



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)

#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</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):	WACIC/NCIC/III - information from ACCESS restricted to law	28 USC § 534 For criminal justice purposes only.

	<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),

		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 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 justice agencies as defined in RCW 10.97.030 are protected from	RCW 42.56.250(8) (Employment and licensing)

		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 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 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 Comm'n, 16 Wn.App. 830, 836 (1977).

		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)

		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/employee accused of sexual misconduct in Internal Affairs Investigations and Inquiries, if the findings are not Sustained. Police officers/employees 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/employee.	This redaction protects the identities of accused officers/employees 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/employee.	This redaction protects the identities of accused officers/employee 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/employee.	This redaction protects the identities of accused officers/employee 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/employee.	This redaction protects the identities of accused officers/employee 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 Jason Hartman

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
3/17/2016	3/17/2016	12:15
Record ID #	Incident No	IA No
9242	16-94407	F16-021
Date/Time Entered		
3/17/2016 15:35		

Incident Summary

Officer Wells was working in the area of Northtown due to recent gang activity. He attempted to contact a subject in the area, who was possibly a wanted subject the department was looking for. The subject was uncooperative upon contact and tried to flee. The suspect sustained minor facial injuries while struggling with the arresting officer.

Sgt. J.M. Hartman

In compliance with policy per Assistant Chief Meidl 03/31/16.

Incident Location

- N/A Rowan and Mayfair AV, Direction: E, Spokane, WA 99207 - : Nevawood

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Fleeing (Misdemeanor)	Self Initiated	
Weather Condition	Lighting Condition	Distance to Citizen
Clear	Daylight	a-0-3 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	No	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Medium	5'4" to 5'6"	
Officer Assessment of Citizen Condition During Incident		
Unknown		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Reporting/Involved Citizen Information

Daniel R Burland

DOB: 5/22/1991 Race: White Gender: Male

Address

- 3717 W Wellesley 99205

Phone

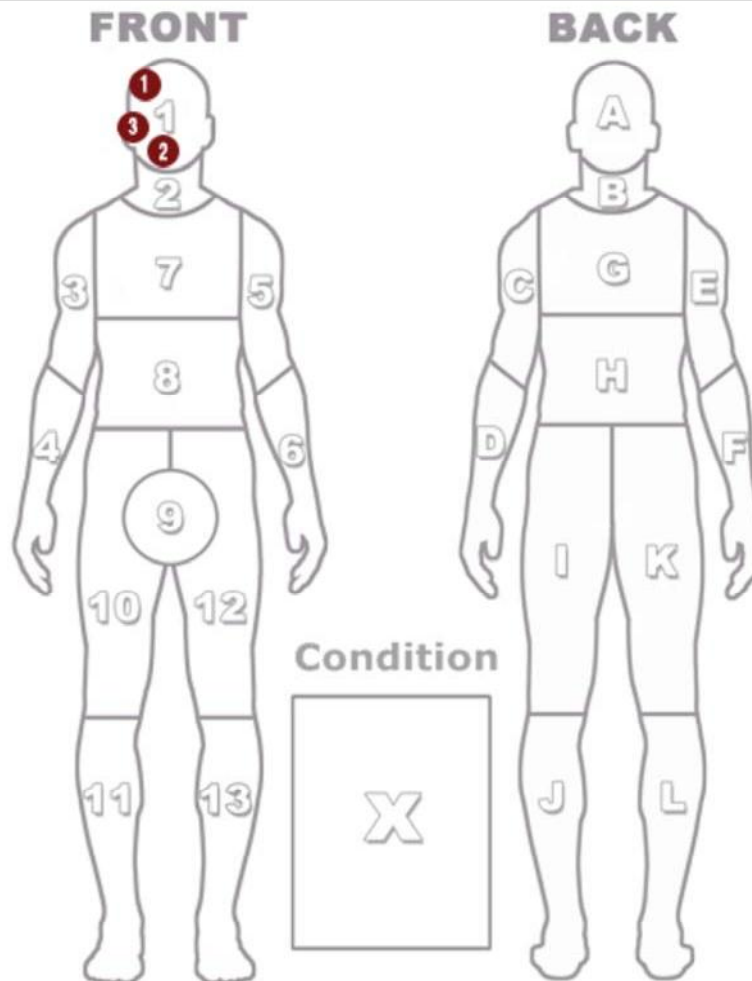
- (509) 216-1556

Types of Resistance Citizen Used Against Officer(s)

- Active Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
b-Minor Visible Injury	1	1, 2, 3



Charges against this citizen

- Warrant
- Obstructing

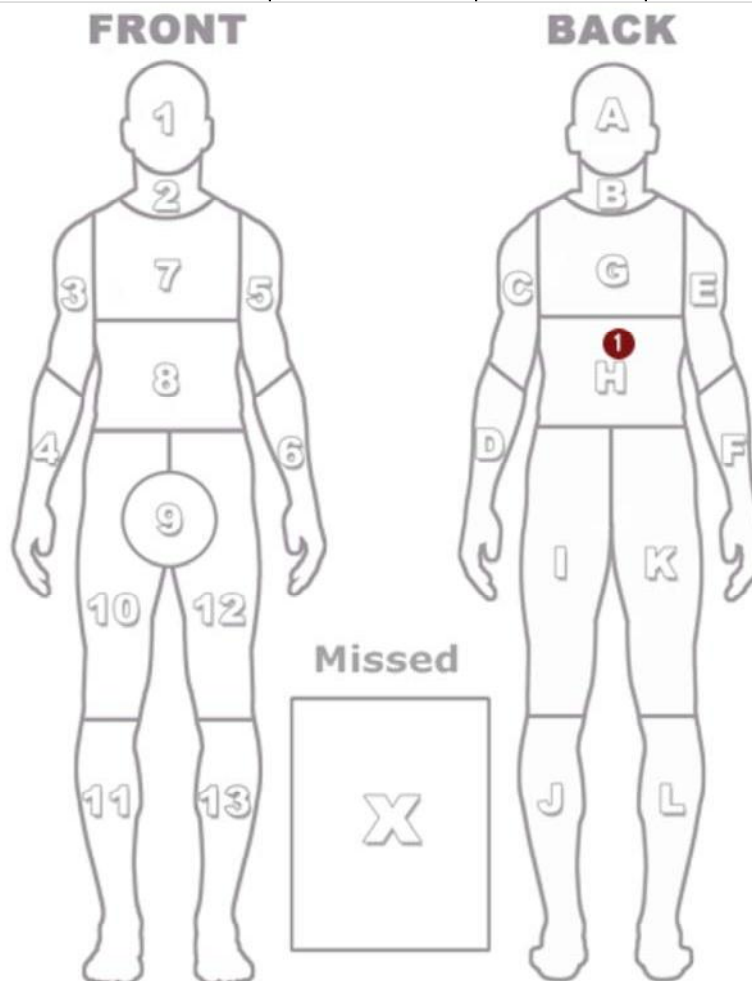
Involved Officers

Officer Dale Wells - Payroll Number: #5c

Force used by this officer against the citizen

- Body Weight/Manual Force - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Body Weight/Manual Force	Yes	H	1

**Injuries sustained by this officer**

Injury	Regions	Injury Locations
No injuries noted or visible		

Attachments

Date Attached	Attachment Description	Attachment Type
3/19/2016	Body camera footage from Wells, Childress, and Hartman	
3/19/2016	911 open line call from 509-414-3516 appearing to catch some audio of the arrest	cda
3/19/2016	Hartman's UOF IA additional	doc
3/19/2016	Burland's police reports and CAD logs	pdf
3/28/2016	IMG_0001	JPG
3/28/2016	IMG_0002	JPG
3/28/2016	IMG_0003	JPG

3/28/2016	IMG_0004	JPG
3/28/2016	IMG_0005	JPG
3/28/2016	IMG_0006	JPG
3/28/2016	IMG_0007	JPG
3/28/2016	IMG_0008	JPG
3/28/2016	IMG_0009	JPG
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3/28/2016	IMG_0011	JPG
3/28/2016	IMG_0012	JPG
3/28/2016	IMG_0013	JPG
3/28/2016	IMG_0014	JPG
3/28/2016	IMG_0015	JPG
3/28/2016	IMG_0016	JPG
3/28/2016	IMG_0017	JPG
3/28/2016	IMG_0018	JPG
3/28/2016	IMG_0019	JPG
3/28/2016	IMG_0020	JPG
3/28/2016	IMG_0021	JPG
3/28/2016	IMG_0022	JPG
3/28/2016	IMG_0023	JPG
3/28/2016	IMG_0024	JPG
3/28/2016	IMG_0025	JPG
3/28/2016	IMG_0026	JPG
3/28/2016	IMG_0027	JPG
3/28/2016	IMG_0028	JPG
3/28/2016	IMG_0029	JPG
3/28/2016	IMG_0030	JPG
3/28/2016	IMG_0031	JPG
3/28/2016	IMG_0032	JPG
3/28/2016	IMG_0033	JPG
3/28/2016	IMG_0034	JPG
3/28/2016	IMG_0035	JPG

Chain of Command History

Sent Dt	From	To	CC	Approved
3/19/2016	Internal Affairs	Internal Affairs	Lieutenant Joseph Walker	<input checked="" type="checkbox"/>
Sender's Instructions: IA--Please add photos to this Blue Team				
Recipient's Comments/Response: UOF review				
3/28/2016	Sergeant David Staben	Lieutenant Joseph Walker	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: UOF review				
Recipient's Comments/Response: I have reviewed this incident and concur with Sgt Hartman's review and recommendation. Ofc Wells UOF was within the scope of his training and department policy based on the facts and circumstances he knew at the time. Civilian witness statements and body cam footage also cooperate Officer Wells actions. Ofc Wells followed policy #300.3.2 and #300.1.1 as he described in detail his reasons to make a Terry Stop on this individual.				
3/28/2016	Lieutenant Joseph Walker	Captain Daniel Torok	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: ready for review				
Recipient's Comments/Response: I concur that the use of force was within policy.				
3/31/2016	Captain Daniel Torok	Asst Chief Craig Meidl	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: for review				

Recipient's Comments/Response: Use of force was compliant with policy.

Entering Officer Signature Line

Sergeant Jason Hartman

Chain of Command Signature Lines

Sergeant David Staben

Lieutenant Joseph Walker

Captain Daniel Torok

Asst Chief Craig Meidl



Spokane Police Department
Internal Affairs

Use of Force
Additional



Incident #: 16-94407

Date: 3/17/16

Involved Officer(s) BWC Y/N: YES. Camera footage for Officers Wells, Childress, and Sgt. Hartman

Reviewing Supervisor: Sgt. Jason Hartman #309

INSTRUCTIONS: *Include any information below that is not already adequately covered in the Incident Report. For information already reported refer the reader to the applicable report.*

Incident Summary: Officer Wells was working in the area of Northtown Mall due to recent gang activity. He attempted to contact a subject in the area, who was possibly a wanted subject the department was looking for. The subject was uncooperative upon contact and tried to flee. The suspect sustained minor facial injuries while struggling with the arresting officer on hard terrain.

Officer Wells' body camera shows his multiple attempts to gain verbal compliance and employ VDI (Verbal Defense and Influence) tactics. The camera footage shows the suspect flee from the officer and a struggle ensue when the officer catches him. **The most pertinent portion of the video is the first three minutes of Officer Wells' longer video.**

Officer Interview Summary: See Officer Wells' police report detailing his contact and arrest of the suspect

Subject Interview Summary: See Sgt. Hartman's police report for limited statements made by the suspect at jail

Witness Interview Summary: See Sgt. Hartman's police report for statements from three different citizen witnesses

Witness Officer Interview Summary BWC Y/N: No. There are no witness officers to the arrest

Any Relevant Clarifying Information and Observations:

This supervisor specifically sent out a recent intelligence bulletin to Officer Wells' and other members of my team about an up and coming group with criminal street gang indicators that is

causing havoc at Northtown Mall. Officer Wells was using this information along with information provided by NCO Ponto that resulted in him contacting the suspect on a Terry Stop.

I am familiar with the suspect Daniel Burland due to my participation as a Gang Liaison Officer (GLO) for the department. He is a documented member/affiliate of a local criminal street gang with violent tendencies. A local criminal history check shows past charges for Burland including: Riot with a Deadly Weapon, 1st Degree Armed Robbery, Felony drug charges, and Burglary.

Sergeant Findings:

It is my judgment the officer acted within the scope of his training and department policy. I believe his actions were reasonable and necessary given the totality of the circumstances.

Sgt. J.M. Hartman #309

Incident History for: #SP160094407 Xref: #SP160094647

Entered 03/17/16 12:16:53 BY PCC01 455
Dispatched 03/17/16 12:16:53 BY PCC01 455
Enroute 03/17/16 12:16:53
Onscene 03/17/16 12:16:53
Closed 03/17/16 15:50:10

Initial Type: SUSPER Final Type: SUSPER (SUSPICIOUS PERSON)

Initial Priority: 2 Final Priority: 2

Disposition: 1E Source: R Primary Unit: B236

Police BLK: SPB3NL

Group: P3 Beat: Map Page: 31

Loc: N MAYFAIR ST/E SANSON AV ,SPK <5300,000> (V)

Name: ATT Addr: PHASE 2 Phone: 5094143516

/121653 (455) \$OUTSRV ,MALE , WHITE SHIRT , BULLS HAT
/121653 DISPOS B236 #1203 WELLS, DALE
/121657 ASSTER B238 ,MALE , WHITE SHIRT , BULLS HAT
[SANS/MAYF]
#1217 FISHER, TYLER
/121702 CHANGE LOC: SANS/MAYF --> N MAYFAIR ST/E SANSON AV ,
SPK,
BLK: --> SPB3NL
/121734 ASSTER B237 [N MAYFAIR ST/E SANSON AV ,SPK]
#1204 CHILDRESS, AARON
/121759 NEWLOC B236 [MAYFAIR/ROWAN]
/121835 MISC B236 ,FIGHTING , STEP IT UP
/121839 (935) *ASSTER I419 [N MAYFAIR ST/E SANSON AV ,SPK]
#935 GEREN, NICK
#465 ERICKSON, JAMES
/121840 (455) MISC B236 ,RESTRICTED
/121852 MISC B236 ,1 IN CUFFS
/121903 (911181) SUPP LOC: N MAYFAIR ST/E ROWAN AV ,SPK,
NAM: ATT,
ADR: PHASE 2,
PHO: 5094143516,
TXT: OPEN LINE SOMEONE YELLING OWWW. MALE YELL
ING I AM NOT RESISTING. ANOTHER MALE YELLING G
ET YOUR HANDS OUT BEHIND YOU
/121906 (935) *PREMPT I419
/121936 (309) *ASSTER L208 [MAYFAIR/ROWAN]
#309 HARTMAN, JASON
/121958 (1204) *ONSCNE B237
/122017 (911181) SUPP TXT: LINE OPEN.. SUBJS TALKING ABOUT RESISTING
. OFFLINE. ###
/122018 (455) NEWLOC B237 [MAYFAIR/ROWAN]
/122053 MISC B236 ,UNRESTCT
/122058 MISC B236 ,1 IN CUSTODY
/122106 (1217) *PREMPT B238
/122217 (455) ASSTER N36 [MAYFAIR/ROWAN]
#405 PONTO, TRACI
/122313 ASSTER P305 [MAYFAIR/ROWAN]
#741 BECKLEY, DAVID
/122538 ASSTOS B232 [MAYFAIR/ROWAN]
#606 UBERUAGA, JASON
/122644 REMINQ L208 WANT, L208, , , , , , BURLAND, DANIEL, R, 1991, 05, 22, , ,
 , , , , , 8
/122849 (309) *ONSCNE L208
/123148 (1144) CALLBK T/PCC01

/123238	(455)	) \$PREMPT	B237	, DOC CONF, JAIL LOCATE
/123238		PREDSP	B237	B234 #SP160094424 T/TRBLU [6901 N WISCOMB S
				T #56 ,SPK]
/123339	(741)	) *ONSCNE	P305	
/123604	(405)	) *MISC	N36	, PSTAT/ASST
/123614		*MISC	N36	, TEXT INTO VALDEZ BURLAND WILL BE AT JAIL
/123616		*CLEAR	N36	
/124008	(455)	) CHGLOC	L208	[SIG 1 /JAIL]
/124013	(1203)	) *TRANS	B236	[JAIL] M/O
/124130	(606)	) *CLEAR	B232	, PSTAT/ASST PSTAT/VIDN
/124858	(741)	) *CHGLOC	P305	[JAIL]
/125021	(309)	) *ONSCNE	L208	
/125109	(741)	) *ONSCNE	P305	
/130019	(1203)	) *REMINQ	B236	MWANT,,,,,,,,,BURLAND,DANIELR,1991,05,22,,,,,,,,,
				,,,,,
/131633		*TRANSC	B236	
/131746	(741)	) *CLEAR	P305	, PSTAT/ASST PICS
/131820	(309)	) *MISC	L208	, PSTAT/RPT
/131905		*MISC	L208	, COMPLETING UOF/BLEU TEAM RPT
/131913		*MISC	L208	, PSTAT/VIDY
/132014		*CLEAR	L208	
/151105	(320)	) CROSS		#SP160094647
/151708		\$CROSS		#SP160094647
/151708		DUP		#SP160094647
/151708		DUP		NAM: JOSLYN,TAMMY L020369
				ADR: SAME,EMPL
				PHO: 5092526420
/154523	(1203)	) *MISC	B236	, PSTAT/SI PSTAT/MISD PSTAT/WAR PSTAT/RPT PSTAT
				/VIDY
/154538		*MISC	B236	, BURLAND ARRESTED ON DOC WARRANTS AND OBSTRUCT
				ION CHARGE
/155010		*CLEAR	B236	DSP: 1E
/155010		CLOSE	B236	

Incident History for: #SP160094647 Xref: #SP160094407

Entered 03/17/16 15:10:22 BY 91116 911252
Dispatched 03/17/16 15:11:51 BY PCC01 320
Enroute 03/17/16 15:11:51
Closed 03/17/16 15:17:08

Initial Type: CC Final Type: CC (CITIZEN/COMMUNITY CONTACT)

Initial Priority: 3 Final Priority: 3

Disposition: DUP Source: A Primary Unit: HOLD1

Police BLK: SPB3NL

Group: P3 Beat: Map Page: 31

Loc: 46 E ROWAN AV ,SPK btwn N DIVISION ST & N MAYFAIR ST <5400> (V)

Loc Info: HOLY FAMILY

Name: JOSLYN,TAMMY L020369 Addr: SAME,EMPL Phone: 5092526420

/151022 (911252) ENTRY

POSS XREF #94407SUSPER, @1230 LE OFFICER CAME
INTO CLINIC AND ASKED STAFF IF THEY SAW ANYTHI
NG, COMP SAY INCIDENT HAPPEN, BUT WAS AT LUNCH
WHEN LE CAME INTO LOC. REQ TC , ALT PH: 509 3
85 7341 ###

#SP160094407

/151105 (320) CROSS

/151151 DISPER HOLD1

/151606 MISC HOLD1

/151702 PREMPT HOLD1

/151708 \$CROSS #SP160094407

/151708 DUP #SP160094407

/151708 CANCEL

/151708 CLOSE HOLD1

,L208 WILL CALL THE FEMALE/COMP

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-094407	
INCIDENT TYPE Arrest, Gang		INCIDENT CLASSIFICATION #1 OBSTRUCT OFFICER		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #2 WARRANT ARREST	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #4	
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Thu 03/17/2016 12:16		DATE/TIME Thu 03/17/2016 12:16		OCCURRED TO Thu 03/17/2016 13:00	
DISPATCH TIME		ARRIVED TIME		CLEARED TIME	
				REPORT DATE 03/17/2016	
				REPORT TIME 15:33	
				EST. TOTAL PROPERTY LOSS	
				UCR/NIBRS CODE /	
PRIMARY CHARGE M-10.07.032 OBSTRUCTING					
LOCATION OF INCIDENT N Mayfair Street & E Rowan Avenue, Spokane, WA 99207				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS Suspect Arrested					
RELATED INCIDENT NUMBERS				INCIDENT XREF	
ADDITIONAL REPORTING OFFICERS none					
VICTIM/WITNESSES/OTHERS					
CODE A-1	NAME: LAST, FIRST, MIDDLE Burland, Daniel R			SEX M	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE 05/22/1991 24					
HEIGHT 5'06"	WEIGHT 135	BUILD Light	HAIR Brown	EYES BRO - Brown	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 708 S Maple Street #3, Spokane, WA 99204			RESIDENTIAL STATUS	PHONE 216-1556
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Home) 484-8663, (Home) 216-1556					
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION M-10.07.032 OBSTRUCTING				UCR/NCIC CODE
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION # 6Z0221161	DATE 03/17/2016	TIME 12:20	BOOKED WHERE Spokane County Jail		DATE 03/17/2016
					TIME 12:20
ARREST LOCATION N Mayfair Street & E Rowan Avenue, Spokane, WA 99207			STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input checked="" type="checkbox"/> DENIED	SUSPECT ARMED WITH
JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED	NOTIFIED BY	DISPOSITION OF JUVENILE
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. #4a	OTHER ID (SPRS) #4b (ID Card) #4b	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES Apparent Minor Injury			TYPE OF VICTIM		MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO
HOSPITAL TAKEN TO	TAKEN BY	<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN		SUICIDE NOTE FOUND? <input type="checkbox"/>
				HOLD PLACED BY	

ID NO./NAME OF REPORTING OFFICER #1203 - Wells, Dale		DISTRIBUTION	
APPROVAL #741 - Beckley, David		DATE/TIME 03/17/2016 19:46	

Incident Report #1

03/17/2016 19:52:52.877

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION OBSTRUCT OFFICER				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 16-094407	
CODE W-1	NAME: LAST, FIRST, MIDDLE Lyngstad, Brandon J				SEX M	RACE/ETHNICITY B-Black	DATE OF BIRTH/AGE 10/24/1990 25
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/> ADDRESS: STREET, CITY STATE ZIP 5446 Ellsworth Road, Deer Park, WA 99006					RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Cell) 710-1963							
NARRATIVE							

On 3-17-16 at the morning roll call, Neighborhood Conditions Officer (NCO) Traci Ponto attended and we spoke about the Young Killa Squad (YKS). I was aware of information that had been put out regarding the group, but was only familiar with Austin Ides. Ponto advised us she has over 30 pending cases which she has investigated in recent week regarding "The Squad". Several of its members had been arrested and she had pending charges against 5 others. The charges included, assault, vehicle prowling and felony malicious mischief. She further advised that the members of this group are all in their mid teens, but are not attending school and are busy during the day committing crimes. Their main area of operation is in the Northtown Mall area. I have contacted Northtown Mall security prior to today and they are aware of the trouble they have caused. Ponto also advised that the members of the group like to wear red Chicago Bulls baseball hats as part of their identifying clothing. Two of the still wanted members are Lakota and Cedar Knowhishguns. I had never contacted either person before and had only a small picture from a flyer to identify them.

At 1216 hours, I was driving south on Mayfair St. from Sanson Ave. There was a young man walking north on the east side of the street. I noticed he was wearing a white shirt, red and white shoes and a red Chicago Bulls baseball hat. The male briefly looked at me, but upon seeing me quickly looked away from me which I believed was suspicious. Mayfair and Sanson is only a few blocks north of Northtown. The male was small in stature and appeared to be a teen based upon the short glance I had before he turned his face away from me.

I turned my car around and called out with a suspicious person. I believed the male who was later identified as Daniel Burland was one of the group Ofc. Ponto was looking for, but in the moment could not recall a name. I parked my car behind him, but did not turn on any overhead emergency lights. I got out of my car and called to him, but he ignored me. Burland continued to walk north on Mayfair and I again called to him asking if he would speak with me. Burland looked at me, but then kept walking. I called again for him to talk to me as he passed Sanson St. He told me he had not done anything wrong. I agreed that I was not stopping him for an infraction. I was executing a Terry stop believing he was one of the Knowhishguns brothers or other members of the squad. I told him I was looking for members of the Young Killa Squad and advised I wanted to ID him so I could verify if he was one of the suspects Ponto was looking for. He told me he didn't know Ofc. Ponto. Burland continued to quickly walk north and I continued to follow, walking about 20 feet behind him while advising dispatch of the situation and asking for more officers. Burland would take about 10 steps between glances over his shoulder to see where I was at. I could also see him scanning the area ahead of him as he walked. Based upon my experience, he was looking for a place and time to run from me.

I politely called for him to talk to me and he refused, still claiming he had not done anything wrong. As we crossed

Incident Report #1

CONTINUED ON NEXT PAGE

03/17/2016 19:52:53.783

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION OBSTRUCT OFFICER	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-094407
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Rowan St. I told him to come talk to me. He still refused and continued north. I looked at where he was headed. The area Burland was walking towards was the service area behind Ross Dress for Less. This is an area where few people go and I believed Burland was going to run. If I had to fight Burland in this area, it would be more dangerous for me, because no one would see me to help if I was hurt or injured and responding officers would not know where to find me. I waited for Burland to make a glance over his shoulder and as soon as he did and then looked forward again I started to run towards him across Rowan Ave. While still several feet away, Burland heard my steps and started to run. I was able to grab his shirt which stretched as he continued to pull away from me. I ordered him several times to get on the ground, Burland continued to try to escape by pulling away, then turning to face me and moving around.

At the time, I suspected Burland was a suspect associated with the YKS gang. I know that people who run in gangs are often armed. Ofc. Ponto had probable cause to arrest several of its members for assault, vehicle prowling and felony malicious mischief. Burland was wearing red and white clothes which I know are worn by members of the Norteno Red Boys. He was wearing a Bulls hat which are signature clothing often worn by members of the YKS.

Burland was refusing to comply with my requests and commands to stop and talk with me. He continued to walk north for 1 ½ blocks when we reached Rowan Ave. He was looking around and it appeared he was looking for a place to run. He was quickly walking towards the back service area of a department store where very few people would go. Should I need assistance or become injured, responding officers would have a hard time finding me there. I suspect that once in the low traffic area, Burland was going to either run to turn to fight me.

Burland started running from me and I grabbed him by his shirt as he pulled away from me. I told him to get on the ground several times and he refused to comply. He had turned into me and was now facing me. He was pushing away from me in an eggressive manner. I tried to do a leg sweep while holding his left shoulder, but it did not work. We wrestled in a standing position with his arms keeping me back. Finally, able disrupt his balance to toss him to the ground.

Before I was able to toss Burland to the ground, we had traveled about 15-20 feet across the asphalt driveway to the parking lot. We wrestled while standing, I told Burland to, "get on the ground." He refused to comply and yelled, "For what." I again told him to get on the ground and Burland continued to try and get away while yelling, "Why." I again told him to get on the ground and he stated, "I didn't do nothing." When Burland landed, his face and head contacted either the asphalt or a raised cement curb. When his momentum stopped, he was now in some bushes and dirt. He was still trying to get away from me by tucking his feet under him and trying to roll onto his back. I used my open hand to hold his head down and then was able to place my knee across his upper back and neck to hold him down. His arms were also tucked in tight to him and I commanded him to bring his arms out. He complied and gave me his left arm while his right arm was pinned under him. At this point I was able to access my radio and advised dispatch that I was fighting with Burland. An older man (about 70 years old) was driving by and walked up to help. He walked up and helped hold Burland's left arm while Burland moved his right arm behind his back. I placed him in handcuffs. Burland asked why I punched him, I replied to him, "I did not punch you, but did take you down."

I asked Burland what his name was and he refused to say anything. During the struggle, he lost one of his shoes which was now lying on the pavement. I assisted him up and then started walking to the car. He accused me of "drop kicking him" which I did not. I placed him in the back of the car and shut the door.

Incident Report #1

CONTINUED ON NEXT PAGE

03/17/2016 19:52:53.861

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

Page 4

INCIDENT CLASSIFICATION OBSTRUCT OFFICER	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-094407
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I noticed that Burland had a minor amount of blood inside of his mouth. He also had two abrasions on the right side of his face. Each was slightly larger than a quarter. One was high on the scalp and in the hairline. The second was near his chin. I placed him in the back of Ofc. Uberuaga's car. I collected his items and then placed them in a bag. I requested Ofc. Ponto and a supervisor come. I re-contacted Burland and again asked who he was. We had observed he had a tattoo about his right eye which read, "red boyz." Which I know to be a north side gang. Burland refused to answer any basic identification information would not even look at me. I advised him he was under arrest and closed the door. Based upon the tattoo, Sgt. Hartman suggested the person I detained might be Daniel Burland. After checking a booking photo, I confirmed it was Burland. Dispatch ran Burland and confirmed he had a felony DOC warrant. After confirming Burland was not one of the YKS, and had Ofc. Ponto clear the call. I advised Burland he was also under arrest for his DOC warrant and his right to remain silent and to have an attorney.

I then contacted Brandon Lyngstad who had been working with a crew running chain saws and cleaning yard debris. When I was quickly walking after Burland, they had stopped to look. When I started chasing Burland, they shut the chainsaws off. They were standing about 50 feet away from us. Lyngstad told me he saw me chasing Burland and saw Burland not complying by getting on the ground. Lyngstad made the statement, "Had he (Burland) listened, it wouldn't have been so bad." I took his contact information and then passed it on to Sgt. Hartman to interview.

I transported Burland to jail where he was booked for his DOC warrant and a new charge of Obstruction. Since I never told Burland he was under arrest prior to or while struggling with him, I did not charge him with resisting arrest. I asked Burland to verify his phone number or address and he would not do either. He told me he was not living anywhere.

See body camera footage of event.

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.

D. WELLS B236 #1203
3-17-16

Incident Report #1

END OF INCIDENT REPORT

03/17/2016 19:52:53.939

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-094407	
REPORT PURPOSE			REPORTED ON DATE Thu 03/17/2016 12:16		INCIDENT XREF
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 03/19/2016	REPORT TIME 17:57
PRIMARY CHARGE					UCR/NIBRS CODE
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, I-N Institutional, G-Local Guardian, O-Driver, W-Witness, CV-Complainant's Victim, CON-Contact, RU-Runaway, OW-Owner of Property</small>					
CODE W-1	NAME: LAST, FIRST, MIDDLE Joslyn, Tammy L			SEX F	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE 02/03/1969 47					
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 46 E Rowan, Spokane, WA 99207			RESIDENTIAL STATUS	PHONE (509) 385-7341
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell-Beeper/Pager) (509) 252-6420, (Home) (509) 385-7341					
CODE W-2	NAME: LAST, FIRST, MIDDLE Stanley, Shaun L			SEX F	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE 06/16/1962 53					
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1110 E Cozza Drive #303, Spokane, WA 99208			RESIDENTIAL STATUS	PHONE (509) 325-0428
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (509) 999-5503, (Home) (509) 325-0428					

NARRATIVE

On 3/17/16 at about 1219 hours I responded to Mayfair and Rowan to assist Officer Wells. Upon arrival he explained that he had Daniel Burland in custody for a DOC warrant and Obstructing an Officer.

Burland sustained some minor injuries when he was taken into custody. I began an administrative investigation. I was wearing and using my department issued body camera. I did interview Wells about the incident.

Brandon Lyngstad interview: Officer Wells directed me to Brandon Lyngstad who was standing a short distance away. Brandon was working as part of a landscaping crew and told me he saw the arrest. He heard the officer tell the suspect to get on the ground and he didn't comply. He didn't see the officer do anything inappropriate. He saw wrestling/grappling between the officer and suspect, but didn't see any strikes.

ID NO./NAME OF REPORTING OFFICER #309 - Hartman, Jason		DISTRIBUTION	
APPROVAL #309 - Hartman, Jason	DATE/TIME 03/19/2016 19:06		

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION OBSTRUCT OFFICER	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-094407
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I noticed Officer Wells' uniform was dirty on the front, indicative of a struggle. I asked Cpl Beckley to photograph him uniform along with a shoe belonging to the suspect that came off during the struggle, indicating to me some level of resistance. I also requested photos of the terrain. It appears the arrest and struggle went down on asphalt adjacent to a raised concrete curb and abrasive bushes.

I did conduct a canvas of the area looking for potential witnesses to the arrest. I contacted the business at the southwest corner of Mayfair and Rowan (46 E Rowan). The person I contacted inside didn't see the arrest.

At 1510 hours Radio alerted me to a related call-16-94647. The complainant Tammy Joslyn was calling in to report she worked at 46 E Rowan. She saw the arrest, but was away at lunch when I stopped by.

Tammy Joslyn interview: I did telephone Joslyn from my office. She said she saw the suspect walking fast NB on Mayfair. He was saying something like-'I didn't do anything wrong'. The officer was asking him to stop, but he didn't comply. The suspect was yelling and screaming and 'going off'. She saw the suspect try to take off running, but the officer caught him and took him down. She saw an older man stop to help the officer. She described the suspect as, "completely uncooperative" and saw nothing inappropriate on the part of the officer. She said her coworker Shaun Stanley also saw the incident.

Shaun Stanley Interview: I spoke with Shaun Stanley on the phone. She told me she was walking out of her workplace when she saw the officer following the suspect, with about a 15-20 foot gap. The "kid" took off when he reached Rowan. The officer told him many times to stop. She said the suspect wasn't cooperative at all and she had no concerns with the officer's behavior.

Daniel Burland (suspect) interview: At jail I contacted the suspect Daniel Burland. He had an abrasion on the right front of his forehead and another abrasion alongside his right jawline. He said he had a small cut on the inside of mouth on the right side. Burland said the officer dropped a knee on the back of his head and punched him in the mouth. I was using my department issued body camera for this interview. I tried to question Burland more in depth about his level of cooperation, but he was evasive when I tried to pin him down to an answer or would just refuse to talk. Burland didn't claim any other injuries than those listed above.

I tried to clean up Burland's abrasions with a wet paper towel in hopes of obtaining an accurate view of the injury, without the dried up blood around the abrasion. Burland refused to cooperate with me cleaning his injuries. The jail staff advised me they were having an emergency on one of their floors. The jail nurse who might be able to clean the abrasions and provide a better look was unavailable.

Sgt. Jason Hartman #309

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION OBSTRUCT OFFICER	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-094407
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OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

PHOTOLOG

[illegible]

CRIMINAL

☐ TRAFFIC ☒ NON-TRAFFIC

LEA ORI#: WA0320400

COURT ORI#: WA032051J

CITATION #: 6Z0221161

REPORT #: 160094407

IN THE ☐ DISTRICT ☒ MUNICIPAL COURT OF
☐ STATE OF WASHINGTON ☐ COUNTY OF

SPOKANE MUNICIPAL COURT

☒ CITY/TOWN OF SPOKANE

, PLAINTIFF VS. NAMED DEFENDANT

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON

DRIVER'S LICENSE NO. **#4b** STATE **#4b** EXPIRES **05-22-17** PHOTO I.D. MATCHED ☒ YES ☐ NO NAME: LAST **BURLAND** FIRST **DANIEL** MIDDLE **R** SFX CDL/CLP ☐ YES ☒ NO

ADDRESS **TRANSIENT** ☐ IF NEW ADDRESS CITY **SPOKANE** STATE **WA** ZIP CODE **99212**

EMPLOYER EMPLOYER LOCATION DATE OF BIRTH **05-22-91** RACE **I** SEX **M** HEIGHT **5'06"** WEIGHT **140** EYES **BRO** HAIR **BLK** RESIDENTIAL PHONE NO. CELL/PAGER PHONE NO. WORK PHONE NO.

VIOLATION DATE **03/17/2016 12:16** ON OR ABOUT **03/17/2016 12:16** INTERPRETER NEEDED AT LOCATION **MAYFAIR ST. ROWAN AVE.** M.P. BLOCK # **5500** CITY/COUNTY OF **SPOKANE/SPOKANE**

DID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE ON A PUBLIC HIGHWAY AND

VEH LIC NO STATE EXPIRES VEH YR MAKE MODEL STYLE COLOR

TR #1 LIC NO STATE EXPIRES TR YR TR #2 LIC NO STATE EXPIRES TR YR

OWNER/COMPANY IF OTHER THAN DRIVER ADDRESS CITY STATE ZIP CODE

ACCIDENT BAC COMMERCIAL VEHICLE YES NO 16+ PASS YES NO HAZMAT YES NO EXEMPT VEHICLE FIRE LEA

DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES

1. VIOLATION/STATUTE CODE **10.07.032** ☐ D V OBSTRUCTING OFFICER

2. VIOLATION/STATUTE CODE ☐ D V

3. VIOLATION/STATUTE CODE ☐ D V

4. VIOLATION/STATUTE CODE ☐ D V

5. VIOLATION/STATUTE CODE ☐ D V

MANDATORY COURT APPEARANCE APPEARANCE DATE TIME RELATED # DATE ISSUED **03-17-16**

☒ TICKET SERVED ON VIOLATOR ☐ TICKET REFERRED TO PROSECUTOR
☐ TICKET SENT TO COURT FOR MAILING ☒ BOOKED

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE ISSUED THIS ON THE DATE AND AT THE LOCATION ABOVE, THAT I HAVE PROBABLE CAUSE TO BELIEVE THE ABOVE NAMED PERSON COMMITTED THE ABOVE OFFENSE(S), AND I AM ENTERING MY AUTHORIZED USER ID AND PASSWORD TO AUTHENTICATE IT.

OFFICER **D. WELLS** # **1203**

COMPLAINT CITATION ABSTRACT OF JUDGMENT	CHG #	RESPONSE	CHG	DISPOSITION	FINES	SUSPENDED	SUB.TOTAL	FINDING/JUDGMENT DATE	TO SERVE W/ DAYS SUSP
1	G	NG		G NG D	\$	\$	\$		
2	G	NG		G NG D	\$	\$	\$	ABSTRACT MLD TO OLYMPIA	CREDIT/TIME SVD Y/N
3	G	NG		G NG D	\$	\$	\$		LIC SARR BY
4	G	NG		G NG D	\$	\$	\$	TOTAL COSTS	REC NONEXTENSION OF SUSP Y/N
5	G	NG		G NG D	\$	\$	\$		



see attached arrest report.

Officer's Report for Citation/Notice of Infraction # 6Z0221161.

The information contained in and attached to this citation/notice of infraction is incorporated by reference into this report.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF
WASHINGTON THAT ALL STATEMENTS MADE HEREIN ARE TRUE AND
ACCURATE AND THAT I AM ENTERING MY AUTHORIZED USER ID AND
PASSWORD TO AUTHENTICATE IT.

Signature: D. WELLS # 1203

Date and Place: 3/17/2016 City/Town of Spokane, County of SPOKANE

TRAFFIC	WEATHER		STREET		LIGHT	
WITNESS NAME (LAST, FIRST, M.I.)	PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE ZIP	ADDRESS	CITY	STATE ZIP	
WITNESS NAME (LAST, FIRST, M.I.)	PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE ZIP	ADDRESS	CITY	STATE ZIP	
WITNESS NAME (LAST, FIRST, M.I.)	PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE ZIP	ADDRESS	CITY	STATE ZIP	
WITNESS NAME (LAST, FIRST, M.I.)	PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE ZIP	ADDRESS	CITY	STATE ZIP	

PAGE 2 OF 2