



SPOKANE POLICE DEPARTMENT

## Internal Affairs Exemption Log



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

#2b	Records relating to commission of Juvenile offenses.	Redacted to protect the personal information of a juvenile in the court system. May not be released to the 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)
<b>ACCESS Database Info</b>			
#3a	Information from WACIC/NCIC (ACCESS): <b><u>Criminal history information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3b	Information from WACIC/NCIC (ACCESS): <b><u>License Plate Information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3c	Information from WACIC/NCIC (ACCESS): <b><u>Vehicle Registered owner information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3d	Information from WACIC/NCIC (ACCESS): <b><u>Wanted persons information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3e	Information from WACIC/NCIC (ACCESS):	WACIC/NCIC/III - information from ACCESS restricted to law	28 USC § 534 For criminal justice purposes only.

	<b><u>Officer safety information</u></b>	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): <b><u>Gun information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3g	Information from WACIC/NCIC (ACCESS): <b><u>DOL Information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3h	Information from WACIC/NCIC (ACCESS): <b><u>Stolen Vehicle Information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3i	Information from WACIC/NCIC (ACCESS): <b><u>Missing Persons Information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3j	Information from WACIC/NCIC (ACCESS): <b><u>Runaways or endangered persons</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3k	WACIC/NCIC (ACCESS): <b><u>DOC Information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
<b>Personal Identifiers and Financial Info</b>			
#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)
<b>Employees Files</b>			
#5a	<b>Photos</b> of Spokane Police Department or other criminal justice employees	Photographs in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030 are protected from disclosure for their safety and privacy.	RCW 42.56.250(8) (Employment and licensing)
#5b	<b>Birthdates</b> of criminal justice employees	Birthdates in the personnel files of employees and workers of criminal 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)
<b>Criminal History</b>			
#6a	Criminal history <u>not</u> from ACCESS- Non-Conviction Data	Criminal history which has not led to a conviction or other adverse disposition is protected by state law and only released to Criminal Justice Agencies for law enforcement purposes.	RCW 10.97 (Criminal Procedure)
<b>Officer Safety or Intelligence</b>			
#7a	Intelligence, sensitive security, or tactical information	Record includes sensitive intelligence, security or tactical information the non-disclosure of which is essential to effective law enforcement.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7b	Undercover Officer identification	Contains information which could reveal the identity of an undercover officer, who undertakes ongoing dangerous / confidential undertakings to effect law enforcement purposes. Protected to preserve the life and personal safety of officer and family.	RCW 42.56.240(1) Specific intelligence information the nondisclosure of which is essential to effective law enforcement.
#7c	ID Records revealing covert law enforcement activity	Any record pertaining to a vehicle license plate, driver's license, or identicard revealing the identity of an individual performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigative activity.	RCW 42.56.230(7)(c) (Personal Information)
#7d	Law Enforcement Information Sheet	Contains confidential data used for law enforcement purposes. Disclosure has no legitimate value to the public and can endanger an individual's safety. Contains specific intelligence information the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7e	Confidential Informant information	Contains identifying information which could reveal the identity of a confidential informant. Considered intelligence information, used in a 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.	
<b>Photos</b>			
#8a	Photos showing a deceased person	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8b	Photos showing highly sensitive material	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8c	Photo Montages	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
<b>Protected by Law</b>			
#9	Medical Records	Medical records consist of confidential and privileged information highly personal and restricted. The disclosure of medical records is regulated by state and federal law and not public information. Right to Privacy: Disclosure would be highly offensive to a reasonable person.	RCW 42.56.360 (Health care), 70.02.005 (Findings) and HIPPA (45 CFR 164.502). RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#10a	Jail records	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as this information is only available to criminal justice agencies as defined in RCW 43.43.705.	RCW 70.48.100 (Jail register)
#10b	Jail booking photos	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as	RCW 70.48.100 (Jail register)

		this information is only available to criminal justice agencies as defined in RCW 43.43.705.	
#11	Autopsies, postmortems	Reports and records of autopsies or postmortems are confidential and exempt from public disclosure, but certain officials with authority to examine and obtain copies of such reports may access.	RCW 68.50.105 (Autopsies, postmortems – Reports and records confidential)
#12	Confidential Attorney Client Communications	This redaction protects confidential communications between an attorney and his/her client.	RCW 5.60.060(2)(a) (Privileged communications) <i>Hangartner v. Seattle</i> , 151 Wn.2d 439 (2004).
#13a	<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 Kevin Huddle

**Assigned Investigator:** [Incident pending assignment]

### Incident Details

<b>Date Received</b>	<b>Date of Occurrence</b>	<b>Time of Occurrence</b>
3/19/2016	3/17/2016	14:52
<b>Record ID #</b>	<b>Incident No</b>	<b>IA No</b>
9243	16-94623	F16-022
<b>Date/Time Entered</b>		
3/19/2016 08:49		

### Incident Summary

Officer Pavlischak was at Walmart when he was advised of a male on his back on the sidewalk in front of the store. The male was screaming "kill me", and not making sense. He was a mental that was under the influence of some type of drug. The male resisted when they tried to control him and became combative. Officer Pavlischak used a level one neck restraint to try and control the male until other officers arrived. The male was transported to Sacred Heart for mental evaluation.

In compliance with policy per Assistant Chief Meidl 04/12/16.

### Incident Location

- 2301 Wellesley ST, Direction: W, Spokane, WA - : Northwest

### Use of Force Specific Information

<b>Reason for Use of Force</b>	<b>Service Being Rendered</b>	
Threat to Harm Others	Flagged Over	
<b>Weather Condition</b>	<b>Lighting Condition</b>	<b>Distance to Citizen</b>
Clear	Daylight	a-0-3 feet
<b>Citizen Injured</b>	<b>Citizen Taken to Hospital</b>	<b>Citizen Arrested</b>
Yes	Yes	No
<b>More than 1 Citizen Involved</b>		
No		
<b>Citizen's Build</b>	<b>Citizen's Height</b>	
Medium	5'10" to 6'0"	
<b>Officer Assessment of Citizen Condition During Incident</b>		
Mental Health Issues + Drugs/Alcohol		
<b>Officer(s) Injured</b>	<b>Officer(s) Taken to Hospital</b>	
No	No	



## Reporting/Involved Citizen Information

#14

DOB: 5/29/1989 Race: White Gender: Male

**Address**

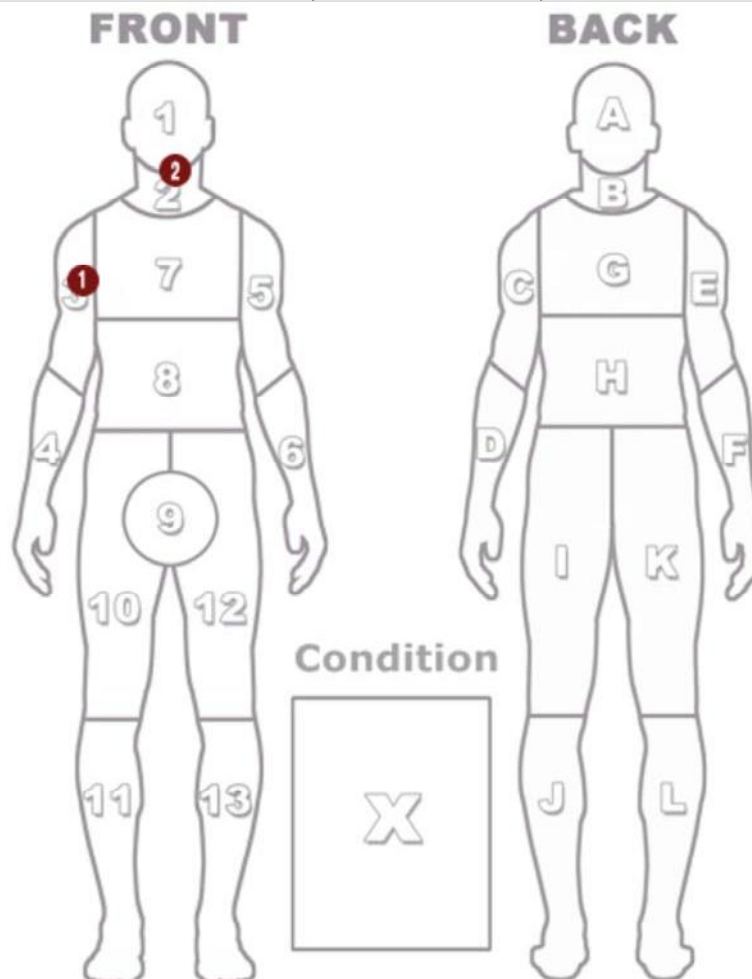
- 4218 Francis AV, Direction: W, Spokane, WA 99205

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

- Active Resistance
- Assaultive

**Injuries sustained by this citizen**

Injury	Regions	Injury Locations
a-Complaint of Pain	3	1
b-Minor Visible Injury	1	2



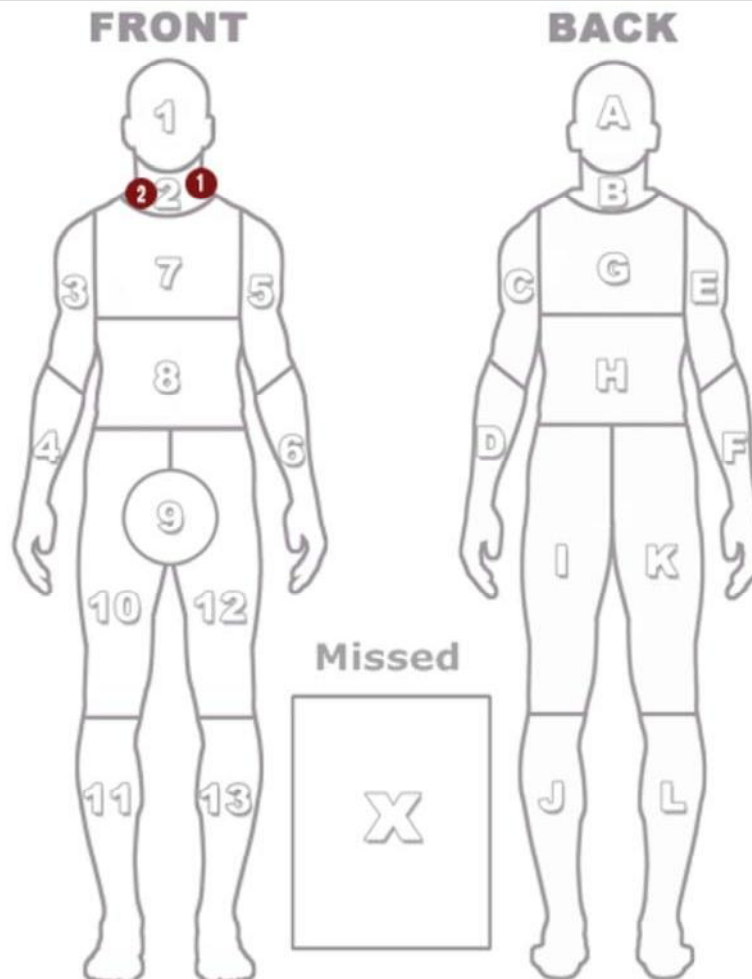
## Involved Officers

Officer Charles Pavlischak - Payroll Number: #5c

**Force used by this officer against the citizen**

- LNR-Level 1 - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
LNR-Level 1	Yes	2	1, 2



## Citizen Witnesses

**James Johnson**

**DOB: 3/31/1997 - Race: White - Gender: Male**

**Address**

- 4218 Francis AV, Direction: W, Spokane, WA 99205

**Phone**

- (509) 724-0531

**DOB: #1a - Race: White - Gender: Male**

**Address**

- #1d

**Phone**

- (509) 327-0404

## Officer Witnesses

**Detective Benjamin Green - Payroll Number:** #5c

## Attachments

Date Attached	Attachment Description	Attachment Type
3/19/2016	CAD, Officer Reports	pdf
3/25/2016	Body Camera Kennedy	
3/25/2016	Body Camera Video Pavlischak 1	
3/25/2016	Body Camera Video Pavlischak 2	
3/25/2016	Dispatch recording #1	msg
3/25/2016	dispatch recording #2	msg
3/25/2016	#14 photo 1	JPG
3/25/2016	#14 photo #2	JPG
3/25/2016	#14 photo #3	JPG
3/25/2016	#14 photo #4	JPG
3/25/2016	Sgt. Addl. Rpt.	doc
3/28/2016	Kennedy interview of witnesses	
3/30/2016	Walmart video	
3/31/2016	Pavlischak body cam	
4/14/2016	Email Distribution	pdf

## Chain of Command History

Sent Dt	From	To	CC	Approved
3/25/2016	Internal Affairs	Internal Affairs	Lieutenant Joseph Walker	<input checked="" type="checkbox"/>

**Sender's Instructions:** Surveillance video from Walmart sent in inter-office envelope as it was too large to attach and I was unable to view it because of software issues.

**Recipient's Comments/Response:** UOF review

3/30/2016	Lieutenant David Staben	Lieutenant Joseph Walker	(none)	<input checked="" type="checkbox"/>
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**Sender's Instructions:** This is a UOF review

**Recipient's Comments/Response:** I concur with Sgt Huddles review and recommendation that this use of the LNR 1 was an appropriate use of force to control and detain the individual. The individual was having mental health issues and needed to be detained and transported to the hospital for evaluation and treatment. Officer Pavlischak's actions were both reasonable and within training guidelines and SPD Policy #300. I have attached Officer Pavlischak's body camera footage (link) which was listed under the previous call he had been on prior to this incident.

3/31/2016	Lieutenant Joseph Walker	Captain Daniel Torok	(none)	<input checked="" type="checkbox"/>
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**Sender's Instructions:** ready for your review

**Recipient's Comments/Response:** I concur that the force used was reasonable and within policy.

4/12/2016	Captain Daniel Torok	Chief Craig Meidl	(none)	<input checked="" type="checkbox"/>
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**Sender's Instructions:** for review

**Recipient's Comments/Response:** Compliant with policy.

**Assigned Investigator Signature Line**

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[Incident pending assignment]

**Chain of Command Signature Lines**

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Lieutenant David Staben

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Lieutenant Joseph Walker

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Captain Daniel Torok

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Chief Craig Meidl



Spokane Police Department  
Internal Affairs



Use of Force  
Additional

**Incident #: 16-094623**

**Date: 03/17/2016**

**Involved Officer(s) BWC Y/N: Officer Pavlischak/yes, Officer B. Green/no**

**Reviewing Supervisor: Sgt. Huddle #208**

**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 Pavlischak had just handled two shoplifting calls at Walmart, 2301 W. Wellesley, when a citizen pointed out [REDACTED] #14 laying on the sidewalk in front of Walmart. He could hear [REDACTED] #14 yelling, "kill me." He appeared to be under the influence of a drug. When he and Officer Green tried to control [REDACTED] #14 they had trouble. [REDACTED] #14 was extremely strong. He kept resisting and pulling away. Officer Pavlischak applied a Level 1 neck restraint and laid on top of [REDACTED] #14 just to try and control him. They could not get [REDACTED] #14 handcuffed until Officer Strosahl arrived.

**Officer Interview Summary:** Both officers said they could not believe how strong [REDACTED] #14 was. They had trouble controlling his arms. At Sacred Heart both said he was a completely different person than he was at Walmart. He was much calmer and more coherent. See the attached officer reports.

**Subject Interview Summary:** I interviewed [REDACTED] #14 at Sacred Heart. At first he said he did not remember any of the incident with officers. . He later said, "I really resisted." He also said, "I resisted too hard." He said he was mad and sad at the world and sometimes wanted to die. He had a small scrape under his chin and the area where he had a piercing on his right cheek had some blood on it. He did say his right shoulder was sore. He said he has seizures and takes depacote. He has PTSD and anxiety.

**Witness Interview Summary:** See Officers reports.

**Witness Officer Interview Summary BWC Y/N:** Officer Strosahl said he had a body camera but he did not have time to activate it. He said the only thing he did was help handcuff [REDACTED] #14. See also Officer Green's report.

**Any Relevant Clarifying Information and Observations:** I got the surveillance video from Walmart and it was too large to attach to the Blue Team report. I will send it in an inter-office envelope. I was unable to view it because of software issues.

**Sergeant Findings:** When Officer Pavlischak contacted [REDACTED] #14 [REDACTED] #14 appeared to be suicidal and under the influence of a drug. He was a threat to himself and others. Officer Pavlischak had a duty to try and control [REDACTED] #14 so [REDACTED] #14 or nobody else was injured.

## **SPD POLICE 300 USE OF FORCE**

**-Active Resistance-** Use of physical effort or mechanical resistance in achieving and/or maintaining noncompliance.

**-Assaultive-** Noncompliance perceived as, or resulting in, an actual assault on an individual or officer. The scope and severity of the attack would likely not result in serious bodily injury or death.

## **SPD POLICY 300.3 USE OF FORCE**

**Any force used by an officer must be objectively reasonable based on the totality of the facts and circumstances known to the officer at the time the force is used.**

Officers Pavlischak and Green both had trouble controlling [REDACTED] #14 arms. [REDACTED] #14 had assaulted Green by grabbing his arm and trying to kick both officers. Officer Pavlischak was attempting to control [REDACTED] #14 by using his body weight and the Level 1 neck restraint until other officers could arrive and help control [REDACTED] #14. This use of force was both reasonable and justified under SPD Policy 300.

Sgt. K. Huddle #208

Incident History for: #SP160094623

Entered 03/17/16 14:52:36 BY PCC01 320  
 Dispatched 03/17/16 14:52:36 BY PCC01 320  
 Enroute 03/17/16 14:52:36  
 Onscene 03/17/16 14:52:36  
 Closed 03/17/16 18:53:34

Initial Type: DISORD Final Type: DISORD (DISORDERLY PERSON)

Initial Priority: 2 Final Priority: 2

Disposition: 1A Source: R Primary Unit: B230

Police BLK: SPALNW

Group: P1 Beat: Map Page: 24

Loc: 2301 W WELLESLEY AV ,SPK -- WALMART SHADLE btwn N BELT ST & N ALBERTA ST (

V)  
 Name: Addr: Phone:

/145236 (320 ) \$OUTSRV ,NO MORE INFORMATION  
 /145236 DISPOS B230 #359 PAVLISCHAK, JAMIE  
 ,NO MORE INFORMATION  
 /145248 ASSTER B234 [2301 W WELLESLEY]  
 #872 GREEN, BENJAMIN  
 /145258 CHANGE LOC: 2301 W WELLESLEY --> 2301 W WELLESLEY AV  
 ,SPK,  
 BLK: --> SPALNW  
 /145409 (872 ) \*ONSCNE B234  
 /145507 (1144 ) REMINQ B230 WANT,B230,,,,,, #14 1989,05,29,  
 /145624 (320 ) CALLBK B234 T/PCC05  
 ,MEDICS FOR ADULT MALE CONSCIOUS/BREATHING, AG  
 ITATED, POSS HIGH ON DRUGS  
 /145827 (1160 ) CALLBK B230 T/PCC01  
 ,MEDICS ER  
 /150037 (320 ) ASSTER A112 [2301 W WELLESLEY AV ,SPK]  
 #288 KENNEDY, DAVID  
 /150040 (268 ) \*ASSTER A110 [2301 W WELLESLEY AV ,SPK]  
 #268 CARROLL, RICHARD (VIC)  
 /150041 (320 ) ASSTER A115 [2301 W WELLESLEY AV ,SPK]  
 #527 ERIKSEN, DEVIN  
 /150050 ASSTER N37 [2301 W WELLESLEY AV ,SPK]  
 #565 STROSAHL, DOUGLAS S  
 /150109 MISC B234 ,JWO OF MAIN ENTRANCE ON SIDEWALK  
 /150209 ONSCNE N37  
 /150218 MISC N37 ,ONE IN CUFFS  
 /150431 ASSTER P305 [2301 W WELLESLEY AV ,SPK]  
 #741 BECKLEY, DAVID  
 /150438 (288 ) \*ONSCNE A112  
 /150542 (1160 ) ASSTER L250 [2301 W WELLESLEY AV ,SPK]  
 #208 HUDDLE, KEVIN  
 /151110 (268 ) \*ONSCNE A110  
 /151133 (527 ) \*ONSCNE A115  
 /151340 (741 ) \*REMINQ P305 MVEH,453XLS,,,,,,,,,,,,,,,,,,,,,,,,,,,,,  
 /151541 (320 ) MISC N37 ,MALE GOING BY AMR TO SACRED HEART  
 /151653 \$PREMPT B230  
 /151659 ONSCNE L250 [SACRED HEART]  
 /151730 (741 ) \*CHGLOC P305 [SHMC]  
 /151754 (320 ) MISC A110 ,#####  
 /151844 (565 ) \*NEWLOC N37 [COPS NW]  
 /151908 (872 ) \*CHGLOC B234 [SHER]  
 /151915 \*MISC B234 ,FOLLOWING AMR

/151918	(565	)	*MISC	N37	, PSTAT/ASST PSTAT/RPT PSTAT/VIDN
/152544	(288	)	*MISC	A112	, CONTACT INFO FOR [REDACTED] #1a
					[REDACTED] #1a [REDACTED] #1b [REDACTED] #1c STO
				RE # [REDACTED] #1c	
/152602	(268	)	*CLEAR	A110	, PSTAT/ASST
/152659	(288	)	*CHGLOC	A112	[PROPERTY W/ VIDEO]
/153146	(741	)	*ONSCNE	P305	
/153237	(565	)	*CLEAR	N37	, 8B
/153318	(288	)	*CHGLOC	A112	[SHMC L250]
/153733	(527	)	*CLEAR	A115	
/154536	(288	)	*ONSCNE	A112	
/155502	(320	)	ASSTER	B230	[SHER]
				#359	PAVLISCHAK, JAMIE
/155753	(288	)	*CHGLOC	A112	[PROPERTY]
/160133	(359	)	*ONSCNE	B230	
/161002	(288	)	*ONSCNE	A112	
/162544			*CHGLOC	A112	[DRILL HALL]
/162940	(872	)	*ONSCNE	B234	
/163938	(288	)	*ONSCNE	A112	
/164403	(741	)	*CLEAR	P305	, PSTAT/ASST PICS
/164657	(208	)	*CLEAR	L250	, PSTAT/ASST, ADMIN RPT
/165703	(359	)	*CHGLOC	B230	[NC USE OF FORCE REPORT]
/165706			*ONSCNE	B230	
/174920	(288	)	*CLEAR	A112	, PSTAT/ASST PSTAT/RPT PSTAT/VIDY
/183243	(872	)	*MISC	B234	, NC FOR USE OF FORCE RPT
/183900			*MISC	B234	, PSTAT/ASST PSTAT/RPT
/183907			*CLEAR	B234	
/185334	(359	)	*CLEAR	B230	DSP: 1A
					, PSTAT/CFS PSTAT/RPT PSTAT/VIDY
/185334			CLOSE	B230	



# INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>16-094623</b>	
INCIDENT TYPE <b>Information</b>		INCIDENT CLASSIFICATION #1 <b>PERSONS-MENTAL</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON <b>Thu 03/17/2016 14:52</b>	DATE/TIME	OCCURRED ON <b>Thu 03/17/2016 14:52</b>	DATE/TIME	OCCURRED TO <b>Thu 03/17/2016 14:52</b>	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>03/17/2016</b>	REPORT TIME <b>17:04</b>	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE					UCR/NIBRS CODE
LOCATION OF INCIDENT <b>2301 W WELLESLEY, Spokane, WA 99205</b>				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS <b>None</b>					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS <b>YES</b>					
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim - Individual, A-Arrested Person, VB-Victim - Business, M-Missing, MIR-Person Mentioned, RO-Registered Owner, V-Deceased, PS-Passenger, PE-Pedestrian, PC-Pedestrian - Cyclist, O-Other, C-Complainant, IN-Institutional, GL-Legal Guardian, D-Driver, W-Witness, CV-Complainant in Victim, CON-Contact, RU-Runaway, OW-Owner of Property</small>					
CODE <b>IN-1</b>	NAME: LAST, FIRST, MIDDLE <b>#14</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>
DATE OF BIRTH/AGE <b>05/29/1989 26</b>	HEIGHT	WEIGHT	BUILD	HAIR	EYES
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>923 E 3rd Avenue, Spokane, WA 99201</b>			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION		EMPLOYER PHONE
CODE <b>C-1</b>	NAME: LAST, FIRST, MIDDLE <b>#1a</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>
DATE OF BIRTH/AGE <b>#1d</b>	HEIGHT	WEIGHT	BUILD	HAIR	EYES
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>#1d</b>			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES <b>(Business) #1c</b>					
NARRATIVE					

031716 (1452hrs) I had just cleared my second shoplifting call and was about to transport a female on a warrant she had at Walmart (2301 W. Wellesley). I could hear someone screaming "kill me" over and over again. I was then contacted by compl #1a who pointed over at subj #14 who was laying on the sidewalk in front of the store. I contacted #14 who continued to scream but I was able to somewhat calm him down. His

ID NO./NAME OF REPORTING OFFICER <b>#359 - Pavlischak, Jamie</b>		DISTRIBUTION	
APPROVAL <b>#741 - Beckley, David</b>	DATE/TIME <b>03/17/2016 19:50</b>		

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

Page 2

INCIDENT CLASSIFICATION <b>PERSONS-MENTAL</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-094623</b>
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wallet was laying on the ground so I retrieved his social security card and ran his name. He stood up and started looking off into the parking lot. He was talking very quickly and not making any sense. I asked him to sit back down but he didn't want to. He was looking around as though he wanted to run away. I grabbed him from behind and sat him back down onto the ground.

I was able to calm him down again and called for backup. Ofc Green arrived on scene and the subj stood back up. We tried to calm him down and tried to get him to sit back down. He refused and I again grabbed him from behind by his shoulders and pulled him backwards. I was able to set him down onto the ground without injury.

We called for medics to respond due to his erratic behavior and it appeared he was under the influence of some type of drug. He again tried to stand up and I attempted to gain right arm control. Ofc Green attempted to gain left arm control however he fought back and was able to pull his right arm under his chest. I called for another unit to respond and told him to stop resisting and put his arms behind his back.

He was attempting to roll over onto his side and bring his knees up to his chest. I placed him in an LNR and was able to somewhat keep him on the ground. I took upper body control and was able to get him back onto his chest and face down on the ground. Ofc Green was still having trouble getting left arm control and the subj put his right arm out in an attempt to push himself up. We continued to tell him to stop resisting and put his arms behind his back. At no time did I render the subj unconscious with the LNR.

I grabbed his right arm and pulled it straight out and forced my shoulder into his. I stretched his arm back, locked it and he continued to fight against me the entire time. I had just about lost it again but was able to bend his elbow and force my knee into it. I then pinned it to the ground with my knee and forced his arm behind his back and extended it straight out away from his body. I put one knee into the back of his neck and the other into the center of his back.

He continued to resist and Ofc Strossahl arrived on scene. He assisted and we were able to get the susp in handcuffs. Once he was detained his handcuffs were adjusted and loosened. Medics later arrived on scene and #14 was transported to SHMC MHP for an evaluation and medical check.

Sgt Huddle was contacted and briefed on the incident. After I booked the original susp I had on her warrant, I responded to SHMC and contacted Sgt. Huddle. After he was briefed, I forward my report and cleared the call.

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

CJ Pavlischak #359

# INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>16-094623</b>	
INCIDENT TYPE <b>Information</b>		INCIDENT CLASSIFICATION #1 <b>PERSONS-MENTAL</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <input type="checkbox"/>
		INCIDENT CLASSIFICATION #3 <input type="checkbox"/>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4 <input type="checkbox"/>
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON <b>Thu 03/17/2016 14:52</b>	DATE/TIME	OCCURRED ON <b>Thu 03/17/2016 14:52</b>	DATE/TIME	OCCURRED TO <b>Thu 03/17/2016 14:52</b>	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>03/17/2016</b>	REPORT TIME <b>16:33</b>	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE					UCR/NIBRS CODE
LOCATION OF INCIDENT <b>2301 W Wellesley, Spokane, WA 99205</b>				LOCATION NAME (IF APPLICABLE) <b>Walmart</b>	
SOLVABILITY FACTORS <b>Suspect Can Be ID'd</b>					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS <b>Pavlischak, Kennedy</b>					
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim, I-Individual, A-Alleged 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, CON-Contact, RU-Runaway, OW-Owner of Property</small>					
CODE <b>CON-1</b>	NAME: LAST, FIRST, MIDDLE <b>#14</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White/Non-Hispanic</b>
DATE OF BIRTH/AGE <b>05/29/1989 26</b>	HEIGHT	WEIGHT	BUILD	HAIR	EYES
CONFIDENTIALITY <input type="checkbox"/>			ADDRESS: STREET, CITY STATE ZIP <b>4218 W Francis, Spokane, WA 99205</b>		RESIDENTIAL STATUS
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION		EMPLOYER PHONE
CODE <b>W-1</b>	NAME: LAST, FIRST, MIDDLE <b>Johnson, James C</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>
DATE OF BIRTH/AGE <b>03/31/1997 18</b>	HEIGHT	WEIGHT	BUILD	HAIR	EYES
CONFIDENTIALITY <input type="checkbox"/>			ADDRESS: STREET, CITY STATE ZIP <b>4218 W Francis, Spokane, WA 99205</b>		RESIDENTIAL STATUS
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES <b>(Home) (509) 724-0531</b>					
NARRATIVE					

On 3/17/16 at about 1454 I responded to assist Ofc. Jamie Pavlischak with a disorderly male at Walmart, 2301 W Wellesley.

As I pulled up I observed Ofc. Pavlischak standing on the sidewalk in front of Walmart, to the west of the main entrance. There was a male (later identified as **#14**) that Ofc. Pavlischak

ID NO./NAME OF REPORTING OFFICER <b>#872 - Green, Benjamin</b>		DISTRIBUTION <b>Mental Health Services</b>	
APPROVAL <b>#649 - Eckersley, Brian</b>	DATE/TIME <b>03/17/2016 20:26</b>		

# INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION  
**PERSONS-MENTAL**

ATTEMPTED  
☐

INCIDENT NUMBER  
**16-094623**

was just helping sit down on the sidewalk. He was lying on the ground on his back near Ofc. Pavlischak by the time I reached them. As I walked up I could see that though lying down, he appeared conscious and mild-mannered but confused. He was shifting and moving frequently, trying to sit up, stand, lie back down, it appeared to me that he may be under the influence of some form of drugs and/or mental issues as well. His speech was garbled and slurred, he wasn't making sense. I believed at this point that he may have possible medical stability concerns. I called for medics to come check him out. He was not handcuffed or under arrest. He sat up and I was encouraging him to stay down while we waited for medics. He suddenly fought to stand up (balance was poor at best, he was not making sense with what he was saying, and was clearly not in his right mind) and lurched toward the entrance. I grabbed his left arm, continually talking to him, trying to calm him down, now very concerned about his mental health. He was clawing to get away from me, then suddenly flipped and gripped my arm with a "death grip", as he sat down again, with a intensity and grip I have rarely felt before. He refused to let go for several seconds. He appeared not understanding what was going on at that moment.

James Johnson had walked up to us and I realized that #14 was trying to get to him. I do not recall exactly what was said by James as we tried to maintain #14 and gain control, but I recall James telling me something about PTSD and mental health issues on #14 behalf. This all occurred within seconds. #14 rapidly escalated, no longer responding to any directions from Ofc. Pavlischak and I, struggling against us as I tried to calm him down. He was now extremely upset and jumped to his feet, pulling away from us. He flipped his hoodie over his head and was rocking back and forth.

I took hold of #14 left arm and we pulled #14 to the ground, where #14 actively yanked on my arm, tried to kick both of us, and was hissing and spitting at us. We moved him to his stomach, continually telling him to calm down and stop resisting. He actively continued resisting, attempting to yank his arms away from me. I was holding his left arm. It took all I had to move his arm a little at a time, just to get it straight beside his body. I was expending a great deal of energy just to maintain control of his left arm.

As we continued to struggle with #14 on the ground, I looked over from my hold on his left arm and observed that Ofc. Pavlischak was holding #14 in what appeared to be a Level 1 Lateral Neck Restraint. #14 was very much awake and conscious. At no time did he ever relax his left arm during the struggle or lose consciousness. Ofc. Pavlischak released the hold and moved to control #14 right arm. #14 was still not doing as we asked. When other officers began to arrive, one of them helped me move his left arm behind his back where we were able to handcuff him. #14 continued to writhe and kick. While still in the struggle, I observed that there was blood oozing from what appeared to be previous open wounds on his left hand.

After we had detained him in handcuffs, I observed blood dripping from his left cheek at the site of a piercing. There were abrasions on his chin and left cheek, consistent with contact with the sidewalk.

## INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION <b>PERSONS-MENTAL</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-094623</b>
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There were open sores on both hands, with some blood oozing from at least one. I observed no visible serious injuries.

We rolled him on his side to assist with breathing. Several minutes later, we were able to gradually calm #14 down. By the time medics placed him in the ambulance he was much better, but still didn't seem quite up to speed mentally, still having difficulty responding or understanding easily what was being said.

Once #14 was detained, I contacted James Johnson. James told me that he met #14 5-6 days ago. When he learned #14 was homeless, he invited James to stay with him. He believes James has some sort of mental diagnosis but doesn't know what. James has claimed to have PTSD and said he needs to go to the VA. He has not seen James drink alcohol or use drugs other than marijuana. He says James smokes e-cigarettes extensively and does use marijuana. He doesn't think James uses spice. Today James went to Walmart with #14 and was inside when someone came and found him to tell him police were with #14 outside. He thought #14 had only gone to the Vapor store to get e-cigarette supplies.

I went to the hospital with #14 where I filled out the involuntary hold form for Sacred Heart. While there I had the opportunity to observe #14 talking with several people. He now seemed much more "normal", completing full sentences, understanding what was said to him. This was completely different than what I observed when we first contacted #14. It should be noted how rapidly his mental state changed from uncooperative to extremely violent, and back to cooperative. At the time of this report I am not aware of any confirmation as to any substances that may or may not have been used.

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

Ofc. B. Green / 872 / B234

# SUPPLEMENTAL REPORT

**Spokane Police/Spokane County Sheriff**

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>16-094623</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Thu 03/17/2016</b>	TIME <b>15:20</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>DISORDERLY CONDUCT</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>03/17/2016</b>	REPORT TIME <b>15:20</b>	
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 031716 at approx. 1500 hours, Ofc. Pavlischak was at 2301 W Wellesley with a disorderly male. He requested additional units and based on his radio traffic appeared to be in a struggle. I responded to assist.

Upon arrival, I saw Ofc. Pavlischak and Ofc. Green attempting to subdue a male on the ground. The male was still struggling against their attempts to restrain him in handcuffs. I assisted them in handcuffing the male. Once restrained, we rolled him onto his side into the recovery position.

The male stopped struggling and I helped him stay in that position until medics arrived to transport him to the hospital. I observed the male appeared to be bleeding slightly from small abrasions to his face and hands.

I did not have time to activate my camera during this incident.

See the other officers reports 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.

D. Strosahl #565  
SPD N37

ID NO./NAME OF REPORTING OFFICER <b>#565 - Strosahl, Douglas</b>		DISTRIBUTION	
APPROVAL <b>#401 - Bartlett, Glenn</b>	DATE/TIME <b>03/17/2016 17:42</b>		

# SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>16-094623</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Thu 03/17/2016</b>	TIME <b>14:52</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>PERSONS-MENTAL</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>03/17/2016</b>		REPORT TIME <b>17:00</b>
PRIMARY CHARGE					UCR/NIBRS CODE
<b>VICTIM/WITNESSES/OTHERS</b> <small>S-Suspect, V-Victim - Individual, A-Arrested Person, VB-Victim - Business, M-Missing, MIR-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, CON-Contact, RU-Runaway, OW-Owner of Property</small>					
CODE <b>W-1</b>	NAME: LAST, FIRST, MIDDLE <b>#1a</b>		SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>	DATE OF BIRTH/AGE <b>#1b</b>
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input checked="" type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>#1d</b>		RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION <b>Employed</b>		EMPLOYER PHONE
ADDITIONAL PHONES <b>(Business) #1c</b>					
<b>NARRATIVE</b>					

On 03-17-2016 1452 hr's, Officer Pavlischak advised that he was at the Shadle Walmart with one person detained in his vehicle, and that he was with another subject outside of the store.

At 1456 hr's Officer Pavlischak requested that medics start for one of the persons. Officer Pavlischak advised that the male was possibly under the influence of some unknown type of drug, and was in an agitated state.

At 1500 hr's Officer Pavlischak requested that more units start to the location. Listing to the tone and mannerism of Officer Pavlischak's voice, it was obvious that he was in a physical encounter with someone, and needed backup.

Upon my arrival at 1504 hr's, there were other Officers who had arrived prior to me. I observed a wm ID'd as **#14** A 05-29-1989 laying on the sidewalk just West of the main entrance for the Walmart. **#14** was handcuffed and was being attended to by Officer Strosal.

I contacted the store manager, **#1a** **#1b** I asked **#1a** if he had seen what had transpired with the Officers and **#14**

**#1a** stated, that he had been alerted by staff about a suspicious male that had come into the store, and then went outside. When he went outside he saw **#14** sitting on the sidewalk next to a wallet that he presumed belonged to **#14** Officers were talking to **#14** trying to

ID NO./NAME OF REPORTING OFFICER <b>#288 - Kennedy, David</b>		DISTRIBUTION <b>Crime Analysis, Mental Health Services, Spokane Mental Health</b>	
APPROVAL <b>#093 - Sprague, Dean</b>	DATE/TIME <b>03/17/2016 20:35</b>		

## SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION <b>PERSONS-MENTAL</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-094623</b>
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keep him calm, as #14 appeared to be high on some form of drugs. As the friend of #14 got closer to them, #14 attempted to run at the friend. Officers attempted to keep #14 calm and in one location, but #14 wouldn't listen to the Officers. Officers attempted to control #14 but he was struggling with the Officers who eventually took #14 to the ground where he was detained.

I asked #1a if he had seen #14 assault anyone including the Officers. #1a stated, that he didn't see #14 assault anyone, but he was obviously under the influence of drugs possibly combined with mental health issues.

#1a had his security department provide a copy of the stores video surveillance for the area where and when the incident took place outside of the store.

I placed the video on Police Property as evidence in case there were any forthcoming criminal actions taken on #14.

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

OFFICER/NUMBER/CALL SIGN

D. Kennedy #288 A112