



SPOKANE POLICE DEPARTMENT



**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) |

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| #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 public except by court order. | RCW 13.50.050 (Juvenile Courts and Juvenile Offenders) and RCW 13.50.100 (4) (a) and (b) (Keeping and Release of Records by Juvenile Justice or Care Agencies). <i>Deer v. DSHS, 122 Wn.App. 84, 94 (2004)</i> |
| #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): | WACIC/NCIC/III - information from ACCESS restricted to law | 28 USC § 534 For criminal justice purposes only. |

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| | <u>Officer safety information</u> | enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP. | 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 (ACCESS): <u>Gun 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. |
| #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. |
| 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 | RCW 42.56.050 (Invasion of privacy), RCW 42.56.230 (Personal information), |

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| | | public could be abused or lead to identity theft. | 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 Identicard | 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 justice agencies as defined in RCW 10.97.030 are protected from | RCW 42.56.250(8) (Employment and licensing) |


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| | | disclosure for their safety and privacy. | |
| #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) |
| 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 identicaid 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 confidential manner for law enforcement purposes, protected to preserve the life and personal safety | RCW 42.56.240(1) (Investigative, law enforcement, and crime victims). Ashley v. Public Disclosure <i>Comm'n</i> , 16 <i>Wn.App.</i> 830, 836 (1977). |

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| | | 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. | |
| 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) |

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|------|---|---|--|
| | | 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 the identities of officers accused of sexual misconduct in Internal Affairs Investigations and Inquiries, if the findings are not Sustained. Police officers have a right to privacy in their identities in connection with unsubstantiated allegations of sexual misconduct. | <i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011). <i>Bellevue John Does</i> , 164 Wash 2d at 212, 189 P.3d 139. |
| #13b | <u>Date of birth</u> of accused police officers | This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained. | <i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011) |
| #13c | <u>Personal work, home, or cell phone number</u> of accused police officers | This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained. | <i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011) |
| #13d | <u>Residential address</u> of accused police officers | This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained. | <i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011) |
| #13e | <u>E-mail address</u> of accused police officers | This redaction protects the identities of accused officers in Internal Affairs Investigations and Inquiries, if the findings are not Sustained. | <i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011) |
| #14 | Information concerning Mental Health Services | This redaction contains confidential information concerning services to either voluntary or involuntary recipients of mental health services. Such information, if disclosed, would invade an individual's privacy and possibly cause unintended consequences for that individual. | RCW 71.05.390 (Confidential information and records) |



Spokane Police Department Use Of Force Report

-  [Print](#) this incident.

Incident Entered By: Sergeant Richard Meyer

Incident Details

| | | |
|--------------------------|---------------------------|---------------------------|
| Date Received | Date of Occurrence | Time of Occurrence |
| 2/4/2016 | 2/4/2016 | 22:13 |
| Record ID # | Incident No | IA No |
| 9218 | 16-42015 | F16-016 |
| Date/Time Entered | | |
| 2/18/2016 20:31 | | |

Incident Summary

Subject was assaultive during an arrest. Ofc. Ames used a Taser application during the Incident to resolve the incident and take subject into custody. See IA additional for further Information.

In compliance with policy per Assistant Chief Meidl 03/21/16.

Incident Location

- 519 Baldwin ST, Direction: E, Spokane, WA 99207 - : Central

Use of Force Specific Information

| | | |
|--|-------------------------------------|----------------------------|
| Reason for Use of Force | Service Being Rendered | |
| Assaulting Officer | Call for Service | |
| Weather Condition | Lighting Condition | Distance to Citizen |
| Clear | | b-3-7 feet |
| Citizen Injured | Citizen Taken to Hospital | Citizen Arrested |
| No | Yes | Yes |
| More than 1 Citizen Involved | | |
| No | | |
| Citizen's Build | Citizen's Height | |
| Medium | 5'7" to 5'9" | |
| Officer Assessment of Citizen Condition During Incident | | |
| Mental Health Issues + Drugs/Alcohol | | |
| Officer(s) Injured | Officer(s) Taken to Hospital | |
| No | No | |

Reporting/Involved Citizen Information

Phillip N Leblanc

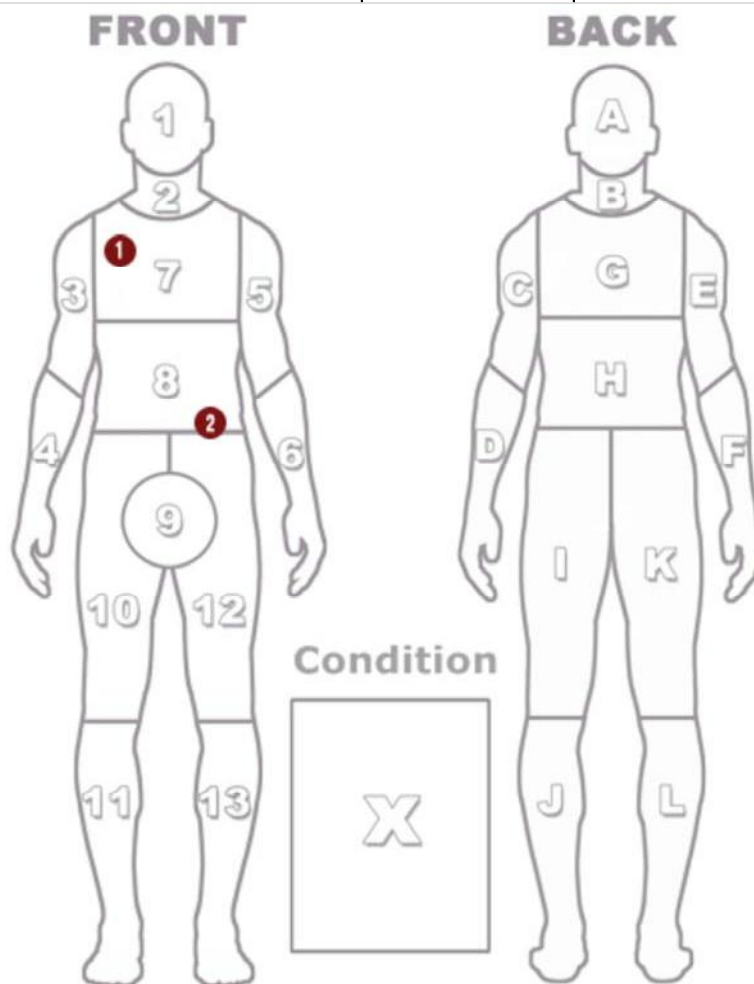
DOB: 10/9/1979 Race: White Gender: Male

Types of Resistance Citizen Used Against Officer(s)

- Assaultive
- Active Resistance

Injuries sustained by this citizen

| Injury | Regions | Injury Locations |
|---------------------------|---------|------------------|
| c-Injury Requiring Medics | 7, 8 | 1, 2 |



Charges against this citizen

- Felony - Person Crime
- Misdemeanor - Property Crime
- Resisting Arrest

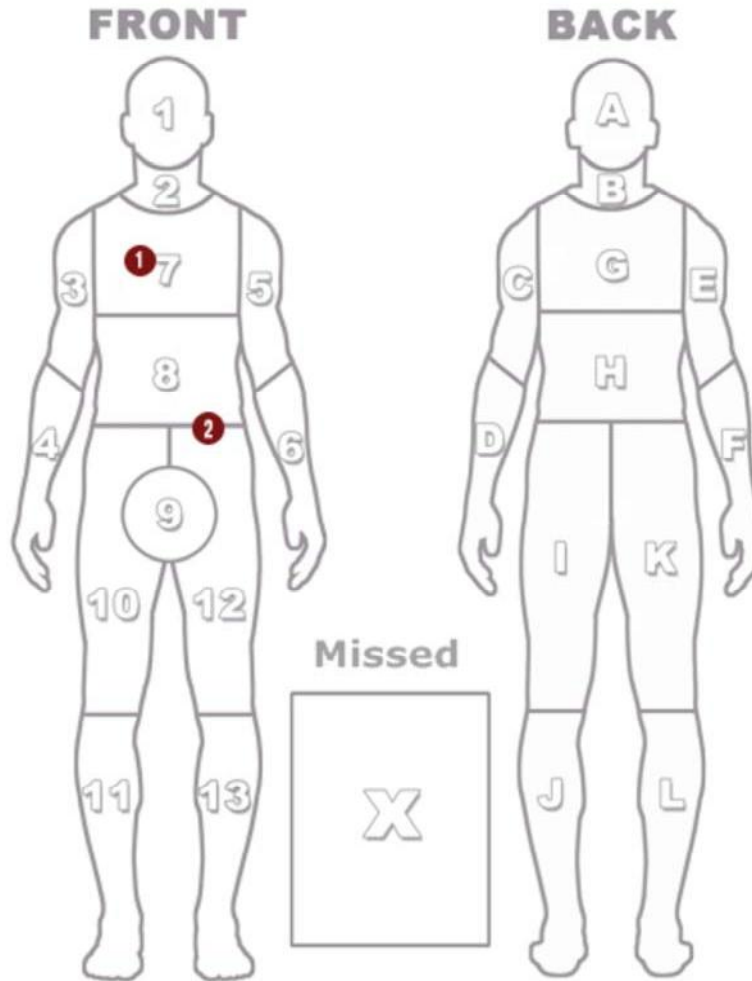
Involved Officers

Officer Aaron Ames - Payroll Number: #5c

Force used by this officer against the citizen

- TASER-Probe - Was force effective: Yes

| Force Used | Effective? | Regions | Points of contact |
|-------------|------------|---------|-------------------|
| TASER-Probe | Yes | 12, 7 | 1, 2 |



Injuries sustained by this officer

| Injury | Regions | Injury Locations |
|------------------------------|---------|------------------|
| No injuries noted or visible | | |

Officer Witnesses

Officer Paul Buchmann - Payroll Number: #5c

Officer Matthew Clark - Payroll Number: #5c

Officer Nathan Donaldson - Payroll Number: #5c

Officer Benjamin Yinger - Payroll Number: #5c

Attachments

| Date Attached | Attachment Description | Attachment Type |
|---------------|------------------------|-----------------|
| 2/18/2016 | Cad Print out | pdf |
| 2/18/2016 | Ames Report | pdf |
| 2/18/2016 | Buchman Additional | pdf |
| 2/18/2016 | Donaldson Additional | pdf |

| | | |
|-----------|---------------------|-----|
| 2/18/2016 | Yinger Additional | pdf |
| 2/18/2016 | Clark Additional | pdf |
| 2/18/2016 | IA Additional | doc |
| 2/18/2016 | Body Camera footage | |
| 2/18/2016 | Taser Download | pdf |
| 3/2/2016 | IMG_0001 | JPG |
| 3/2/2016 | IMG_0002 | JPG |
| 3/2/2016 | IMG_0003 | JPG |
| 3/2/2016 | IMG_0004 | JPG |
| 3/2/2016 | IMG_0005 | JPG |
| 3/2/2016 | IMG_0006 | JPG |
| 3/2/2016 | IMG_0007 | JPG |
| 3/2/2016 | IMG_0008 | JPG |
| 3/2/2016 | IMG_0009 | JPG |
| 3/2/2016 | IMG_0010 | JPG |
| 3/2/2016 | IMG_0011 | JPG |
| 3/2/2016 | IMG_0012 | JPG |
| 3/2/2016 | IMG_0013 | JPG |
| 3/2/2016 | IMG_0014 | JPG |
| 3/2/2016 | IMG_0015 | JPG |
| 3/2/2016 | IMG_0016 | JPG |
| 3/2/2016 | IMG_0017 | JPG |
| 3/2/2016 | IMG_0018 | JPG |
| 3/2/2016 | IMG_0019 | JPG |
| 3/2/2016 | IMG_0020 | JPG |
| 3/2/2016 | IMG_0021 | JPG |
| 3/2/2016 | IMG_0022 | JPG |
| 3/23/2016 | Photo Log | pdf |

Chain of Command History

| Sent Dt | From | To | CC | Approved |
|--|---------------------------|---------------------------|--------|-------------------------------------|
| 2/18/2016 | Sergeant Richard Meyer | Lieutenant Matthew Cowles | (none) | <input type="checkbox"/> |
| Sender's Instructions: Sir , Attached is a UOF for your review. Thanks Rich | | | | |
| Recipient's Comments/Response: Rich, Can you add the type of force used in the report? Thanks Matt | | | | |
| 2/22/2016 | Lieutenant Matthew Cowles | Sergeant Richard Meyer | (none) | <input checked="" type="checkbox"/> |
| Sender's Instructions: See comments | | | | |
| Recipient's Comments/Response: Sir, I added the type of force used per the request. Thanks Rich | | | | |
| 2/22/2016 | Sergeant Richard Meyer | Lieutenant Matthew Cowles | (none) | <input checked="" type="checkbox"/> |
| Sender's Instructions: Sir, The force used was added per request. Thanks Rich | | | | |
| Recipient's Comments/Response: To IA for photographs. | | | | |
| 2/25/2016 | Lieutenant Matthew Cowles | Internal Affairs | (none) | <input checked="" type="checkbox"/> |
| Sender's Instructions: Per your request. Here is 016 for photos Matt | | | | |
| Recipient's Comments/Response: [Forwarded by Sergeant David Staben] | | | | |
| 3/2/2016 | Sergeant David Staben | Lieutenant Matthew Cowles | (none) | <input checked="" type="checkbox"/> |
| Sender's Instructions: photos attached | | | | |
| Recipient's Comments/Response: In review of the attached documents the use of force, Taser Probe Application (x3), by Officer Ames was within Policy. | | | | |
| 3/16/2016 | Lieutenant Matthew Cowles | Captain Daniel Torok | (none) | |

| | | | | |
|--|----------------------|------------------------|--------|-------------------------------------|
| | | | | <input checked="" type="checkbox"/> |
| Sender's Instructions: Captain, Attached are documents related to a use of force, Taser Probe Application, by Officer Ames for your review. Please let me know if you have any questions. Very Respectfully, Matt | | | | |
| Recipient's Comments/Response: The use of force was reasonable and within policy. | | | | |
| | | | | |
| 3/21/2016 | Captain Daniel Torok | Asst Chief Craig Meidl | (none) | <input checked="" type="checkbox"/> |
| Sender's Instructions: for review | | | | |
| Recipient's Comments/Response: Use of force compliant with policy. | | | | |

Entering Officer Signature Line

Sergeant Richard Meyer

Chain of Command Signature Lines

Lieutenant Matthew Cowles

Sergeant Richard Meyer

Sergeant David Staben

Captain Daniel Torok

Asst Chief Craig Meidl



Spokane Police Department
Internal Investigation



CONFIDENTIAL

IA#
Additional

Complaint Being Investigated Use Of Force (Taser Application)

Complainant Interview Summary Subject not interviewed

Officer Interview Summary Officer Ames stated that the male demonstrated assaultive behavior when he was pacing back and forth on the opposite side of the fence. The male had his fist clinched and was yelling "Come on let's do this" The male ripped down the chain link fence and charged at him. He used his Taser when the male charged at him. Believing that he would be assaulted he deployed his Taser with it having the desired effect.

Witness Interview Summary Although witness's described LeBlanc behavior and drugged or delusional they only observed his behavior and not the assaultive behavior towards Ames or the use of force.

Physical Evidence Photographs taken at the time of the incident

Investigative Summary On February 4, 2016 at approximately 2013 hrs. Ofc. Yinger and Ames responded to a call of a disorderly subject in the area of Addison and Baldwin. As the pair came in the area they located the male. (He was later identified as Philip Norman LeBlanc, LeBlanc stands at 5'9", weighing 170 pounds. Leblanc has a minimal local criminal history).

The Officers were driving in a marked Spokane Police Department patrol car and wearing the uniform of the day.

When they came in the area they spotlighted the male, and he begin fleeing on foot. They contained the subject in the 500 block of East Baldwin. After a short time they located in the back of 519 E. Baldwin.

Ames contacted the subject in the back of the yard towards the alley, after he heard a female screaming "get off my property" and somewhat in a panicked state. Ames observe the male as he tried to climb over the fence he ordered the male to get down and advise him that he was under arrest. The male got off the fence and began pacing back and forth on the opposite side of the fence, Ames described that the male was speaking in tongues and had his fist clinched. The

male then began to “rip” down the fence and began charging at Ames. Ames deployed his assigned Taser within 5-8 feet of the male charging at him. The Taser was in dark mode which struck the subject in the upper torso. The Taser had a desired effect and made the subject go to the ground. After the five second deployment the male attempted to get up to his feet which he did as Ames was giving verbal commands not to and that he was under arrest. The male got up a second time and began to charge at Ames. The third attempt of a Taser application was not successful. Ames used a leg trip and sent the male to the ground. At this time Ofc. Yinger came to the back to assist in the arrest of the male. He was pinned down to the ground until other officer arrived on scene to take him into custody. He was later transported to the hospital for a possible excited delirium episode. No other force was used at the time to take the subject into custody.

Ofc. Ames does not currently have a Department issued body camera to document this incident although other on scene have footage of the subject’s demeanor after the incident.

Based on the officer and witness statements and the available physical evidence, all indicators are that the suspect was an assaultive resistor. The application of a Taser application (Probe mode) on an assaultive subject is an objectively reasonable application of force and is consistent with department training and practices.

After Action Review

Ames is scheduled to attend the Use of Force writing class and the body camera class next training cycle.

R.Meyer # 607 / L288 / S/

Incident History for: #SP160042015 Xref: #SP160042025

Entered 02/04/16 22:11:42 BY 91114 911254
Dispatched 02/04/16 22:13:16 BY A441 698
Enroute 02/04/16 22:13:16
Onscene 02/04/16 22:14:23
Closed 02/05/16 01:05:50

Initial Type: TRFHAZ Final Type: ASLT (ASSAULT)

Initial Priority: 2 Final Priority: 1

Disposition: 1A Source: 9 Primary Unit: C350

Police BLK: SPB4LO

Group: P4 Beat: Map Page: 32

Loc: N ADDISON ST/E BALDWIN AV ,SPK <1900,400> (V)

Name: ILG,AUSTIN

Addr: 428 E BALDWIN

Phone: 5035505916

/221142 (911254) ENTRY PAST 2 MIN. INTOX/HIGH MALE IN YARD AND MIDDLE
OF INTX, YELLING. NO WEAPO NS. POINTING AT CO
MP, YELLING "666"
/221142 \$FCSEND ,Incident data pushed to folder
/221143 (*****) \$FCACK ,Processed Successfully
/221202 (911254) SUPP TXT: MALE:WM, 30'S, GRY HOODIE, JEANS.
/221213 CHANGE NAM: AUSTIN --> ILG,AUSTIN,
TXT: ###
/221316 (698) *DISPER A441 #698 YINGER, BENJAMIN
#637 AMES, AARON
/221423 *ONSCNE A441
/221512 (1234) MISC A441 ,MALE IS RUNNING THROUGH YARDS, GOING NORTH AD
N EAST, HOPPING FENCES, BALDWIN
/221529 (702) *ASSTER K16 [N ADDISON ST/E BALDWIN AV ,SPK]
#702 JENSEN, JAKE
/221532 (1234) ASSTER P317 [N ADDISON ST/E BALDWIN AV ,SPK]
#625 BUSCH, KEVIN
/221534 (507) *ASSTER P313 [N ADDISON ST/E BALDWIN AV ,SPK]
#507 BLESSING, ERIN
/221535 (1233) *ASSTER B325 [N ADDISON ST/E BALDWIN AV ,SPK]
#1233 TOAL, AUSTIN
/221541 (607) *ASSTER L288 [N ADDISON ST/E BALDWIN AV ,SPK]
#607 MEYER, RICHARD
/221542 (735) *ASSTER K10 [N ADDISON ST/E BALDWIN AV ,SPK]
#735 BUCHMANN, PAUL
/221549 (1234) MISC A441 ,RESTRICT
/221557 (507) \$PREMPT P313
/221644 (1141) CALLBK A441 T/PCC01
,JUST WENT EB
/221646 (702) \$PREMPT K16
/221705 (1233) *PREMPT B325
/221709 (735) \$PREMPT K10
/221812 (244) *ASSTER L244 [N ADDISON ST/E BALDWIN AV ,SPK]
#244 LEE, TOM
/221817 (507) *ASSTER P313 [N ADDISON ST/E BALDWIN AV ,SPK]
#507 BLESSING, ERIN
/221819 (1234) MISC A441 ,FIGHTING ONE IN THE ALLEY
/221821 (604) *ASSTER L176 [N ADDISON ST/E BALDWIN AV ,SPK]
#604 COWLES, MATTHEW
/221828 (1141) MISC A441 ,500 E BALDWIN ONE ON GROUND, TASER APP
/221830 (1267) MISC A441 ,500 E BALDWIN ONE ON GROUND
/221838 NEWLOC A441 [500 E BALDWIN]
/221841 (1210) CALLBK A441 T/PCC03
,FIRE STAGED

/221842 (625) *ONSCNE P317
 /221842 (1046) *ASSTER A443 [500 E BALDWIN]
 #1046 ROGAN, GREGORY
 ,TASERED NOT IN CUSTODY
 /221852 (1267) MISC A441
 /221921 (244) \$PREMPT L244
 /221926 (657) MISC A441 ,STILL RESTISTING NOT IN CUSTODY
 /221927 (1267) MISC A441 ,NOT IN CUSTODY STILL RESISTING AND FIGHTING
 /221943 (1210) MISC P317 ,NO INJS ON PRINCETON
 /221954 (604) *ONSCNE L176
 /222009 (1267) ASSTER K10 [500 E BALDWIN]
 #735 BUCHMANN, PAUL
 /222019 (730) *ASSTER B320 [500 E BALDWIN]
 #730 HANEY, SCOTT
 /222045 \$PREMPT B320
 /222048 (1046) \$PREMPT A443
 /222055 (1234) CALLBK L176 T/PCC05
 ,MEDICS STEP IT UP EXCITED DELIRIUM
 /222100 (1210) MISC P317 ,C4 ON PRINCETON, UNITS CHECK AREA
 /222113 (657) CALLBK T/PCC01
 ,FIRE ADV
 /222132 (1267) MISC A441 ,C4
 /222135 (507) *ONSCNE P313
 /222141 (1234) MISC L288 ,SOUTH ALLEY ERMINA/BALDWIN
 /222159 (604) *ONSCNE L176
 /222239 (607) *PREMPT L288
 /222256 (1141) ONSCNE K10
 /222334 (657) \$CROSS #SP160042025
 DUP #SP160042025
 /222334 DUP NAM: FEMALE
 ADR: SAME
 PHO: 5092701323
 /222346 (1267) CALLBK P313 T/PCC05
 ,ADV MEDICS TO ACCESS FM EAST SIDE ALLEY
 /222354 NEWLOC P313 [500 E BALDWIN]
 /222410 (657) CALLBK T/PCC03
 ,FIRE ADV
 /222431 (1267) REMINQ P313 WANT,P313,,,,,,LEBLANC,PHILLIP,N,1979,10,09,,
 ,,,,,,2
 /222650 (1234) MISC L176 ,DANTE PHEONIX WM 20S
 /222704 (698) *REMINQ A441 MWANT,,,,,,LEBLANC,PHILLIPN,1979,10,09,,,,,,
 ,,,,,,
 /222730 *REMINQ A441 MWANT,,,,,,#4b,,,,,,
 /222749 (1234) MISC L176 ,100979 PHILIP LABLANC
 /223317 (1210) MISC P317 ,TALKING TO ONE IN FRONT
 /223502 ASSTOS C350 [500 E BALDWIN]
 #1272 CLARK, MATTHEW
 #973 DONALDSON, NATHAN
 /223604 MISC C350 ,#####
 /223648 (1267) MISC A441 ,CAN UNRESTRICT CH1
 /223821 (1210) \$PREMPT P317
 /224438 (1234) ENROUT A441 [DEAC]
 ,AMR TRANS W/ #698 IN AMB, #637 FOLLOWING UP T
 O HOSP
 /224655 MISC A441 ,#698 IN AMB W/ BAD GUY, AND AMES FOLLOWING
 /224908 (507) *REMINQ P313 MWANT,,,,,,DASSOW,SPENCEL,1981,03,16,,,,,,
 ,,,,,,
 /225027 *MISC P313 ,DASSOW NOT RELATED TO THIS CALL, RAN HIS NAME
 FROM A TS EARLIER IN THE SHIFT
 /225104 (604) *MISC L176 ,CONTACTED PERSONS AT 520 E. ERMINA. HAD NOT S
 EEN OR HEARD ANYTHING. NO OTHER WITNESSES IN A

REA.

| | | | | |
|----------------------------|---------|----------|------|---|
| /225110 | | *CLEAR | L176 | |
| /225150 | (507) | *MISC | P313 | ,UNABLE TO TAKE PHOTOS OF PHILLIP SINCE HE WAS LEG RESTRAINED, UNCOOP, AND WEARING A SPIT MA SK |
| /225159 | | *MISC | P313 | ,PSTAT/ASST PSTAT/VIDN |
| /225210 | | *CLEAR | P313 | |
| /225441 | (698) | *ONSCNE | A441 | |
| /225453 | (1272) | *CHGLOC | C350 | [DEAC] |
| /225655 | (1234) | ASSTOS | C355 | [500 E BALDWIN] #1238 HICE, SCOTT |
| /225718 | | REMINQ | C355 | WANT,C355,,,,,,ZOTTER,BRIAN,C,1983,07,10,,,, //// |
| /225819 | | REMINQ | C355 | WANT,C355,,TX,,,,,ZOTTER,BRIAN,C,1983,07,10,M, //// |
| /230001 | (369) | *ASSTOS | L269 | //// |
| /230318 | (1234) | REMINQ | C355 | [DEAC] #369 TILLEY, RONALD G |
| /230326 | | REMINQ | C355 | WANT,C355,,,,,,#4b 0 |
| /230351 | | REMINQ | C355 | WANT,C355,,,,,,#4b |
| /230432 | (735) | *CLEAR | K10 | WANT,C355,,,,,,#4b |
| /230815 | (1238) | *REMINQ | C355 | ,PSTAT/ASST PSTAT/RPT PSTAT/VIDY |
| /230913 | | *REMINQ | C355 | MWANT,,,,,,#4b |
| /231053 | | *REMINQ | C355 | MWANT,,,,,,#4b |
| /231430 | | *REMINQ | C355 | MWANT,,,,,RYAN,ANDREWEMERSON,1993,03,08,M,, //// |
| /231627 | | *REMINQ | C355 | MWANT,,,,,,REINKING,KEVINMATTHEW,1984,11,18,M //// |
| /231709 | | *CLEAR | C355 | 6 ,PSTAT/ASST |
| /232053 | (1267) | ASSTER | P323 | [DEAC] #560 SPIERING, NATHAN J |
| /232120 | | \$PREMPT | P323 | |
| /232120 | | \$ASSTER | P301 | #287 HAGER, BILL |
| /232120 | | PREDSP | P323 | P301 |
| /232909 | (287) | *ONSCNE | P301 | |
| /234247 | (507) | *ASSTER | P313 | [DEAC] #507 BLESSING, ERIN |
| /234840 | | *MISC | P313 | ,WAS TOLD P301 TAKING PICS AT DEAC OF PHILLIPS |
| /234842 | | *PREMPT | P313 | |
| /235326 | (369) | *CLEAR | L269 | ,PSTAT/ASST PSTAT/VIDN |
| /235548 | (1272) | *CHGLOC | C350 | [PROPERTY] |
| /235657 | (698) | *CHGLOC | A441 | [1] |
| *** New Date: 02/05/16 *** | | | | |
| /000037 | (1272) | *ONSCNE | C350 | |
| /001637 | (698) | *ONSCNE | A441 | |
| /001910 | | *MISC | A441 | ,LEBLANC ARRESTED FOR TWO COUNTS OF ASSAULT 3R D DEGREE LE...HOWEVER HIS CONDITION AT THE HOS PITAL WAS DETERMINED TO WARRANT HIM BEING ADMI TTED TO THE HOSPITAL FOR A DAY OR THREE... |
| /002012 | | *MISC | A441 | ,LEBLANC WAS UN-ARRESTED AND ALLOWED TO REMAIN AT THE HOSPITAL UNDER THE CARE OF THE DOTORS AND THE SECURITY STAFF...SGT. TILLEY WAS ADVIS ED OF THE SITUATION...PC EXISTS ON LEBLANC FO R CITY MALICIOUS MISCHIEF AS WELL... |
| /002028 | | *MISC | A441 | ,AS WELL AS RESISTING ARREST.... |
| /002109 | (1234) | OK | A441 | |
| /002112 | | OK | C350 | |
| /002151 | (698) | *MISC | A441 | ,ALL CHARGES ON LEBLANC WILL BE COMPLETED VIA PAPERWORK AT THIS TIME.... |
| /002156 | | *MISC | A441 | ,PSTAT/CFS PSTAT/FEL PSTAT/FEL PSTAT/MISD PSTA |

| | | | | | |
|---------|----------|---|----------|------|--|
| /002614 | (287 |) | *MISC | P301 | T/MISD PSTAT/RPT |
| /002642 | | | *MISC | P301 | ,TOOK PICS OF OFFICERS AND THEIR INJURIES |
| /002654 | (1272 |) | *CHGLOC | C350 | ,TOOK PICS OF SUSPECTS INJURIES |
| /002717 | (287 |) | *MISC | P301 | [LOGAN] |
| | | | | | ,SECURITY WAS CONCERNED THAT WE WERE ALL LEAVI |
| /002934 | (698 |) | *CLEAR | A441 | NG HOSPITAL |
| | | | | | TYP: TRFHAZ --> ASLT |
| | | | | | RSP: P --> P |
| | | | | | DSP: 1A |
| | | | | | ,SEE COMMENTS.... |
| /002949 | (287 |) | *MISC | P301 | ,IT WAS EXPLAINED THAT BECAUSE OF THE MEDICAL |
| | | | | | CONDITION OF THE SUSPECT AND THE DOCTORS ADMIT |
| | | | | | TING HIM INTO THE HOSPITAL, HE WAS NO LONGER I |
| | | | | | N OUR CUSTODY. |
| /003308 | (1272 |) | *ONSCNE | C350 | |
| /003343 | | | *NEWLOC | C350 | [LOGAN PAPER] |
| /003758 | (287 |) | *MISC | P301 | ,CHARGES WILL BE DONE LATER BY AFFIDAVIT. |
| /003929 | | | *MISC | P301 | ,PHOTO LOG COMPLETED |
| /003936 | | | *CLEAR | P301 | ,8K PSTAT/ASST |
| /010550 | (1272 |) | \$PREMPT | C350 | |
| /010550 | | | CLOSE | C350 | |
| /132734 | (911108) | | MISC | | ,### |
| /135137 | (320 |) | CROSS | | #SP160042703 |

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

| | | | | | |
|---|--|---|----------------------------------|--|---|
| AGENCY NAME/SUBSTATION SPD | | EVIDENCE NUMBER | | INCIDENT NUMBER 16-042015 | |
| INCIDENT TYPE Drug Involved | | INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE | | ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #2 ASSAULT-SIMPLE | |
| | | INCIDENT CLASSIFICATION #3 RESISTING ARREST | | ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #4 MALICIOUS MISCHIEF | |
| | | RESPONDING TO (Officer Assault) Responding to Disturbance | | ASSIGNMENT (Officer Assault) Two Person Vehicle | |
| REPORTED ON Thu 02/04/2016 22:11 | DATE/TIME | OCCURRED ON Thu 02/04/2016 22:00 | DATE/TIME | OCCURRED TO Thu 02/04/2016 00:30 | DISTRICT |
| DISPATCH TIME | ARRIVED TIME | CLEARED TIME | REPORT DATE 02/05/2016 | REPORT TIME 01:35 | EST. TOTAL PROPERTY LOSS |
| PRIMARY CHARGE | | | | | UCR/NIBRS CODE |
| LOCATION OF INCIDENT 519 E Baldwin Avenue, Spokane, WA 99207 | | | | LOCATION NAME (IF APPLICABLE) | |
| SOLVABILITY FACTORS PC Affidavit Completed, Suspect Named, Useful Physical Evidence, Witness to Crime | | | | | |
| RELATED INCIDENT NUMBERS | | | | | INCIDENT XREF |
| ADDITIONAL REPORTING OFFICERS Ofc. B. Yinger / Ofc. N. Donaldson / Ofc. M. Clark | | | | | |
| SUSPECTS <small>S-Suspect, V-Victim - Individual, A-Arrested Person, VB-Victim - Business, M-Missing, MR-Person Mentioned, RO-Registered Owner, V-Deceased, PS-Passenger, PE-Pedestrian, PC-Pedestrian-Cyclist, O-Other, C-Complainant, IN-Institutional, G-Legal Guardian, D-Driver, W-Witness, CV-Complainant Is Victim, CO-Contact, RU-Runaway, OW-Owner of Property</small> | | | | | |
| CODE S-1 | NAME: LAST, FIRST, MIDDLE LeBlanc, Phillip Norman | | | SEX M | RACE/ETHNICITY W-White/Non-Hispanic |
| DATE OF BIRTH/AGE 10/09/1979 36 | HEIGHT 5'09" | WEIGHT 170 | BUILD Medium | HAIR Brown | EYES Brown |
| CONFIDENTIALITY <input type="checkbox"/> | ADDRESS: STREET, CITY, STATE ZIP 505 E Baldwin Avenue, Spokane, WA 99207 | | | RESIDENTIAL STATUS | PHONE |
| PLACE OF EMPLOYMENT/SCHOOL/ ADDRESS | OCCUPATION | | | EMPLOYER PHONE | |
| ADDITIONAL PHONES (Cell) (206) 518-2637 | | | | | |
| DRIVER'S LICENSE <input type="checkbox"/> FAKE | STATE | SOCIAL SECURITY NO. <input type="checkbox"/> FAKE | OTHER ID | | |
| #4b | | #4a | | | |
| VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim - Individual, A-Arrested Person, VB-Victim - Business, M-Missing, MR-Person Mentioned, RO-Registered Owner, V-Deceased, PS-Passenger, PE-Pedestrian, PC-Pedestrian-Cyclist, O-Other, C-Complainant, IN-Institutional, G-Legal Guardian, D-Driver, W-Witness, CV-Complainant Is Victim, CO-Contact, RU-Runaway, OW-Owner of Property</small> | | | | | |
| CODE V-1 | NAME: LAST, FIRST, MIDDLE Aaron Ames, J SPO | | | SEX M | RACE/ETHNICITY W-White |
| DATE OF BIRTH/AGE #5b | HEIGHT | WEIGHT | BUILD | HAIR | EYES |
| CONFIDENTIALITY <input type="checkbox"/> | ADDRESS: STREET, CITY STATE ZIP 1100 W Mallon Avenue, Spokane, WA 99260 | | | RESIDENTIAL STATUS | PHONE |
| PLACE OF EMPLOYMENT/SCHOOL/ADDRESS | OCCUPATION Employed | | | EMPLOYER PHONE | |
| ADDITIONAL PHONES (Work) (509) 242-8400 x.20637 | | | | | |
| HATE BIAS | CIRCUMSTANCES | | | | |

| | |
|---|---|
| ID NO./NAME OF REPORTING OFFICER #637 - Ames, Aaron | DISTRIBUTION Mental Health Services |
| APPROVAL #240 - Hollenbeck, Kip | DATE/TIME 02/05/2016 06:31 |

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

| | | | | | |
|---|---|---|-------------------------------------|---|---|
| INCIDENT CLASSIFICATION ASSAULT-SIMPLE | | ATTEMPTED <input type="checkbox"/> | | INCIDENT NUMBER 16-042015 | |
| TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES Apparent Minor Injury | | | TYPE OF VICTIM Individual | | MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO |
| HOSPITAL TAKEN TO | TAKEN BY | <input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY | ATTENDING PHYSICIAN | SUICIDE NOTE FOUND? <input type="checkbox"/> | HOLD PLACED BY |
| CODE V-2 | NAME: LAST, FIRST, MIDDLE Benjamin Yinger, S SPO | | | SEX M | RACE/ETHNICITY W-White |
| HEIGHT | WEIGHT | BUILD | HAIR | EYES | DATE OF BIRTH/AGE #5b |
| CONFIDENTIALITY <input type="checkbox"/> | ADDRESS: STREET, CITY STATE ZIP 1100 W Mallon Avenue, Spokane, WA 99260 | | | RESIDENTIAL STATUS | PHONE |
| PLACE OF EMPLOYMENT/SCHOOL/ADDRESS | | | OCCUPATION | EMPLOYER PHONE | |
| ADDITIONAL PHONES (Work) (509) 242-8400 x.20698 | | | | | |
| TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES Apparent Minor Injury | | | TYPE OF VICTIM Individual | | MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO |
| HOSPITAL TAKEN TO | TAKEN BY | <input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY | ATTENDING PHYSICIAN | SUICIDE NOTE FOUND? <input type="checkbox"/> | HOLD PLACED BY |
| NARRATIVE | | | | | |

On 02/04/16 around 2213 hours Ofc. B. Yinger and I were working as a two-officer patrol unit, and dispatched to the area of Addison / Baldwin reference a disorderly subject at the location. Austin M. Ilg (102692) called in to the Police, advising a male subject was there screaming and yelling in the middle of the street / intersection.

Ilg stated the male subject appeared to be either high and / or intoxicated, he was pointing at Ilg, and he kept yelling "666." Ilg then described the disorderly male subject as a W/M, approximately 30 years of age, and said he was wearing a gray hooded sweatshirt and jeans.

Ofc. Yinger and I arrived on scene at the Addison / Baldwin location only a minute after being dispatched, and observed the W/M subject described by Ilg standing on the N/E corner of the intersection. The W/M subject was later identified as Phillip N. LeBlanc (100979).

As we approached LeBlanc standing at the N/E corner of the intersection, he immediately crouched down behind a car parked there as if he was attempting to hide. Ofc. Yinger pulled up in front of this vehicle, and we began shining a spotlight on LeBlanc in order to illuminate him and try to see what he was doing behind the car.

LeBlanc then immediately jumped up from behind the vehicle, and began running up towards the houses on the north side of Baldwin. LeBlanc was sprinting and jumping all around up in front of the houses, and as I turned my spotlight on him he darted in between the houses at about 509 E. Baldwin or 515 E. Baldwin.

Ofc. Yinger drove E/B on Baldwin to try and keep an eye on LeBlanc, and he was observed jumping the fence into the backyards and running N/B away from us. Ofc. Yinger advised dispatch that we had a male subject running from us, and asked for more units to respond to assist.

Ofc. Yinger quickly maneuvered our patrol vehicle E/B on Baldwin to Standard, and into the north alleyway of Baldwin. Ofc. Yinger and I then used both of our patrol vehicle spotlights to illuminate the alley (W/B), and we waited briefly to see if Leblanc would be seen running into and / or

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED

INCIDENT NUMBER
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N/B across the alley

Ofc. Yinger and I did not notice any movement in the alley, and I believed that LeBlanc had possibly not been fast enough to make it into and / or past the alley yet. I was thinking that we had LeBlanc locked down in the 500 block of east Baldwin, and so I wanted to set up some type of containment since other officers were en route.

I exited our patrol car to stay in the alley, while directing Ofc. Yinger to drive back out to Baldwin so he could lock the south side down. As Ofc. Yinger began heading back towards Baldwin in our patrol vehicle, I observed LeBlanc briefly run into the alley.

I started running W/B in the alley to try and close distance on LeBlanc, and he suddenly disappeared into the backyard of 515 E. Baldwin. As I made it to the alley in behind 515 E. Baldwin, I looked to the south and saw that LeBlanc was currently standing in the darkness in between 515 E. Baldwin and 509 E. Baldwin.

I then witnessed Ofc. Yinger driving W/B out on the street past where LeBlanc was hiding, and LeBlanc ran E/B in front of the 515 E. Baldwin address as Ofc. Yinger drove by. I ran to the front of the 515 E. Baldwin address, and as I looked to the east LeBlanc was once again not visible.

I immediately heard the sound of loud banging going on just to the east, where it was later determined LeBlanc was destroying a fence on the west side of 519 E. Baldwin. I could hear the sound of a female subject screaming, and saying something similar to "you broke my fence....get off property" and some other fairly frantic yelling.

I did not see LeBlanc come back out to the front side of the houses, and I advised Ofc. Yinger that it appeared LeBlanc was heading back N/B towards the alley. I quickly ran back into the alley, in order to try and contain LeBlanc even further at 519 E. Baldwin.

As I made it out into the alley, I noticed LeBlanc starting to climb a chain link fence out of the backyard of 519 E. Baldwin. I initially attempted to remain out of sight in the dark alley, and was going to wait to contact LeBlanc when he finally jumped down from the fence.

LeBlanc had one leg over the top of the chain link fence to start descending down into the alley, however for some reason he glanced over in my direction and saw me standing there. I then lit LeBlanc up with my flashlight, identified myself as Spokane Police, and advised him to come down off the fence.

LeBlanc immediately lifted himself back up over the top of the fence, and dropped back into the backyard of 519 E. Baldwin. I could see that Ofc. Yinger had pulled up in front of the 519 E. Baldwin address, and he was currently illuminating LeBlanc with the patrol vehicle spotlight from the street so he was basically trapped.

I advised LeBlanc that he had no where else to run, and he needed to just give up. LeBlanc was growling and spouting out incomprehensible gibberish, and at this point I was face to face with him and finally able to see his face and from a close distance.

LeBlanc was sweating profusely, and he had a wide eyed / blank stare on his face. LeBlanc appeared to be under the influence of some mind altering substance, and as I attempted to communicate with him to give up there was no intelligible / comprehensible response.

LeBlanc momentarily stood behind the chain link fence, he started pacing, and flapping his arms about as if he was not in control of his body. LeBlanc then reached up and grabbed hold of the

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

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chain link fence, and proceeded to rip it down straight to the ground.

Due to my training and experience and from all the signs I had observed up to this point, it appeared LeBlanc was exhibiting behaviors conducive to the onset of an excited delirium episode. That being said communication with LeBlanc would likely not be effective, he would have little to no pain compliance, and elevated human strength.

I yelled for LeBlanc to get on the ground, however he immediately began flexing his arms with closed fists, and yelling something like "come on...lets do this." I then continued to command LeBlanc to get on the ground, however as he ignored all of my commands and was challenging me I believed he was getting himself prepared to fight me.

I began removing my taser from my patrol jump suit, and LeBlanc suddenly charged at me running with his fists up. I deployed the taser towards LeBlanc in the probe mode, and by this time he was approximately 5-8 feet away and still sprinting towards me.

The darts appeared to strike LeBlanc in the torso area of his body, he immediately fell to the ground, the probes appeared to have a good connection, and the taser provided the desired effect of neural muscular incapacitation. LeBlanc was so close when he fell, that I was still forced to dodge him falling at / near my feet.

LeBlanc began thrashing / rolling around on the ground and yelling, and I was commanding him to stop fighting. I screamed for LeBlanc to get on his stomach and stop resisting, however once the 5 second taser cycle ended he immediately began to get to his feet.

I advised LeBlanc to stay on the ground and stop fighting or he would be tasered again, but he ignored my commands and got to his feet once again. I was concerned LeBlanc was going to try and charge at me, and or assault me again and I could see the taser probes were still attached to LeBlanc's torso.

LeBlanc began facing me as he got to his feet, and I deployed a second application of the taser. LeBlanc fell to the ground once again, and this was about the same time that Ofc. Yinger finally drove into the alley. The initial deployment of the taser appeared to have a good connection, and momentarily had the desired effect of neural muscular incapacitation this second time.

However, LeBlanc only went to the ground momentarily and he popped right back up. It seemed apparent that the taser connection was interrupted, and allowed LeBlanc to regain his bearing and able to continue fighting. I kept telling LeBlanc to stop fighting and resisting, and to get to the ground. LeBlanc refused to comply.

Ofc. Yinger was exiting the patrol car to assist me, and I attempted to deploy one more cycle of the taser to try and gain compliance from LeBlanc. The taser was not having any effect, I could see the taser wires all over the place as if they were broken, and so I tossed it aside in order to try and transition to something else.

LeBlanc immediately charged at me a second time, and I quickly stepped off line, turned my body away from him, and stuck my left leg out in an attempt to use his speed / momentum to trip him to the ground. LeBlanc stumbled over my leg, and he fell to the ground up next to the wood fence on the south side of the alley.

Ofc. Yinger quickly closed space to LeBlanc as he was on the ground, and I joined him as we pinned LeBlanc to the ground. LeBlanc did have time to roll over on to his back, however Ofc.

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Yinger and I were able to keep him in that position. LeBlanc was still kicking his feet up towards us as he was on his back, grabbing my hands, and refused to stop resisting and fighting the duration of our contact.

Ofc. Yinger and I realized there was no way we could safely get LeBlanc into custody / handcuffs without further escalating the altercation, and so we just agreed to keep LeBlanc on the ground as he struggled to get away and keep fighting. LeBlanc was told that he was under arrest.

Ofc. Yinger and I called for the other units to step up their response to our location. It should be noted LeBlanc was displaying elevated strength for a person of his size, and very little pain compliance as we continued struggling with him the duration of our entire contact.

LeBlanc was warned numerous times to stop fighting and stop resisting arrest, however he never relaxed and / or became compliant. LeBlanc kept yelling gibberish, and several things like "kill me...kill me...do it quick." LeBlanc would then say, "I love you guys...I forgive you...please don't kill me guys."

Several other officers arrived on scene only a few minutes later, in order to assist us getting control of LeBlanc and get him into custody. It should be noted that LeBlanc continued to struggle, and repeatedly kick at the other officers who arrived on scene as well.

LeBlanc was rolled into a prone cuffing position in the alley, and it still took 6-7 officers to finally get him handcuffed and put in leg restraints due to his continual fighting / resisting. I immediately asked for medics to respond for a possible excited delirium case, and LeBlanc never stopped his above described behavior.

The medics eventually arrived on scene, and LeBlanc was loaded into an ambulance to begin his treatment. It should be noted that LeBlanc was asked what drugs he had ingested, and he initially said the only medication he took was "melatonin" which is a sleep aid.

LeBlanc later said that he took "Adderall," and he also told us he was a diagnosed schizophrenic and bi-polar. LeBlanc denied doing any type of street drugs, even though he was still sweating profusely and twitching so bad he could not control his hands / feet from moving.

Ofc. N. Donaldson contacted the homeowner at 519 E. Baldwin, who wanted to press charges against LeBlanc for damaging her fences. Cpl. E. Blessing took photographs of the damaged property at 519 E. Baldwin. Ofc. Donaldson confirmed that we had probable cause to arrest / charge LeBlanc for City Malicious Mischief.

Ofc. Yinger rode in the ambulance up to Deaconess Hospital with LeBlanc, where he continued thrashing around and resisting any control by anyone. It was decided by the emergency room doctor to administer LeBlanc a strong sedative via hypodermic needle, so he could be taken out of handcuffs / restraints and be medically treated safely.

LeBlanc was eventually taken out of the handcuffs and restraints when the sedative kicked in, and he was four point restrained to the hospital bed. I discovered the two taser probes still stuck in LeBlanc's t-shirt at the hospital, and they were collected / confiscated.

LeBlanc had numerous small bruises / abrasions all over his body from the altercation, the taser probe marks appeared to be on his chest, and he had a small laceration / swelling over his left eye. It should be noted that the injury over LeBlanc's left eye was more than likely caused when he went to the ground the final time, and he struck his head on the wood fence where he was pinned

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

Page 6

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| INCIDENT CLASSIFICATION ASSAULT-SIMPLE | ATTEMPTED <input type="checkbox"/> | INCIDENT NUMBER 16-042015 |
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down.

Lt. M. Cowles had been on scene at the altercation site in the alley, and Sgt. R. Tilley arrived on scene at the hospital. Cpl. W. Hager was summoned to the hospital, and he took photographs of LeBlanc's injuries, some small scratches on the R/S of my face sustained during the altercation, and my dirty uniform.

Cpl. Hager took similar photographs of Ofc. Yinger. My spent taser cartridge (C4102DX50) was given to Ofc. M. Clark, along with the taser probes and the wires removed from LeBlanc to be placed on property. Ofc. Yinger and I determined we had probable cause to charge LeBlanc for two counts of Assault 3rd Degree (Law Enforcement), Resisting Arrest, and also the City Malicious Mischief.

The emergency room doctor then advised us that due to his medical condition, LeBlanc would be admitted into the hospital for at least a day to several days. Sgt. Tilley was again contacted and advised of the situation, and we were advised to un-arrest LeBlanc at that time and charge him for the above listed crimes administratively.

Ofc. Yinger and I advised the hospital staff of the situation, and we cleared the hospital. It should be noted that my taser was then downloaded by Sgt. B. Kakuda and Sgt. Tilley. Ofc. Donaldson interviewed Ilg, and Ofc. Clark interviewed some subjects claiming to be a new roommate of LeBlanc's located in the area.

See all other officers completed reports for further information on this incident. A charge request form was completed on LeBlanc, and it was turned in to be attached to this Xpediter report later.

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

Senior Patrol Officer A.J. Ames #637 - Spokane Police Department -
Unit A441

Date: 02/05/16 Place: Spokane, Washington Signature: /s/ Ofc. A.J. Ames #637

aames@spokanepolice.org

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

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|--|---------------------------------------|-------------------------------------|
| INCIDENT CLASSIFICATION ASSAULT-SIMPLE | ATTEMPTED <input type="checkbox"/> | INCIDENT NUMBER 16-042015 |
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SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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|---|---------------------------------------|----------------------------|---|---------------------------------------|
| AGENCY NAME/SUBSTATION SPD | | EVIDENCE NUMBER | INCIDENT NUMBER 16-042015 | |
| REPORT PURPOSE | | | REPORTED ON DATE Thu 02/04/2016 | TIME 22:20 |
| INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE | 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 02/05/2016 | REPORT TIME 01:02 |
| PRIMARY CHARGE | | | | UCR/NIBRS CODE |
| NARRATIVE | | | | |

On 02-04-16 at about 2215 hours, I was on patrol when I heard Officers Ames and Yinger advise over the radio that a male was running from them in the area of Addison and Baldwin. They then advised that they were in the alley with the male and he was fighting with them. They advised that they had Tasered the male and he was on the ground but still struggling.

Upon arrival, I located them in the north alley of 500 E. Baldwin. Officers Ames and Yinger were holding the male (later identified as Phillip LeBlanc) on the ground next to a fence. I approached and saw LeBlanc struggling to get away from them. I assisted in controlling his legs. LeBlanc was on his back and Officers Ames and Yinger were trying to control his hands.

We rolled LeBlanc onto his stomach and placed him in handcuffs. As we did this, he continued to resist and kept trying to pull and kick away from us. With assistance from several Officers, we were able to get his hands behind his back and in handcuffs. We also placed him in leg restraints to keep him from kicking us. Once he was restrained, we rolled him onto his side to assist in breathing. We also immediately called for medics to respond as we suspected he was possibly suffering from excited delirium.

The whole time I observed LeBlanc, he appeared to be suffering from a mental health and drug induced crisis. He was making guttural noises and yelling nonsensical words. He was not responding to questions in a logical manner and said he had taken melatonin. He had extreme strength and was swearing heavily.

LeBlanc verbally identified himself and admitted that he had mental health issues and suffered from bipolar disorder and schizophrenia.

When medics arrived, I assisted in lifting him onto a gurney and he was loaded into the ambulance.

See reports by other Officers 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.

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| ID NO./NAME OF REPORTING OFFICER #735 - Buchmann, Paul | DISTRIBUTION | |
| APPROVAL #433 - Yamada, Isamu | DATE/TIME 02/05/2016 08:03 | |

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED

INCIDENT NUMBER
16-042015

P. Buchmann #735
Spokane Police K-10

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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|--|---|---------------------------------------|---|---|---------------------------------------|
| AGENCY NAME/SUBSTATION SPD | | EVIDENCE NUMBER | | INCIDENT NUMBER 16-042015 | |
| REPORT PURPOSE | | | REPORTED ON DATE Thu 02/04/2016 | TIME 22:11 | INCIDENT XREF |
| INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE | | 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 02/05/2016 | REPORT TIME 00:51 |
| PRIMARY CHARGE | | | | | UCR/NIBRS CODE |
| VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim, I-Individual, A-Arrested Person, VB-Victim - Business, M-Misuse, MR-Person Mentioned, RO-Registered Owner, Y-Deceased, PS-Passenger, PE-Pedestrian, PC-Pedestrian - Cyclist, O-Other, C-Complainant, IN-Institutional, G-Equal Guardian, D-Driver, W-Witness, CV-Complainant to Victim, COB-Contact, RU-Runaway, OW-Owner of Property</small> | | | | | |
| CODE W-1 | NAME: LAST, FIRST, MIDDLE Dalton, Joanna Irene | | | SEX F | RACE/ETHNICITY W-White |
| | | | | DATE OF BIRTH/AGE 05/17/1954 61 | |
| HEIGHT 5'05" | WEIGHT 130 | BUILD Medium | HAIR Brown | EYES HAZ - Hazel | DESCRIPTORS |
| CONFIDENTIALITY <input type="checkbox"/> | ADDRESS: STREET, CITY STATE ZIP 519 E Baldwin, Spokane, WA 99207 | | | RESIDENTIAL STATUS | PHONE |
| PLACE OF EMPLOYMENT/SCHOOL/ADDRESS | | | OCCUPATION | | EMPLOYER PHONE |
| ADDITIONAL PHONES (Cell) 270-3123 | | | | | |
| DRIVER'S LICENSE <input type="checkbox"/> FAKE | | STATE | SOCIAL SECURITY NO. <input type="checkbox"/> FAKE | | OTHER ID |
| #4b | | | #4a | | |
| | | | | | |
| CODE C-1 | NAME: LAST, FIRST, MIDDLE Ilg, Austin M | | | SEX M | RACE/ETHNICITY W-White |
| | | | | DATE OF BIRTH/AGE 10/26/1992 23 | |
| HEIGHT | WEIGHT | BUILD | HAIR | EYES | DESCRIPTORS |
| | | | | | |
| CONFIDENTIALITY <input type="checkbox"/> | ADDRESS: STREET, CITY STATE ZIP 428 E Baldwin Avenue, Spokane, WA 99207 | | | RESIDENTIAL STATUS | PHONE |
| PLACE OF EMPLOYMENT/SCHOOL/ADDRESS | | | OCCUPATION | | EMPLOYER PHONE |
| ADDITIONAL PHONES (Cell) (503) 550-5916 | | | | | |
| NARRATIVE | | | | | |

Austin Ilg called in a disorderly male in the area of 500 E Baldwin. Officers Ames and Yinger had responded to the original call, and located a male. That male, later identified as Phillip LeBlanc, ran from them. Officer Ames located the male in the alley behind 519 E Baldwin. Officer Ames then broadcast that he was fighting with LeBlanc.

I responded to assist Officers Ames and Yinger along with Officer Clark. We arrived on scene in the alley behind 519 E Baldwin. As I exited my patrol car I could see Officers Yinger and Ames trying to restrain LeBlanc. LeBlanc was laying on the ground, facing a wooden fence. I ran to them and noted the alley was a mixture of ice, mud, and water. It was slippery and I nearly fell once.

LeBlanc was laying partially on his stomach and actively pulling against Officer Ames. I placed my

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| ID NO./NAME OF REPORTING OFFICER #973 - Donaldson, Nathan | DISTRIBUTION | |
| APPROVAL #401 - Bartlett, Glenn | DATE/TIME 02/05/2016 17:01 | |

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED

INCIDENT NUMBER
16-042015

knee on LeBlanc's upper back and neck area to restrain him, and keep him from rolling his body. I told him multiple times to stop resisting. LeBlanc continued to roll his body, pull his arms and tried to work out from beneath us.

I noted Officer Clark was restraining LeBlanc's legs. LeBlanc kicked both legs out and Officer Clark fell backwards. LeBlanc continued to kick his legs while officers worked to restrain his feet.

It was necessary to use a pain compliance technique to assist in LeBlanc's restraint due to the following factors:

1. LeBlanc was under arrest for assaulting Officers Yinger and Ames, a crime of violence. He was continuing to physically resist arrest.
2. LeBlanc was yelling incoherently at us. I heard him mention the devil and "666" several times. He had not yet been completely searched for weapons and was wearing baggy clothing. He had also just kicked at Officer Clark, causing him to fall backwards. He continued to kick his legs violently towards Officer Clark.
3. LeBlanc actively attempted to roll out from beneath me. With four officers holding him on the ground I noted LeBlanc seemed to be easily moving us all around, as if he had superhuman strength. He was kicking his legs in the direction of Officer Clark who was within range of being assaulted.

I then applied a mastoid technique to temporarily disrupt LeBlanc's mental process. The discomfort caused by the technique caused LeBlanc to stop kicking at Officer Clark and he was able to leg restrain LeBlanc. With the leg restraints applied I noted LeBlanc pulled against them. This caused his handcuffs to dig into his wrists. He seemed to not feel the pain.

LeBlanc was rolled onto his left side. He tried to curl up and roll around. I had moved off of his upper back and placed my knee on his upper right arm. I applied pressure to his arm so that he could not move around.

After LeBlanc was placed in the ambulance I interviewed Joanna Dalton. She lives at 519 E Baldwin. She advised that on the date and time she was on her cell phone. She walked to her back window and saw a male standing in her back yard. He was illuminated by her rear porch light. She opened her back door and from a distance of approximately ten feet yelled at him to leave. He stood for a few moments before disappearing.

She walked about her backyard and noted the fence on the west side of her yard was shattered. The rear gate to the alley was also torn off of its hinges. Both had not been damaged before. She wished to press charges but did not offer a dollar amount for the damages.

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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| INCIDENT CLASSIFICATION ASSAULT-SIMPLE | ATTEMPTED <input type="checkbox"/> | INCIDENT NUMBER 16-042015 |
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I noted Dalton's fence. Next to the house it was wooden, and appeared to be old. The boards were broken and the entire section was damaged. The gate was also laying down. However it looked as though it had been lifted off one hinge, this caused the weight to bend the remaining hinge. The gate would not stand back up without repair.

Corporal Blessing photographed the damage to Dalton's fence and gate.

I later contacted the original complainant, Ilg. Ilg lives at 428 E Baldwin. He returned home shortly before his 911 call. When he exited his car he noted a white male standing in the intersection and yelling "666." This concerned him and he went inside and called 911.

See other officers's reports for further.

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.

N. Donaldson #973
Team #9

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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|---|---------------------------------------|---|-------------------------------------|---------------------------------------|
| AGENCY NAME/SUBSTATION SPD | | EVIDENCE NUMBER | INCIDENT NUMBER 16-042015 | |
| REPORT PURPOSE | | REPORTED ON DATE Thu 02/04/2016 | TIME 22:11 | INCIDENT XREF 16-042025 |
| INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE | ATTEMPTED <input type="checkbox"/> | INCIDENT CLASSIFICATION #2 ASSAULT-SIMPLE | | ATTEMPTED <input type="checkbox"/> |
| INCIDENT CLASSIFICATION #3 RESISTING ARREST | ATTEMPTED <input type="checkbox"/> | INCIDENT CLASSIFICATION #4 MALICIOUS MISCHIEF | | ATTEMPTED <input type="checkbox"/> |
| DISPATCH TIME | ARRIVED TIME | CLEARED TIME | REPORT DATE 02/05/2016 | REPORT TIME 03:04 |
| PRIMARY CHARGE | | | | UCR/NIBRS CODE |
| NARRATIVE | | | | |

On 2-4-16 at 2213 hrs, Ofc Ames and I (two officer unit) were dispatched to Addison/Baldwin for a disorderly subject/traffic hazard call. Austin Ilg called at 2211 hrs and reported an intoxicated/high male in the intersection and in a yard yelling. The male was pointing at Ilg yelling "666". The male was described as a W/M in his 30's, wearing a gray hooded sweatshirt and jeans.

We arrived on scene at 2214 hrs and saw the described male running around a parked car on the N/E corner of the intersection. He was later positively identified as Phillip N Leblanc (100979). Leblanc saw our patrol car and attempted to hide from us behind the parked car. I pulled up and shined my spotlight on the parked car. Leblanc immediately ran N/B and onto the front porch of 501 E Baldwin, which was the nearest house on the N/E corner. Leblanc ran towards the front door of the house, but I could not see if he attempted to open it because there was a tree in the front yard blocking my view of Leblanc at the front door. I pulled forward and shined my spotlight on Leblanc again while he was on the front porch of 501 E Baldwin. Leblanc then ran E/B along the front porch and jumped down to the grass. He continued running E/B and he jumped onto the front porch of the neighboring house at 505 E Baldwin. He ran E/B along that front porch and jumped off. He then ran N/B between the houses at 505 E Baldwin and 509 E Baldwin. I was following Leblanc in our patrol vehicle with my spotlight on him. He jumped over a fence into the back yard of 509 E Baldwin. I shined my spotlight on him and saw him climbing over the back fence into the alley. I advised Dispatch that Leblanc was running from us and going into yards.

I drove our patrol car around to Standard and to the north alley of 500 E Baldwin. We did not see Leblanc in the alley at that time. I dropped off Ofc Ames who was going to check the alley on foot. I then shined my spotlight down the alley. Leblanc popped up from a hiding place at the east end of the alley and started running W/B down the alley away from us. I saw Leblanc run W/B for several houses and then run S/B into a back yard again. Ofc Ames followed him on foot and I drove around to Baldwin/Addison to attempt to contain Leblanc in the 500 block of E Baldwin.

I turned our vehicle around at Baldwin/Addison and saw Leblanc emerge from between the houses at 509 E Baldwin and 515 E Baldwin. I shined my spotlight on him and he ran E/B through the front yards. He then ran into the backyard of 519 E Baldwin. I heard loud banging and crashing noises coming from the back yard. I pulled over to the east side of 519 E Baldwin and shined my spotlight into the back yard. I saw Leblanc climbing a 6 foot chain link gate/fence behind 519 E Baldwin that opens to the alley. I then saw Ofc Ames appear in the alley by the gate/fence. I heard Ofc Ames telling Leblanc to get down. I then saw Leblanc drop down from the gate/fence and pull the gate/fence down. The gate/fence was no longer separating Leblanc and Ofc Ames. I saw Leblanc step towards Ofc Ames in a fighter's stance and flex his arms. I heard Leblanc yelling at Ofc

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| ID NO./NAME OF REPORTING OFFICER #698 - Yinger, Benjamin | DISTRIBUTION Mental Health Services, Spokane Mental Health | |
| APPROVAL #433 - Yamada, Isamu | DATE/TIME 02/05/2016 07:55 | |

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED

INCIDENT NUMBER
16-042015

Ames. I believed at that point that Leblanc was done running and he was going to assault Ofc Ames by throwing punches.

I drove around to Standard and into the alley to assist Ofc Ames. It should be noted that the surface of the alley was frozen mud and ice. I entered the east end of the alley and drove W/B towards Ofc Ames and Leblanc. They were directly behind 519 E Baldwin. I saw Ofc Ames had already deployed his Taser in probe mode on Leblanc. Leblanc was down on the ground and thrashing around in the alley. I drove closer to them and observed Leblanc jump back up from the ground. He looked at my approaching patrol car. He was yelling and shouting. He had a wild look on his face and in his eyes. He appeared to be under the influence of drugs or in an altered state of mind. He then focused back on Ofc Ames. Leblanc took a fighter's stance with his fists balled and his feet spread shoulder width apart. Leblanc appeared he wanted to physically fight with Ofc Ames despite being Tasered.

I stopped my patrol car just short of where Ofc Ames and Leblanc were standing. As I was stopping my patrol car, Ofc Ames attempted another 5 second cycle application with his Taser. I saw Leblanc fall to the ground and roll around. The Taser probe wires got entangled around Leblanc's legs and body. Leblanc jumped up again and I realized the Taser was not having the desired effect of stopping Leblanc with neuromuscular incapacitation.

As I was getting out of my patrol car, Leblanc charged at Ofc Ames. Ofc Ames was able to use a leg sweep technique and Leblanc fell to the ground. Leblanc fell against the adjacent 6 foot wooden fence and landed on the ground next to the fence. He struck his head on the fence as he fell. He landed on his rear end and started to get back up again. I pushed him down onto the ground and told him to stay down. He started swinging punches at my chest and towards my face, however I was able to defeat his punches by grabbing his left arm and keeping my head out of reach of his right arm. I placed my knee on Leblanc's chest to hold him down and prevent him from getting up. Ofc Ames got on top of Leblanc and got control of his right arm. We used the adjacent wood fence to keep Leblanc from rolling. Leblanc had not been pat searched and I was concerned he could possibly access a concealed weapon. Leblanc continued to kick his legs, arch his back and tense his arms in an attempt to get out from under us. We told him many times to stop resisting. We told him he was under arrest. Leblanc was screaming and shouting and appeared to be having hallucinations related to the devil.

Ofc Ames and I held Leblanc down on the ground on his back while waiting for more patrol officers to arrive to assist. More officers arrived in the alley, including Lt Cowles. I directed Leblanc that we were going to roll him over and put his hands behind his back. We told him again he was under arrest. We rolled him and he attempted to resist us by tensing his arms and kicking his legs. We got him onto his stomach and into prone handcuffing position. Ofc Clark placed the handcuffs on Leblanc. Leblanc continued to kick his legs and attempt to thrash around on the ground. He was having delusions that he was possessed and hallucinations that he could see dead people. At one point he appeared to be speaking in tongues. Officers placed him in leg restraints to prevent him from kicking.

I located paperwork in Leblanc's wallet with his name on it. I looked at his WA DOL photo and at his listed tattoos and he was positively identified.

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED

INCIDENT NUMBER
16-042015

Ofc Ames and I advised Lt Cowles of the use of force contact with Leblanc.

Medics responded to transport Leblanc to the hospital due to his excited state. Medics transported Leblanc to Deaconess hospital. I rode in the AMR ambulance with Leblanc. He was conscious and breathing and verbal the entire transport. He was having hallucinations and delusions the entire time.

Other officers contacted witnesses in the area. The homeowner of the fence at 519 E Baldwin, Joanna Dalton, was contacted by Ofc Donaldson. She wanted to press malicious mischief charges for the damage to her fence.

At the hospital, Leblanc was placed in an ER exam room and placed in four point soft restraints on the bed. He was given a sedative in order to get him safely placed on the bed and in the restraints.

I observed Leblanc had minor abrasions all over his body from the physical struggle. He also had been bleeding from a laceration above his left eye consistent with striking his head on the wood fence.

My uniform was covered in mud and blood from the struggle with Leblanc in the alley. I discovered a small abrasion above the knuckle of the middle finger on my right hand, and a bruise/abrasion on my right shin. Cpl Hagar took photos of my uniform and of my injuries.

There is PC to arrest Leblanc for two counts of 3rd Assault on Law Enforcement, Malicious Mischief 3rd, and Resisting Arrest. The doctor at Deaconess decided to admit Leblanc into the hospital to monitor him. He advised Leblanc could possibly be in the hospital for up to 3 days monitor his mental/physical health. We conferred with Cpl Hagar and we decided to un-arrest Leblanc at this time since he was being admitted into the hospital for an unknown and possibly lengthy duration. We decided to complete our reports and Leblanc could be charged at a later date. Sgt Tilley was advised of the situation.

See the other involved officers' reports.

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

Ofc B Yinger 698

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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|---|---------------------------------------|----------------------------|---|---------------------------------------|
| AGENCY NAME/SUBSTATION SPD | | EVIDENCE NUMBER | INCIDENT NUMBER 16-042015 | |
| REPORT PURPOSE | | | REPORTED ON DATE Thu 02/04/2016 22:11 | INCIDENT XREF |
| INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE | 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 02/05/2016 | REPORT TIME 00:48 |
| PRIMARY CHARGE | | | | UCR/NIBRS CODE |

VICTIM/WITNESSES/OTHERS SS-Suspect, V-Victim, I-Individual, A-Arrested Person, VB-Victim - Business, M-Missing, MR-Person Mentioned, RO-Registered Owner, V-Deceased, PS-Passenger, PE-Pedestrian, PC-Pedestrian-Cyclist, O-Other, C-Complainant, IN-Incidental, G-Legal Guardian, D-Driver, W-Witness, CV-Complainant to Victim, CON-Contract, RU-Runaway, OW-Owner of Property

| | | | | | | |
|---|---|-------|------|--------------------|---|---|
| CODE W-1 | NAME: LAST, FIRST, MIDDLE Zotter, Brian C | | | SEX M | RACE/ETHNICITY W-White/Non-Hispanic | DATE OF BIRTH/AGE 07/10/1983 32 |
| HEIGHT | WEIGHT | BUILD | HAIR | EYES | DESCRIPTORS | |
| CONFIDENTIALITY <input type="checkbox"/> | ADDRESS: STREET, CITY STATE ZIP 501 E Baldwin Avenue, Spokane, WA | | | RESIDENTIAL STATUS | PHONE | |
| PLACE OF EMPLOYMENT/SCHOOL/ADDRESS | | | | OCCUPATION | EMPLOYER PHONE | |

| | | | | | | |
|---|---|-------|------|--------------------|----------------------------|-------------------|
| CODE W-2 | NAME: LAST, FIRST, MIDDLE Andrew, Ryan | | | SEX - | RACE/ETHNICITY - | DATE OF BIRTH/AGE |
| HEIGHT | WEIGHT | BUILD | HAIR | EYES | DESCRIPTORS | |
| CONFIDENTIALITY <input type="checkbox"/> | ADDRESS: STREET, CITY STATE ZIP 501 E Baldwin Avenue, Spokane, WA | | | RESIDENTIAL STATUS | PHONE | |
| PLACE OF EMPLOYMENT/SCHOOL/ADDRESS | | | | OCCUPATION | EMPLOYER PHONE | |

| | | | | | | |
|---|---|-----------------------|----------------------|---------------------------|----------------------------------|---|
| CODE W-3 | NAME: LAST, FIRST, MIDDLE Reinking, Kevin M | | | SEX M | RACE/ETHNICITY W-White | DATE OF BIRTH/AGE 11/18/1984 31 |
| HEIGHT 5'10" | WEIGHT 180 | BUILD Heavy | HAIR Brown | EYES BLU - Blue | DESCRIPTORS | |
| CONFIDENTIALITY <input type="checkbox"/> | ADDRESS: STREET, CITY STATE ZIP 501 E Baldwin Avenue, Spokane, WA | | | RESIDENTIAL STATUS | PHONE | |
| PLACE OF EMPLOYMENT/SCHOOL/ADDRESS | | | | OCCUPATION | EMPLOYER PHONE | |

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|------------------|-------------------------------|-------|---------------------|-------------------------------|----------|
| DRIVER'S LICENSE | <input type="checkbox"/> FAKE | STATE | SOCIAL SECURITY NO. | <input type="checkbox"/> FAKE | OTHER ID |
| #4b | | | | | |

NARRATIVE

On February 5, 2016 Officer Donaldson and I responded to assist Officer Ames and Yinger who were requesting assistance with an arrest of an assaultive individual. Dispatch informed us that they were in the alley to the north of 519 E. Baldwin Ave. Dispatch informed us that Ames was fighting with the male.

Once on scene I observed several police officers struggling with a male who was on the ground and appeared to not be in handcuffs. The male who was later identified as Philip LeBlanc was lying on his right side while officers were

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| ID NO./NAME OF REPORTING OFFICER #1272 - Clark, Matthew | DISTRIBUTION |
| APPROVAL #240 - Hollenbeck, Kip | DATE/TIME 02/05/2016 06:37 |

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED

INCIDENT NUMBER
16-042015

attempting to restrain him. LeBlanc was yelling at officers and grunting and groaning. He was non-compliant with officer's requests for him to put his hands behind his back. As he was lying on the ground where was thrashing around with his legs and he was trying to pull his arms in towards his midsection.

Officers rolled LeBlanc onto his stomach. I was standing near his feet so I grabbed his legs, crossed his ankles and bending his knees I secured his legs by placing my body weight across his shins pinning his lower legs up against his upper legs.

Once he was on his stomach I saw that his left arm was unsecured. I grabbed his left wrist and another officer grabbed the same wrist. I placed his left wrist in a handcuff. Officer Hice then brought his right wrist to the lumbar area of his back where I handcuffed that wrist as well (CFTxL).

While holding his legs with my bodyweight he thrust his legs outward lifting me off of him and throwing me to the ground where I landed on my back. I got up and again secured his legs in the same fashion. Other officers with my assistance secured his legs with leg restraints, fastening the restraints to the handcuffs.

I continued to secure LeBlanc as he was continuing to thrash on the ground. I felt if I didn't hold him down he would injure himself. I was told that AMR was en-route to render aid. Once AMR was on scene they gave me a spit mask to place on LeBlanc. Officer Hice and I placed the spit hood on LeBlanc and then transferred him from the ground to the gurney. He was placed in the back of the ambulance and transported to Deaconess Hospital.

I spoke to several individuals who said they were witness' to what had happened. I found out through talking with them that they had either just met LeBlanc that day or had known him only as an acquaintance. Brian Zotter said that he had been with LeBlanc for most of the day. He said that as the day went on he had become more and more spontaneous and agitated. He said that LeBlanc told him that he needed some melatonin to relaxe so they went to a store where LeBlanc purchased the melatonin. Zotter said that LeBlanc had just come to town that day and LeBlanc was going to rent a room in the house where they live at 501 E. Baldwin.

I then went to Deaconess where I collected some barbs that had been used from a Taser, placing them in a sharps container. I also collected the lead wires from the cartridge placing them in the sharps container with the probes. I collected the empty taser cartridge. I transferred those items to property where they were put on as evidence.

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

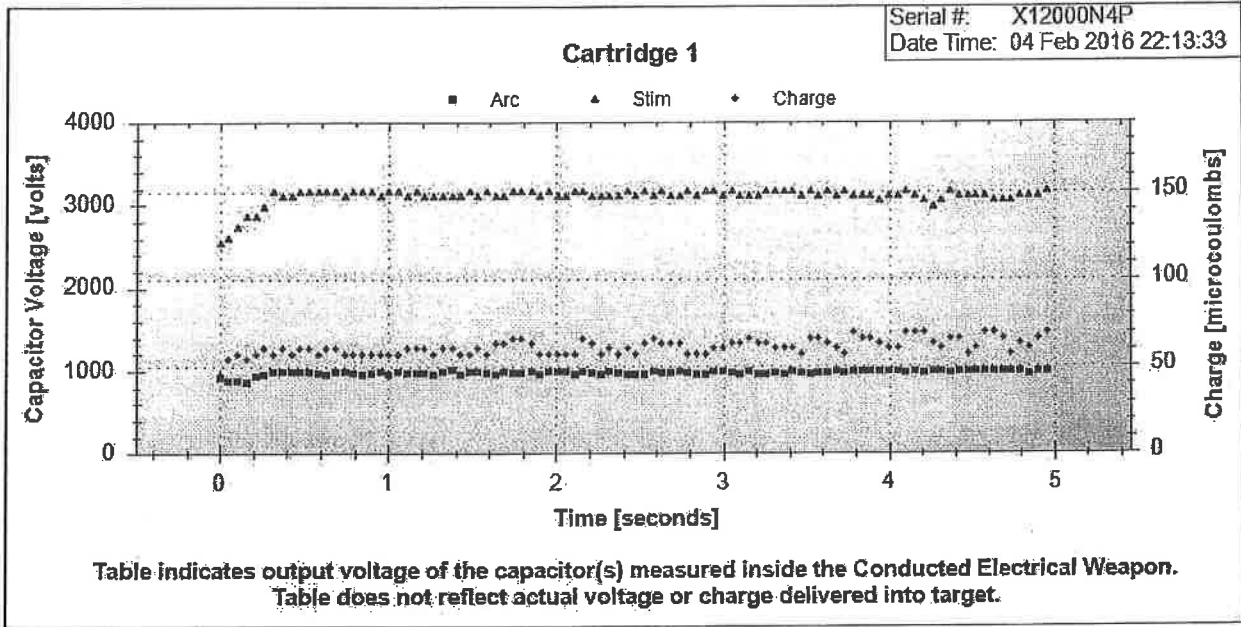
Officer Matt Clark 1272
C350

PHOTOLOG

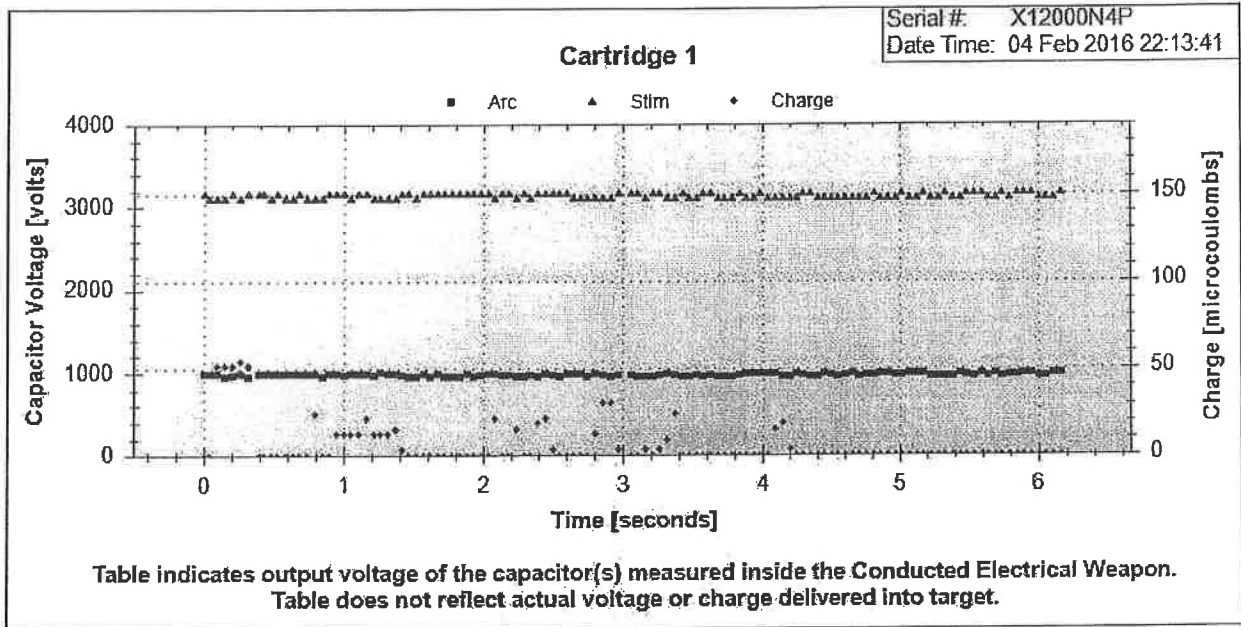
| AGENCY NAME Spokane Police Department | | CROSS REFERENCE NUMBER(S) | | INCIDENT NUMBER 16-042015 | |
|--|-------------------------------------|--|-------------|------------------------------|--|
| INCIDENT CLASSIFICATION Assault-Simple | | LOCATION OF ORIGINAL INCIDENT 500 E Baldwin | | PHOTO DATE 2-4-16 | |
| PHOTOGRAPHER BY W Hager #287 | | LOCATION PHOTOS TAKEN Deaconess Hospital | | | |
| NAME: LAST, FIRST MIDDLE Leblanc, Phillip N | | RACE White | SEX Male | DOB 10-9-79 | |
| NUMBER | DESCRIPTION | <i>W Hager #287</i> | | | |
| | 2 counts of 3rd Assault on officers | | | | |
| 1 - 10 | Officer Yinger uniform and injury | | | | |
| 11 - 18 | Officer Aimes uniform and injury | | | | |
| 19 - 22 | Suspects injuries/probe marks | | | | |
| 23 | Photo Log | | | | |
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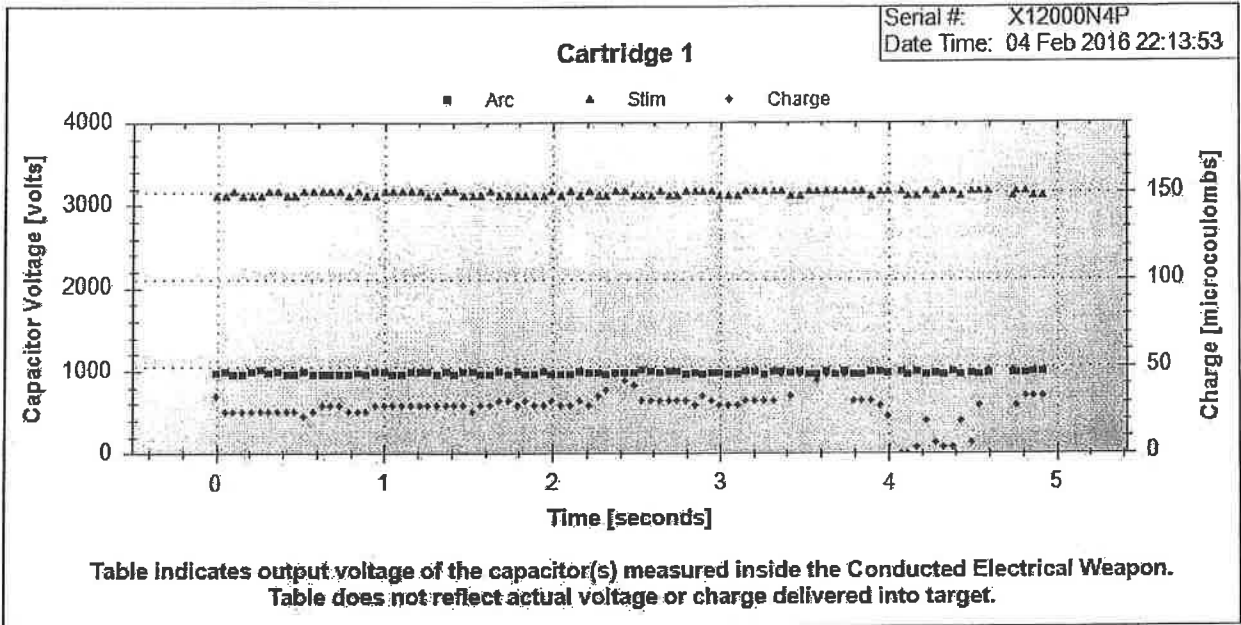
Pulse Log Graph



Pulse Log Graph



Pulse Log Graph





Taser Information

Dept. SPOKANE CITY POLICE
DEPARTMENT
Serial X12000N4P
Model TASER X26P
Firmware Version Rev. 04.020
Device Name A AMES
Health Active

Report Generated by

Name Kakuda, Blaine
Badge ID 443
Local Timezone Pacific Standard Time (UTC -08:00)
Generated On 05 Feb 2016 00:09:00

Device (X26P)

| Seq # | Local Time [dd:mm::yyyy Hr:min:Sec] | Event [Event Type] | Duration [Seconds] | Temp [Degrees Celsius] | Batt Remaining [%] |
|-------|--|-----------------------|-----------------------------------|---------------------------|-----------------------|
| 1 | 21 Nov 2013 09:40:00 | Power Magazine Change | 0xFF | S/N: Battery capacity: 0% | |
| 2 | 21 Nov 2013 09:40:00 | Firmware Update | FW Bundle, Rev. 03.041, 4/15/2013 | | |
| 3 | 21 Nov 2013 09:40:00 | Firmware Update | MC, Rev. 03.041, 4/15/2013 | | |
| 4 | 21 Nov 2013 09:40:00 | Firmware Update | LDR, Rev. 03.041, 4/15/2013 | | |
| 5 | 21 Nov 2013 09:40:00 | Firmware Update | CAM, Rev. 01.020, 3/14/2013 | | |
| 6 | 21 Nov 2013 09:40:00 | Armed | | 30 | 0 |
| 7 | 21 Nov 2013 09:43:44 | Power Magazine Change | Manufacturing S/N: DPM000 | Battery capacity: 74% | |
| 8 | 21 Nov 2013 09:43:44 | Armed | | 28 | 74 |
| 9 | 21 Nov 2013 09:43:47 | Trigger | 5 | | 74 |
| 10 | 21 Nov 2013 09:43:56 | Trigger | 5 | | 74 |
| 11 | 21 Nov 2013 09:44:01 | Trigger | 5 | | 74 |
| 12 | 21 Nov 2013 09:44:09 | Trigger | 5 | | 74 |
| 13 | 21 Nov 2013 09:44:14 | Trigger | 7 | | 74 |
| 14 | 21 Nov 2013 09:44:26 | Trigger | 15 | | 74 |
| 15 | 21 Nov 2013 09:44:42 | Trigger | 14 | | 74 |
| 16 | 21 Nov 2013 09:44:57 | Trigger | 5 | | 73 |
| 17 | 21 Nov 2013 09:45:07 | Trigger | 5 | | 73 |
| 18 | 21 Nov 2013 09:45:13 | Safe | 89 | 37 | 73 |
| 19 | 21 Nov 2013 09:46:51 | Armed | | 33 | 97 |
| 20 | 21 Nov 2013 09:46:52 | Trigger | 5 | | 97 |
| 21 | 21 Nov 2013 09:46:58 | Safe | 7 | 33 | 97 |
| 22 | 21 Nov 2013 09:47:03 | Armed | | 33 | 97 |
| 23 | 21 Nov 2013 09:47:04 | Trigger | 5 | | 97 |
| 24 | 21 Nov 2013 09:47:12 | Safe | 9 | 33 | 97 |
| 25 | 21 Nov 2013 10:00:11 | USB | | | Unknown |
| 26 | 21 Nov 2013 10:00:27 | Firmware Update | MC, Rev. 03.041, 4/15/2013 | | |
| 27 | 21 Nov 2013 10:00:27 | Firmware Update | LDR, Rev. 03.041, 4/15/2013 | | |
| 28 | 21 Nov 2013 10:00:27 | Firmware Update | CAM, Rev. 01.020, 3/14/2013 | | |

| Seq # | Local Time [dd:mm::yyyy Hr:min:Sec] | Event [Event Type] | Duration [Seconds] | Temp [Degrees Celsius] | Batt Remaining [%] |
|-------|--|-----------------------|---|---------------------------|-----------------------|
| 378 | 11 Nov 2015 20:08:39 | USB | | | Unknown |
| 379 | 11 Nov 2015 20:08:45 | Time Sync | From '11 Nov 2015 20:08:45' to '11 Nov 2015 20:37:03' | | |
| 380 | 11 Nov 2015 20:37:21 | Firmware Update | CAM, Rev. 01.025, 8/4/2015 | | |
| 381 | 11 Nov 2015 20:37:27 | Firmware Update | FW Bundle, Rev. 04.020, 8/4/2015 | | |
| 382 | 11 Nov 2015 20:37:27 | Firmware Update | MC, Rev. 04.019, 8/3/2015 | | |
| 383 | 11 Nov 2015 20:37:27 | Firmware Update | LDR, Rev. 04.013, 12/16/2014 | | |
| 384 | 11 Nov 2015 20:37:32 | Time Sync | From '11 Nov 2015 20:37:32' to '11 Nov 2015 20:37:32' | | |
| 385 | 11 Nov 2015 20:38:18 | Armed | | 27 | 45 |
| 386 | 11 Nov 2015 20:38:19 | Safe | 1 | 27 | 45 |
| 387 | 11 Nov 2015 20:38:20 | Armed | | 27 | 45 |
| 388 | 11 Nov 2015 20:38:23 | Safe | 3 | 27 | 45 |
| 389 | 13 Nov 2015 04:55:46 | Armed | | 24 | 45 |
| 390 | 13 Nov 2015 04:55:50 | Safe | 4 | 24 | 45 |
| 391 | 13 Nov 2015 04:56:34 | Armed | | 24 | 45 |
| 392 | 13 Nov 2015 04:56:35 | Safe | 1 | 23 | 45 |
| 393 | 13 Nov 2015 04:57:41 | Armed | | 24 | 45 |
| 394 | 13 Nov 2015 04:57:43 | Safe | 2 | 24 | 45 |
| 395 | 13 Nov 2015 04:59:27 | Armed | | 24 | 45 |
| 396 | 13 Nov 2015 04:59:29 | Safe | 2 | 24 | 45 |
| 397 | 13 Nov 2015 04:59:58 | Armed | | 24 | 45 |
| 398 | 13 Nov 2015 05:00:03 | Safe | 5 | 23 | 45 |
| 399 | 13 Nov 2015 05:00:36 | Armed | | 24 | 45 |
| 400 | 13 Nov 2015 05:01:14 | Safe | 38 | 26 | 45 |
| 401 | 13 Dec 2015 23:54:40 | Armed | | 26 | 45 |
| 402 | 13 Dec 2015 23:54:41 | Safe | 1 | 26 | 45 |
| 403 | 06 Jan 2016 19:40:10 | Armed | | 22 | 45 |
| 404 | 06 Jan 2016 19:40:13 | Trigger | 1 | | 45 |
| 405 | 06 Jan 2016 19:40:13 | Safe | 3 | 22 | 45 |
| 406 | 04 Feb 2016 22:13:33 | Armed | | 23 | 45 |
| 407 | 04 Feb 2016 22:13:33 | Trigger | 5 | | 45 |
| 408 | 04 Feb 2016 22:13:41 | Trigger | 6 | | 45 |
| 409 | 04 Feb 2016 22:13:53 | Trigger | 5 | | 44 |
| 410 | 04 Feb 2016 22:16:58 | Safe | 205 | 24 | 44 |
| 411 | 05 Feb 2016 00:02:14 | USB | | | Unknown |
| 412 | 05 Feb 2016 00:02:15 | Time Sync | From '05 Feb 2016 00:02:15' to '05 Feb 2016 00:05:58' | | |