson take off and run northbound on Stone and then westbound through the alley just north of 4th. I heard Ofc. McMurtrey advise they were in foot pursuit and were westbound in the alley.

I got back in to my patrol vehicle and started westbound on 4th. I heard Ofc. McMurtrey advised the suspect was southbound at the third house. I stopped my patrol car in front of the home and saw a black male, wearing a black coat and pants. The male matched the suspect description of the suspect from the DV that hit his roommate with an axe handle.

The suspect climbed over the front backyard fence on the east side of the home. Because of the following factors:

Crime-He was a suspect in a DV where an axe handle was used in an assault of his roommate.

Threat-He had not been searched and the knowledge at the time was that he could still be armed with at least the axe as well as the possibility of being armed with knives and a gun.

Resisting-He was actively attempting to elude uniformed police officers by running away from them.

ID NO./NAME OF REPORTING OFFICER #969 - Spolski, Nicholas		DISTRIBUTION	
APPROVAL #244 - Lee, Thomas	DATE/TIME 01/10/2016 00:43		

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION
WARRANT ARREST

ATTEMPTED
☐

INCIDENT NUMBER
16-010383

Because of these factors I drew my duty pistol and pointed it at the ground in front of him and ordered him to get on to the ground.

The suspect ignored my commands and continued to walk in a southwest direction towards the front gate of the property. I ordered him several more times to get on the ground. The suspect refused to cooperate and stated he did not do anything.

I was concerned that the suspect was not afraid that I was holding a loaded pistol. It did not appear he was in a mental state where he was making rational decisions.

I was relieved when I saw Ofc. McMurtrey come from behind him and guide him to the ground preventing me from shooting him.

Ofc. McMurtrey was laying on the suspect's upper body. I re-holstered my duty pistol and grabbed the suspect's legs, crossed them and held them down in an effort to limit the suspect's movement.

The suspect was not cooperating and yelling that he could not breath and to let him up. It was clear that he could breathe by the way he was yelling. He was told numerous times to stop resisting.

The suspect attempted several times to reach into his pockets and waist band. At the time I did not know if the suspect had a gun, knife or another weapon he was reaching for. He continued to attempt to resist us by pulling his arms away from Officers, rolling around and attempting to kick his legs free.

The suspect was eventually detained in handcuffs but he continued to roll around and was attempting to kick his legs free. The suspect continued to attempt to reach in to his pockets and waist band.

I quickly frisked the suspect for weapons in his waist band and pockets. Do to his erratic movements I did not feel I was able to get a complete check for weapons on him making him a continued danger as he continued to attempt to reach in to his waist band and pockets. He was still trying to break free from us by rolling around.

We continued to tell the suspect numerous times to stop fighting and to stop resisting and to calm down. Ofc. Bishop arrived and I heard her yell that the suspect was reaching for something and she could see the object.

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION WARRANT ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-010383
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Knowing that I had been unable to conduct a complete and thorough search for weapons on the suspect due to his actions I was still concerned the suspect could be armed and reaching for a weapon. For the following reason's I felt it was necessary for Ofc. Bishop to utilize her Taser on the suspect:

Crime-He was still a suspect in a DV assault where an axe was used.

Threat-I was unable to conduct a complete and thorough frisk for weapons on the suspect because he was actively rolling around and trying to get away. He continued to reach in to his pockets and waist band.

Resisting-He was actively resisting even in handcuffs by trying to kick his feet away, rolling around and trying to reach for an unknown object on his person.

Ofc. Bishop utilized her Taser on the suspect but I did not see the probes penetrate and make a connection. I could hear a clear audible clacking sound consistent with the Taser not completing the circuit. The suspect continued to yell and roll around.

I searched the male again but did not find any weapons on him. The suspect eventually calmed down and was placed in to a patrol vehicle.

After placing the suspect in to the car I assisted other officers at the house, see their report.

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

N. Spolski 969

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-010383	
REPORT PURPOSE			REPORTED ON DATE Sat 01/09/2016		TIME 18:11
INCIDENT CLASSIFICATION #1 OBSTRUCT OFFICER		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 WARRANT ARREST		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME		REPORT DATE 01/09/2016	REPORT TIME 21:59
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On Saturday January 9, 2016 at 1811 hours I responded to the report of Domestic Violence at **#1d** Ave. The report stated that a Black Male assaulted the victim with an Axe Handle. As I approached the residence I observed a Black Male walking away from the area of the house. He looked over his shoulder and saw myself and OFC McMurtrey. He then started running North bound away from our location.

OFC McMurtrey and myself began chasing the suspect, later identified as Lonnie Lacy, on foot. Lonnie turned west through an alley, then jumped the back fence of 2217 E. 4th Ave. He had to jump a second fence of the same yard before reaching the front yard. Other officers were able to cut off Lonnie before he was able to make it back on to the roadway. When I came around the corner of the house I observed the other officer's attempting to detain Lonnie in handcuffs. I observed Lonnie continue to struggle against the officer and attempt to reach into his pockets. It was obvious to me that Lonnie was trying to access something either in his waist band or pockets. OFC McMurtrey and OFC Howe were able to secure Lonnie in handcuffs. Lonnie, however, continued to resist. He kept rolling from side to side, reaching around his waist. He kept pulling his hands away from the officers trying to hold him to the ground. At one point during the struggle I saw him reach inside the back of his pants. I then used my foot to hold his right hand to the ground. While Lonnie was on the ground pulling his arms away from the Officers, reaching for his waist band and pockets, and attempting to tuck his hands under his torso I advised him several times to stop resisting, relax his arms, and stop reaching for his waist and pockets.

1. At this point in my investigation I was aware that the suspect, Lonnie Lacy, had committed the crime of Obstructing a Law Enforcement Officer, and was suspected of committing Assault with a deadly weapon. He also committed the act of Burglary when jumped the fence at 2217 E. 4th Ave, by entering the yard with the intent of committing the crime of obstructing.
2. I believed that Lonnie Lacy posed a threat to myself and the other officers on scene because he was actively resisting uniformed police officers while reaching for his waist band and pockets. I knew that his waist band and pockets had not been PAT Frisked for weapons. I observed him take great measures to avoid being detained by running one and a half blocks and jumping two fences. I was convinced that he was willing to do anything in his power to avoid being detained by police up to and including assaulting anyone of the officers on scene with a weapon. He was so determined to reach in his waist band or pockets that after being detained in handcuffs he continued to fight against law enforcement and reach into his waist band.
3. Lonnie was actively resisting Law enforcement by running away from the police of foot and continued to run after being advised to stop. After be taken to the ground by police he continued to resist police by pulling his

ID NO./NAME OF REPORTING OFFICER #1016 - Wilkinson, Rhian		DISTRIBUTION
APPROVAL #244 - Lee, Thomas	DATE/TIME 01/10/2016 00:41	

SUPPLEMENTAL REPORT CONTINUED

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Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION OBSTRUCT OFFICER	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-010383
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arms away from the police and tuck them under his body. After being handcuffed, Lonnie continued to resist Law enforcement officers by pulling his hands and arms away from the police while reaching into his waist band and pockets.

After Lonnie made several attempts to reach into his waist band and pockets after being advised to stop resisting and lay still OFC Bishop attempted to use an Electronic Control Device (Tazer) in probe mode. The Tazer had no visible effect on Lonnie's behavior. After quickly developing a plan to separate Lonnie's hands from his Torso and allow us to safely conduct a PAT Frisk, two officers lifted Lonnie's arms away from his body while another officer conducted a Prone PAT Frisk.

Lonnie then was escorted to a Patrol vehicle where he was evaluated by medics for the Tazer application. He was then escorted to the Spokane County Jail where he was booked for Obstructing and his DOC Warrant.

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

OFFICER/NUMBER/CALL SIGN

Wilkinson/1016/D361

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-010383	
REPORT PURPOSE		REPORTED ON DATE Sun 01/10/2016	TIME 18:29	INCIDENT XREF 16-010371
INCIDENT CLASSIFICATION #1 WARRANT ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 OBSTRUCT OFFICER		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 01/10/2016	REPORT TIME 22:04
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

NARRATIVE:

On Saturday January 9, 2016 at about 1829 hours I was involved in a use of force with a taser application with Lonnie Lacy. I wrote my initial report that night and re-read it again today. I felt it important to make some clarifications to my initial report.

When I arrived onscene, Ofc McMurtrey, Ofc Howe and Ofc Spolski were already there with Lonnie. They were knelt down around him. Ofc Howe was on Lonnie's right side up by his shoulders/head, Ofc McMurtrey was on Lonnie's right side down by his legs and Ofc Spolski was on the left side area of Lonnie's body. Ofc Wilkinson arrived about the same time I did and was standing by Lonnie as well.

As Ofc Kester and I were pulling up to the house, Ofc McMurtrey advised they were detaining one. This radio traffic was put out just as I was exiting the patrol vehicle. As I approached Lonnie and the other officers, I thought the other officers were still in the process of placing Lonnie in handcuffs because he was still squirming around and appeared to be resisting their attempts to control him.

When I approached Lonnie, I shined my flashlight on his face and was focused solely on his face. I had recognized him as either Ronnie or Lonnie Lacy. I asked him who he was and he verbally identified himself as Lonnie Lacy. I stepped back away from Lonnie and asked Radio to run Lonnie Lacy for any outstanding warrants.

I then stepped around Ofc McMurtrey to the left side of him down near Lonnie's legs. Lonnie had been told numerous times to stop reaching for things and he was purposefully squirming around so officers could not get a thorough pat frisk for weapons done on him.

I knew Ofc McMurtrey had just been involved in a foot pursuit. Foot pursuits are exhausting and can take all the energy out of any officer. As I stepped around to the left side of Ofc McMurtrey, my body and body

ID NO./NAME OF REPORTING OFFICER #1023 - Bishop, Elina		DISTRIBUTION	
APPROVAL #244 - Lee, Thomas	DATE/TIME 01/10/2016 23:18		

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Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION WARRANT ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-010383
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camera were pointed at Lonnie's back. However, at that moment I had placed my right hand on Ofc McMurtrey's left shoulder and looked down at him so that he knew I was there. Right as I looked back at Lonnie's back, I observed his hands reaching for the right side of his waistband under his belt. This is the moment I yelled to other officers that Lonnie was reaching in his waistband. Although Lonnie's hands were behind his back, both of his hands were now off to the right side of his body out of my sight.

At this point, I removed my taser and gave the verbal warnings that I had my taser out and then deployed it (see my initial report).

Prior to my taser deployment, I did not think Lonnie was in handcuffs. I thought officers were in the process of trying to place him in handcuffs and frisk him for weapons when I observed Lonnie reach his hands into his waistband. All I saw at that moment was Lonnie's hands reaching into his waistband, I did not see the handcuffs on him.

Immediately after my taser deployment when officers regained control of Lonnie's hands, I observed the handcuffs on Lonnie and knew then that he had been in handcuffs when I deployed my taser.

After the incident I reviewed my body camera. At the moment when I reached over to Ofc McMurtrey with my hand while looking at him, my body camera is pointed at Lonnie's body. I observed this portion of my video and saw then that Lonnie was in handcuffs when he had reached into his waistband.

I wrote my initial report using the verbiage that I had observed Lonnie reach into his waistband with his handcuffed hands. This is because I knew at the time that I wrote my report that Lonnie's hands had been in handcuffs because I observed my body camera video and had obviously discovered that after my taser deployment. However, I did not think Lonnie was handcuffed at the time that I deployed my taser on him. I thought officers were still attempting to place him in handcuffs and he had then reached for a weapon in his waistband during that time when they were attempting to get him into handcuffs and frisk him for weapons.

I wrote in my initial report that Lonnie is skinny and flexible and is able to reach around the front of his body even when his hands are in handcuffs. This was an observation that was obviously made as a result of this incident after I recognized Lonnie had been in handcuffs when he reached for what I thought was a weapon in his waistband and was able to

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION
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ATTEMPTED
☐

INCIDENT NUMBER
16-010383

resist officers attempts to gain control of his hands immediately after my observation.

I also wrote that Lonnie is flexible enough that if he accessed a weapon, he would still be able to utilize the weapon while in handcuffs. This again was another observation that was obviously made as a result of this incident after I recognized Lonnie had been in handcuffs when he reached into his waistband.

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

Ofc E. Bishop #1023

[illegible]



EVIDENCE SYNC™

TASER Information

Dept. SPOKANE CITY POLICE DEPARTMENT
Serial X12000N6F
Model TASER X26P
Firmware Version Rev. 04.020
Application Version 3.13.4
Health Good

Report Generated by

NAME Bartlett, Glenn
Badge ID 401
Local Timezone Pacific Standard Time (UTC -08:00)
Generated On 09 Jan 2016 21:13:04

Device (X26P)

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
1	20 Nov 2013 13:01:05	Power Magazine Change	0xFF S/N: Battery capacity: 0%		
2	20 Nov 2013 13:01:05	Firmware Update	FW Bundle, Rev. 03.041, 4/15/2013		
3	20 Nov 2013 13:01:05	Firmware Update	MC, Rev. 03.041, 4/15/2013		
4	20 Nov 2013 13:01:05	Firmware Update	LDR, Rev. 03.041, 4/15/2013		
5	20 Nov 2013 13:01:05	Firmware Update	CAM, Rev. 01.020, 3/14/2013		
6	20 Nov 2013 13:01:05	Armed		29	0
7	20 Nov 2013 13:01:47	Armed		29	0
8	20 Nov 2013 13:02:04	Armed		30	0
9	20 Nov 2013 13:54:52	Power Magazine Change	Manufacturing S/N: DPM000 Battery capacity: 62%		
10	20 Nov 2013 13:54:52	Armed		27	62
11	20 Nov 2013 13:54:53	Trigger	5		62
12	20 Nov 2013 13:54:59	Trigger	5		62
13	20 Nov 2013 13:55:06	Trigger	5		62
14	20 Nov 2013 13:55:12	Trigger	5		62
15	20 Nov 2013 13:55:18	Trigger	5		62
16	20 Nov 2013 13:55:24	Trigger	5		62
17	20 Nov 2013 13:55:30	Trigger	5		62
18	20 Nov 2013 13:55:36	Trigger	5		62
19	20 Nov 2013 13:55:42	Trigger	5		62

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
140	17 Nov 2015 01:39:05	PowerSave Exit			
141	04 Dec 2015 15:58:47	Armed		25	79
142	04 Dec 2015 15:58:48	Safe	1	24	79
143	22 Dec 2015 17:12:29	Armed		25	79
144	22 Dec 2015 17:12:37	Safe	8	26	79
145	01 Jan 2016 15:42:00	Armed		24	79
146	01 Jan 2016 15:42:01	Safe	1	23	79
147	01 Jan 2016 16:40:34	Armed		24	79
148	01 Jan 2016 17:00:46	PowerSave	20 Min Weapon Timer		
149	08 Jan 2016 13:49:46	PowerSave Exit			
150	08 Jan 2016 15:47:25	Armed		25	1
151	08 Jan 2016 15:47:27	Safe	2	25	1
152	08 Jan 2016 16:10:41	Power Magazine Change	Standard S/N: 361201 Battery capacity: 100%		
153	08 Jan 2016 16:10:41	Armed		26	100
154	08 Jan 2016 16:10:42	Safe	1	25	100
155	09 Jan 2016 18:24:39	Armed		26	100
156	09 Jan 2016 18:24:41	Trigger	5		100
157	09 Jan 2016 18:25:26	Safe	47	28	99
158	09 Jan 2016 18:25:27	Armed		29	99
159	09 Jan 2016 18:26:41	Safe	74	30	99
160	09 Jan 2016 20:57:12	USB Connected			
161	09 Jan 2016 20:59:25	Time Sync	09 Jan 2016 20:57:13 to 09 Jan 2016 20:59:25		
162	09 Jan 2016 21:00:13	Time Sync	09 Jan 2016 21:01:21 to 09 Jan 2016 21:00:13		
163	09 Jan 2016 21:06:01	Time Sync	09 Jan 2016 21:04:52 to 09 Jan 2016 21:06:01		
164	09 Jan 2016 21:09:03	Time Sync	09 Jan 2016 21:09:04 to 09 Jan 2016 21:09:03		

Pulse Log Graph

