



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 Christopher Crane

### Incident Details

<b>Date Received</b>	<b>Date of Occurrence</b>	<b>Time of Occurrence</b>
4/1/2016	3/31/2016	15:57
<b>Record ID #</b>	<b>Incident No</b>	<b>IA No</b>
9259	16-112829	F16-027
<b>Date/Time Entered</b>		
4/6/2016 12:45		

### Incident Summary

Officer Rodriguez, Officer Cole, and Sgt. Vigesaa were involved in a very fast incident of physical control and arrest techniques on a wanted subject in the lanes of East Wellesley during afternoon traffic. No reportable Use of Force was used. The wanted suspect is claiming his elbow was "broken" by SPD.

In compliance with policy per Assistant Chief Meidl 06/21/16.

### Incident Location

- 1800 Wellesley, Direction: E, Spokane, WA 99208 - : Northeast

### Use of Force Specific Information

<b>Reason for Use of Force</b>	<b>Service Being Rendered</b>	
Fleeing (Felony)	Self Initiated	
<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	Yes
<b>More than 1 Citizen Involved</b>		
No		
<b>Citizen's Build</b>	<b>Citizen's Height</b>	
Small	5'7" to 5'9"	
<b>Officer Assessment of Citizen Condition During Incident</b>		
Alcohol and/or Drugs		
<b>Officer(s) Injured</b>	<b>Officer(s) Taken to Hospital</b>	
No	No	

### Reporting/Involved Citizen Information

**Michael A Pearson**

DOB: 12/1/1989 Race: White Gender: Male



**Address**

- 1511 E 16th

**Phone**

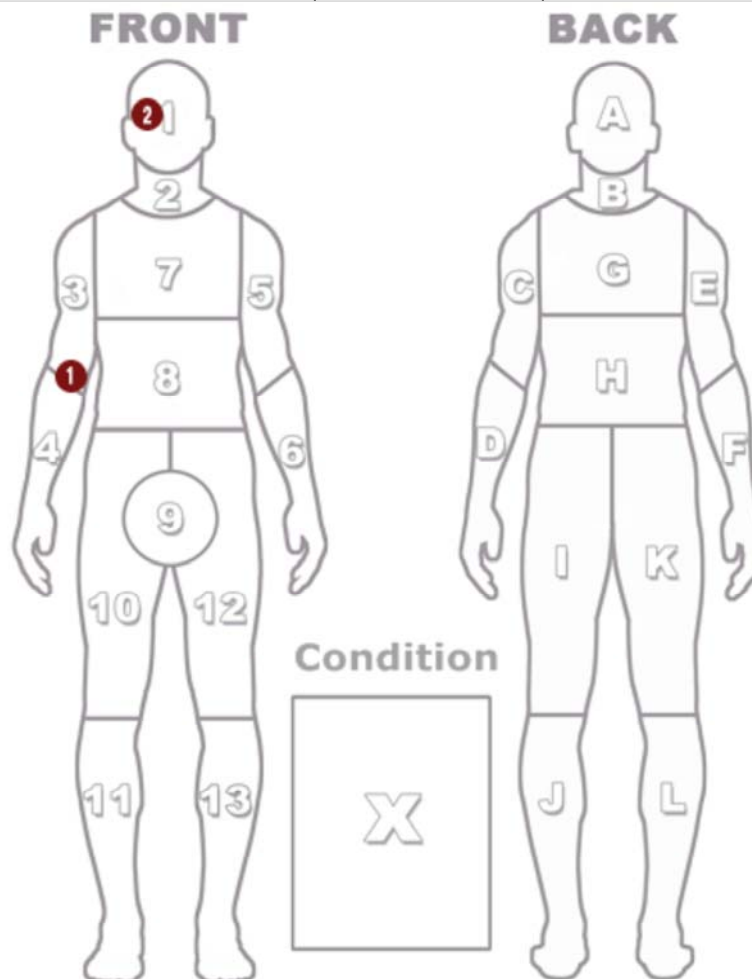
- (509) 534-3881

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

- Active Resistance

**Injuries sustained by this citizen**

Injury	Regions	Injury Locations
d-Injury Requiring ER	3	1
b-Minor Visible Injury	1	2

**Charges against this citizen**

- Felony - Property Crime
- Resisting Arrest

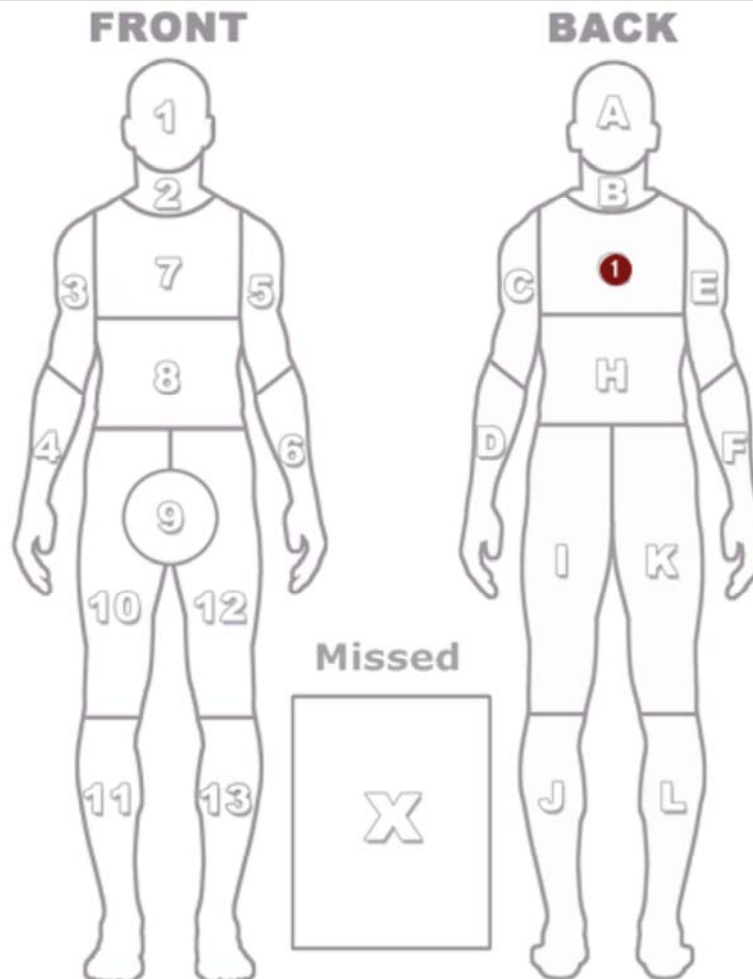
**Involved Officers**

**Officer Daniel Cole - 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	G	1



#### Injuries sustained by this officer

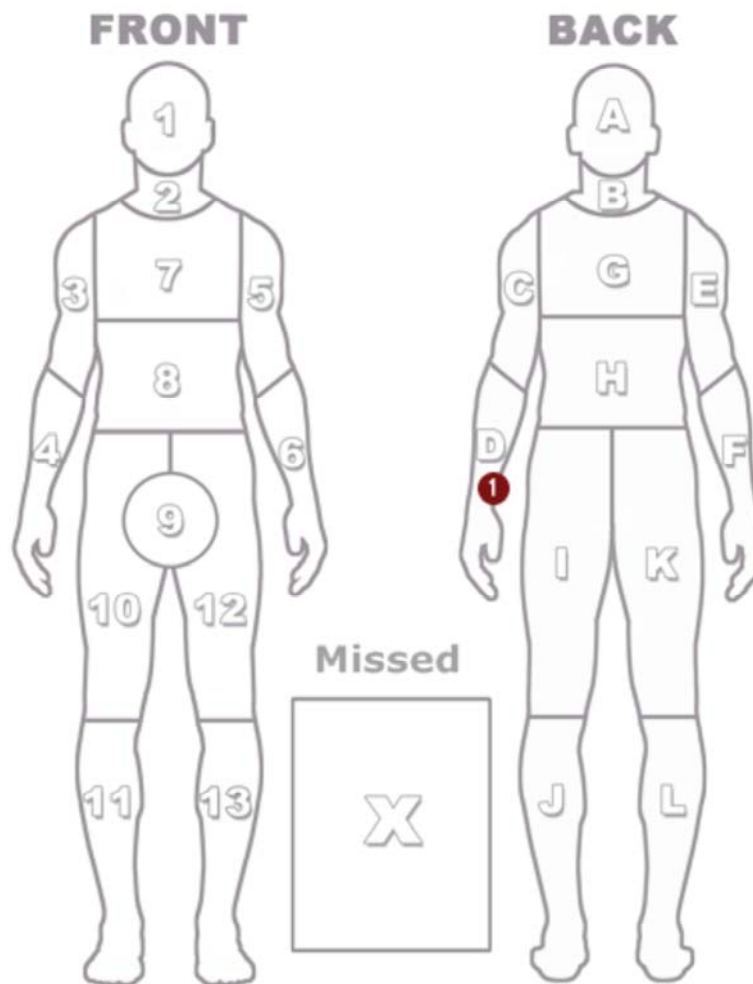
Injury	Regions	Injury Locations
No injuries noted or visible		

Officer Juan Rodriguez - 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	D	1



#### Injuries sustained by this officer

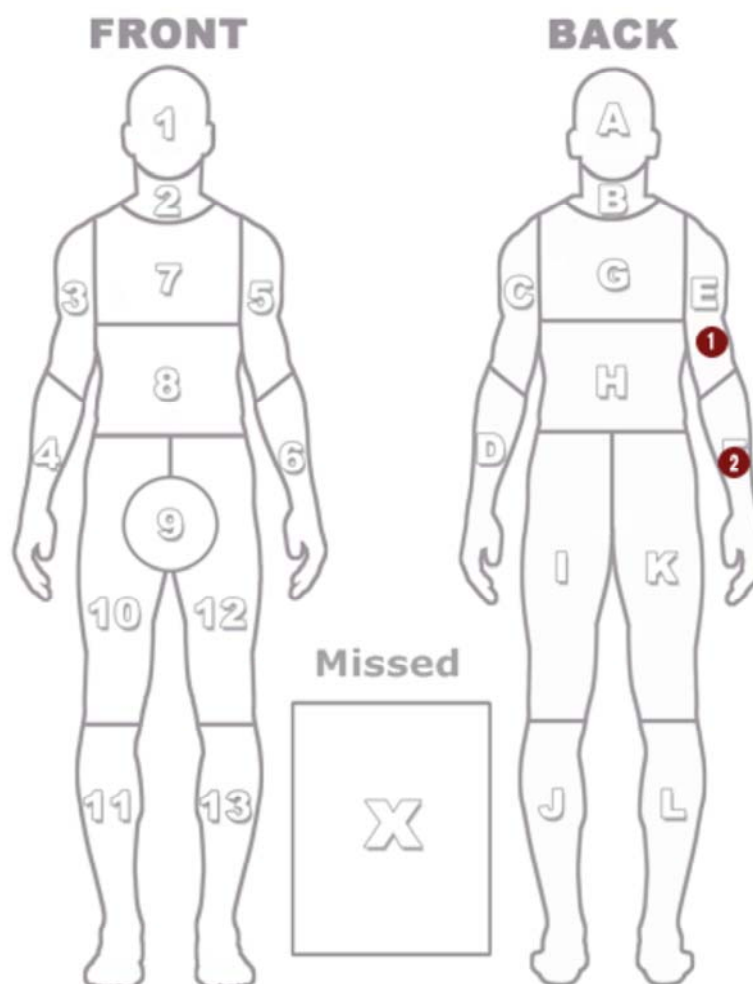
Injury	Regions	Injury Locations
No injuries noted or visible		

**Sergeant Kurt Vigesaa - 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	E, F	1, 2

**Injuries sustained by this officer**

Injury	Regions	Injury Locations
No injuries noted or visible		

**Citizen Witnesses****Logan Poindexter****DOB: 8/25/1994 - Race: White - Gender: Male****Address**

- 10811 3rd AV, Suite/Apt: 31, Direction: E, Spokane Valley, WA 99206

**Phone**

- (509) 988-3132
- (509) 216-0350

**Officer Witnesses****Officer David Eckersley - Payroll Number:** #5c**Corporal Jeffrey McCollough - Payroll Number:** #5c

## Attachments

Date Attached	Attachment Description	Attachment Type
4/6/2016	Vigesaa Report	pdf
4/6/2016	Rodriguez Report	pdf
4/6/2016	David Eckersley Report	pdf
4/6/2016	BW C Crane Jail Interview	
4/7/2016	Cole's arrest report	pdf
4/7/2016	McCollough Additional	pdf
4/7/2016	Crane's IA Additional	docx
4/11/2016	IMG_0001	JPG
4/11/2016	IMG_0002	JPG
4/11/2016	IMG_0003	JPG
4/11/2016	IMG_0004	JPG
4/11/2016	IMG_0005	JPG
4/11/2016	IMG_0006	JPG
4/11/2016	IMG_0007	JPG
4/11/2016	IMG_0008	JPG
4/11/2016	IMG_0009	JPG
4/11/2016	IMG_0010	JPG
4/11/2016	IMG_0011	JPG
4/11/2016	IMG_0012	JPG
4/11/2016	IMG_0013	JPG
4/11/2016	IMG_0014	JPG
4/11/2016	IMG_0015	JPG
4/11/2016	IMG_0016	JPG
4/11/2016	IMG_0017	JPG
4/11/2016	IMG_0018	JPG
4/11/2016	IMG_0019	JPG
4/11/2016	IMG_0020	JPG
4/11/2016	IMG_0021	JPG
4/11/2016	IMG_0022	JPG
4/11/2016	IMG_0023	JPG
4/11/2016	IMG_0024	JPG
4/11/2016	IMG_0025	JPG
6/1/2016	Collision Report	pdf
6/22/2016	CAD Report	pdf

## Chain of Command History

Sent Dt	From	To	CC	Approved
4/7/2016	Internal Affairs	Internal Affairs	(none)	<input type="checkbox"/>
<b>Sender's Instructions:</b> Sgt Crane writes: Take down and arrest of wanted suspect who chipped elbow in process surrounding incident objectively reasonable and within policy.				
<b>Recipient's Comments/Response:</b> Chris, it appears from the reports that the suspect was struck by a vehicle. It also appears from the reports that the P.A. at the hospital may attribute the injury to blunt force trauma. Was there a collision report done? Also did we get a Release of Medical Records signed from the arrestee?				
4/11/2016	Sergeant Michael Carr	Sergeant Christopher Crane	Lieutenant Steven Braun	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> Please have one of the officers complete a collision report. Then please attach it to the blue team. Let me know right away if you got a medical release.				
<b>Recipient's Comments/Response:</b> Crash report attached. Not able to locate Pearson for Medical release Waiver.				

6/1/2016	Internal Affairs	Internal Affairs	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> Crash report attached, unable to locate Pearson for Medical Release Waiver.				
<b>Recipient's Comments/Response:</b> [Forwarded by Sergeant Michael Carr]				
6/3/2016	Sergeant Michael Carr	Lieutenant Daniel Ervin	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> For your review				
<b>Recipient's Comments/Response:</b> The suspect in this case chose to flee from the officers. While attempting to flee he ran into the side of a moving car. An injury to his elbow occurred. It is unknown if this injury occurred from running into the car or when the officers tackled him to the ground. Minimal force was used to take the suspect into custody. I agree with Sgt. Crane's evaluation of this use of force, that it was objectively reasonable and within policy.				
6/14/2016	Lieutenant Daniel Ervin	Captain Daniel Torok	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> Captain. This is a use of force involving PACT. I believe the force was reasonable and within policy.				
<b>Recipient's Comments/Response:</b> I concur that the use of force was within policy.				
6/16/2016	Captain Daniel Torok	Asst Chief Craig Meidl	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> For review				
<b>Recipient's Comments/Response:</b> Use of force compliant with policy. Although the surface where a fleeing suspect is apprehended should be taken into consideration prior to initiating a take-down, there were several mitigating factors associated with this takedown location. Officers were within policy when seeking to end the foot pursuit in the most expeditious and safest manner possible when taking all factors into consideration.				

**Entering Officer Signature Line**


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 Sergeant Christopher Crane
**Chain of Command Signature Lines**


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 Sergeant Michael Carr

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 Sergeant Christopher Crane

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 Lieutenant Daniel Ervin

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 Captain Daniel Torok

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 Asst Chief Craig Meidl



Spokane Police Department  
Internal Investigation



CONFIDENTIAL

IA#

Additional

**Incident Being Investigated**

This is a review of the Use of Bodily Force during a take down and arrest, resulting in injuries to the suspect, hereafter referred to as Pearson.

**Incident Summary**

Ofc. Cole and Ofc. Rodriguez stopped and blocked in Wanted subject Pearson, who was driving a passenger car, at Wellesley and Pittsburg in medium to heavy traffic. An arrest was attempted at the driver's side car door, however Pearson broke free and fled across traffic lanes. Pearson bounced himself off a passing vehicle (that did not stop and was not able to be identified), and was then forced down to the ground by an upper body from the back tackle by Ofc. Cole. Either or both of these impacts could have caused the injury, which is a chip inside his right elbow. Pearson, a confirmed and documented Norteno Red Boys Gang Member, then resisted arrest by trying to hide Meth in his pants. Pearson's arms/hands had to be forcefully removed from underneath his body, as he lay on his chest, in the roadway, concealing his hands under his body at the waist line. His arms and hands were pulled out from under his body by Ofc. Rodriguez (left arm) and Sgt. Vigasaa (right arm), while his upper body was controlled by Ofc. Cole. Ofc. Eckersley and Crpl. McCollough maintained control of the vehicle and passenger. Pearson claimed his arm was broken by the arresting officers.

**Officer Interview Summary**

I consulted with Lt. Braun about who to list as Involved Officers on this case and he said all three that arrested Pearson. My interviews with Sgt. Vigasaa, Ofc. Cole and Ofc. Rodriguez are consistent with their Police Reports (see attached).

### **Witness Interview Summary**

The passenger of the suspect vehicle was another active D.O.C. offender. He was not arrested at the time of the incident, but PACT developed P.C. to charge him with PCS Meth (and possible Possession with Intent to Deliver Charge, pending). I was not informed of the allegation by Pearson until the day after the incident. I did not locate Poindexter for an interview. It is apparent, from Ofc. Eckersley's report, Poindexter, like Eckersley, did not have a view of the arrest past the flight from the vehicle.

No witnesses were interviewed at the scene, and no video was taken. Ofc. Eckersley was the only unit on the stop with a body camera, and he did not activate it, due to the extremely rapidly evolving circumstances.

Video from the License Plate Reader on Ofc. Cole's patrol car, did not reveal the identity of the vehicle that passed, which Pearson had contact with while pulling away from Ofc. Cole and fleeing on foot, very possibly chipping his elbow at that time. This would have been the vehicle Pearson bounced off of immediately after pulling away from Ofc. Cole.

I spoke with Pearson on my Body Camera at Jail after he was treated. He was in a cast and sling for his right arm. He had abrasions on his He would not answer my questions about being on Meth, bouncing off a vehicle as he ran, or who was at fault for the injury, other than, stating that SPD broke his arm and he was suing. He refused to speak any further without an attorney.

HIPPA regulations do not allow me to discuss Pearson's injuries with the E.R. where he was treated.

### **Investigative Summary**

Pearson was wanted on a Dept. of Corrections Escape from Community Custody Warrant, and was in possession of, and/or dealing Meth as a confirmed and documented Norteno Red Boys Gang Member, who are notoriously anti law and order. He ran from Ofc. Cole on foot in the area of 1800 E. Wellesley in traffic. Pearson then actively resisted arrest and dug his hands underneath his body, in a manner that commonly produces a weapon. None of the arresting Spokane Police Officers used any reportable force. There were no strikes, no neck



restraint, nor ECW's or Spray. The passenger, Logan Poindexter was also involved in the criminal activity, which made the entire situation, in a volatile environment, an extremely dangerous incident.

As soon as it was practical, Pearson was given medical aid. The doctor who x-rayed his arm at Deaconess North stated the break was very unusual, as it was a chip inside the elbow, not located on the outside as normally seen. He said this type of break would be caused by blunt force impact. The only impact force used in this incident, was when Ofc. Cole tackled Pearson from behind, forcing him forward and onto the ground. If Pearson was digging his hands in his front waistband as reported during the arrest, he may have impacted his elbow on the roadway as he fell forward. He also could have chipped his elbow when he ran into the passing vehicle with his body, and bounced off of it.

Ofc. Cole, Ofc. Rodriguez and Sgt. Vigesaa's professional response and application of verbal tactics in association with their bodily force and weight, resulted in the physical arrest of the Dangerous and Potentially Violent fleeing suspect Pearson, while also keeping him and other citizens in the area as safe as possible. Although the force resulted in an injury to Pearson's right elbow and marks on his face, they were not acquired by intentional means, but instead as an unintended result of prone handcuffing, in association with the resistance being applied by Pearson. Ofc's Cole, Rodriguez and Sgt. Vigesaa's application of take down and arrest techniques, were objectively reasonable and within department training and guidelines. Their reporting of the incident was in a timely manner after obtaining the appropriate information.

Sgt. Crane #479 / L279

06/22/16 06:16:16 PRINT REQUESTED BY TERMINAL PADN07  
Incident History for: #SP160112829

Entered 03/31/16 15:57:02 BY PCC01 1144  
Dispatched 03/31/16 15:57:02 BY PCC01 1144  
Enroute 03/31/16 15:57:02  
Onscene 03/31/16 15:57:02  
Closed 04/01/16 14:31:56

Initial Type: TS Final Type: TS (TRAFFIC STOP)  
Initial Priority: 3 Final Priority: 3  
Disposition: 8B Source: R Primary Unit: L279  
Police BLK: SPB4HI  
Group: P4 Beat: Map Page: 39  
Loc: E DIAMOND AV/N HAVEN ST ,SPK <2900,5100> (V)  
Name: Addr: Phone:

/155702 (1144 ) \$OUTSRV ,NO MORE INFORMATION  
/155702 DISPOS P320 #639 MCCOLLOUGH, JEFFREY  
/155710 MISC P320 ,NO MORE INFORMATION  
/155713 ASSTER A248 ,WHI BUICK 4 DOOR  
[COPS NE]  
#1182 ECKERSLEY, DAVID  
/155720 CHANGE LOC: COPS NE --> E DIAMOND AV/N HAVEN ST ,SPK  
/ DGP: P1 --> P4,  
BLK: --> SPB4HI  
/155743 MISC P320 ,NVM, RAN BACK INSIDE  
/160353 (1182 ) \*REMINQ A248 MWANT,,,,,, PEARSON,MICHAELA,1989,12,01,,,,,,  
,,,,,1  
/160843 (1144 ) MISC P320 ,SB HAVEN NOW  
/160933 ASSTOS F33 [E DIAMOND AV/N HAVEN ST ,SPK]  
#1212 RODRIGUEZ, JUAN  
/160942 MISC P320 ,QUEEN/CRESTLINE WB  
/161010 MISC P320 ,ALLEY JEO CRESTLINE/QUEEN  
/161020 MISC P320 ,SB THRU ALLEY  
/161052 MISC P320 ,ON CRESTLINE, SB  
/161104 MISC A248 ,IM CREST/WELLESLEY  
/161105 (1218 ) \*ASSTER D271 [E DIAMOND AV/N HAVEN ST ,SPK]  
#1218 CEDENO, JULIAN  
/161126 (1144 ) ASSTOS F19 [E DIAMOND AV/N HAVEN ST ,SPK]  
#149 COLE, DAN  
/161132 REMINQ F19 LIC,F19,AUG6922,,,,  
/161141 NEWLOC F19 [CRESTLINE/WELLESLEY]  
/161141 NEWLOC F33 [CRESTLINE/WELLESLEY]  
/161141 NEWLOC A248 [CRESTLINE/WELLESLEY]  
/161141 NEWLOC P320 [CRESTLINE/WELLESLEY]  
/161147 MISC  
/161147 MISC  
/161147 MISC  
/161147 MISC  
/161147 MISC  
/161147 MISC  
/161147 MISC  
/161147 MISC  
/161147 MISC  
/161147 MISC

#3c

/161147		MISC		#3c
/161147		MISC		
/161220		MISC	F19	,RESTRICTED, UNREADABLE
/161226	(1263 )	*ASSTER	A240	[CRESTLINE/WELLESLEY]
				#1263 THOMPSON, GREGORY
				#667 STRASSENBERG, DANIEL
/161231	(1144 )	MISC	F19	,FIGHTING WITH ONE
/161236	(841 )	*ASSTER	B126	[CRESTLINE/WELLESLEY]
				#841 STORCH, DEANNA
/161239	(311 )	*ASSTER	B121	[CRESTLINE/WELLESLEY]
				#311 MALINAK, SHERRI
/161243	(1160 )	MISC		,FIGHTING WITH ONE ON THE GROUND ON LOPS2
/161310	(1144 )	MISC	P320	,ONE IN CUSTODY
/161314	(311 )	*PREMPT	B121	
/161325	(1144 )	MISC	P320	,UNRESTRIC
/161326	(1263 )	*PREMPT	A240	
/161339	(1144 )	ASTOS	L203	[CRESTLINE/WELLESLEY]
				#424 VIGESAA, KURT
/161342	(841 )	\$PREMPT	B126	
/161352	(1144 )	CALLBK	L203	T/PCC06
				,MEDICS FOR MALE, CONC/BREATHING, POSSIBLE DIS
				LOCATED ELBOW
/161424	(1218 )	*REMINQ	D271	MVEH,AJD3332,,,,,,,,,,,,,
/161434	(1144 )	REMINQ	P320	WANT,P320,,,,,,PEARSON,MICHAEL,A,1989,12,01,,
				////////
/161437	(1218 )	*REMINQ	D271	MWANT,,,,,,,,, #4b ,,,,,,,,,
				////////X
/161449		*PREMPT	D271	
/161454	(676 )	CALLBK		T/PCC01
				,CONFIRMED DOC STAT 1 ON MICHAEL A PEARSON.120
				189
/161527		CALLBK	F33	T/PCC01
				,MEDICS ADVISED
/161553	(455 )	REMINQ	A248	WANT,A248,,,,,,POINDEXTER,LOGAN,D,1994,08,25,
				////////
/162707	(1144 )	ROTREQ	P320	TOW SP76 SPK T & T TOWING 5407
				474-0508 ,SUSPENDED
/162801	(1182 )	*REMINQ	A248	MVEH,AUG6922,,,,,,,,,,,,,
/162837	(676 )	CALLBK	P320	T/PCC01
				,T AND T ADVISED...DRIVER WILL BE RICH (SUBCON
				TRACTED WITH RENEGADE, SO WILL BE ARRIVING IN
				A RENEGADE TRUCK)
/162932	(149 )	*TRANS	F19	[NEW DEAC] M/O
/163100	(1144 )	MISC		
/163100		MISC		
/163100		MISC		
/163100		MISC		
/163100		MISC		
/163100		MISC		#3c
/163100		MISC		
/163100		MISC		
/163100		MISC		
/163100		MISC		

/163100 MISC  
/163100 MISC  
/163105 CALLBK  
  
/163240 (149 ) \*MISC F19  
  
/163302 (424 ) \*REMINQ L203  
/163446 (455 ) CALLBK P320  
  
/163500 (1144 ) ROTREQ P320  
  
/163736 ROTREQ P320  
  
/163807 ROTREQ P320  
  
/163822 ROTREQ P320  
  
/163920 (676 ) CALLBK P320  
  
/164334 (1144 ) MISC  
  
/164334 MISC  
/164334 MISC  
/164334 MISC  
/164334 MISC  
  
/164334 MISC  
  
/164334 MISC  
  
/164334 MISC  
/164334 MISC  
/164340 CALLBK  
  
/164620 (1160 ) MISC  
/164634 (424 ) \$PREMPT L203  
/164720 (1212 ) \*CHGLOC F33  
/164721 \*ONSCNE F33  
/164830 (1144 ) MISC A248  
/165240 (149 ) \*TRANSC F19  
/165441 (1182 ) \*MISC A248  
/165448 \*CHGLOC A248  
/170031 (149 ) \*REMINQ F19  
  
/170501 (1212 ) \*REMINQ F33  
  
/170546 \*REMINQ F33  
  
/170559 (1182 ) \*ONSCNE A248  
/172158 (1144 ) OK A248  
/172158 OK F19  
/172158 OK F33

#3c

T/PCC05  
,VERIFY IMPOUND ENTRY  
,MR. PEARSON INJURED, DECLINED TO BE PRESENT F  
OR DOC'S SEARCH  
MVEH,AYD6763,,,,,,,,,,,,,,,,,,,,,,,,,,,,,  
T/PCC01  
,T AND T OFF LIST, CANCELLED, START ANTOHER TO  
W  
TOW SP50 SPK T & T AUTO 5033  
489-5900 ,SUSPENDE  
TOW SP29 SPK ALL SERVICE -WEST -5133  
244-8356 ,SUSPENDE  
CAN SP29 SPK ALL SERVICE -WEST -5133  
244-8356 ,NEED EVID  
EVID EV35 SPK A PRO NORTH 5752 - EVID  
484-3477 ,EVID  
T/PCC01  
,A PRO NORTH ADVISED FOR EVID TOW, MITCH IS TH  
E DRIVER.

#3c

T/PCC05  
,VERIFY EVID IMPND  
,VFIED  
  
[NEW DEAC]  
  
,TOW ON SCENE  
  
,FOLLOWING TOW TRUCK TO PROPERTY  
[PROPERTY]  
MWANT,,,,,,,,,PEARSON,MICHAELA,1989,12,01,,,,,,,,,  
,,,,,,  
MWANT,,,,,,,,,PEARSON,MICHAELA,1981,12,01,,,,,,,,,  
,,,,,,  
MWANT,,,,,,,,,PEARSON,MICHAELA,1989,12,01,,,,,,,,,  
,,,,,,0

/172158		OK	P320	
/173828	(1182 )	*CLEAR	A248	, PSTAT/ASST PSTAT/VIDN PSTAT/RPT
/175243	(639 )	*MISC	P320	, PSTAT/SI PSTAT/FEL
/175300		*CLEAR	P320	
/211711	(424 )	*ASSTOS	L203	[NEW DEAC]
				#424 VIGESAA, KURT
/213707	(1212 )	*CHGLOC	F33	[PROP]
/215414		*ONSCNE	F33	
/221148	(149 )	*TRANS	F19	[JAIL]
/221733	(424 )	*CLEAR	L203	
/222942	(1212 )	*REMINQ	F33	MWANT, , , , , MORRIS, NORMAJ, 1990, 11, 21, , , , , , , , ,
				, , ,
/223220		*CLEAR	F33	DSP: 8B
				, PSTAT/ASST
/231456	(149 )	*MISC	F19	, PSTAT/ASST
/231504		*MISC	F19	, PSTAT/WAR
/231516		*MISC	F19	, PSTAT/RPT
/231526		*CLEAR	F19	
/231526		CLOSE	F19	
*** New Date: 04/01/16 ***				
/123621	(1144 )	REOPEN		, NO MORE INFORMATION
/123625		DISPOS	L279	#479 CRANE, CHRISTOPHER
/123632		NEWLOC	L279	[SIG 1 - BLUE TEAM]
/140158	(479 )	*MISC	L279	, ARRESTEE REFUSED TO GIVE MUCH INFO
/140238		*MISC	L279	, REPORTS ARE STILL NOT COMPLETE..BLU-TEAM SUSP
				ENDED UNTIL NEXT WEEK.
/143147		*MISC	L279	, PSTAT/UOF PSTAT/VIDY
/143156		*CLEAR	L279	
/143156		CLOSE	L279	



STATE OF WASHINGTON  
POLICE TRAFFIC  
COLLISION REPORT



1591971

REPORT NO.

INTERSTATE	<input type="checkbox"/>	CITY STREET	<input checked="" type="checkbox"/>	FIRE RESULTED	<input type="checkbox"/>
STATE ROUTE	<input type="checkbox"/>	OTHER	<input type="checkbox"/>	STOLEN VEHICLE	<input type="checkbox"/>
COUNTY RD	<input type="checkbox"/>	PRIVATE WAY	<input type="checkbox"/>	HIT & RUN INVOLVED	<input checked="" type="checkbox"/>

TRIBAL RESERVATION	
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CASE #	16-1128291		
LOCAL AGENCY CODING			
TOTAL # OF UNITS	02	OBJECT STRUCK	

DATE OF COLLISION	03	-	31	-	2016	TIME (2400)	1611	COUNTY #	32	MILES		N	<input type="checkbox"/>	E	<input type="checkbox"/>	IN	<input checked="" type="checkbox"/>	OF	<input type="checkbox"/>	CITY #	1220
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ON (PRIMARY TRAFFIC WAY)	INTERSECTION	<input type="checkbox"/>	NON-INTERSECTION	<input checked="" type="checkbox"/>		
WELLESLEY				BLOCK NO.	<input checked="" type="checkbox"/>	E 1700
				MILE POST	<input type="checkbox"/>	

DISTANCE	50	00	MILES	<input type="checkbox"/>	N	<input type="checkbox"/>	E	<input checked="" type="checkbox"/>	OF (REFERENCE OR CROSS STREET)	PITTSBURG
			FEET	<input checked="" type="checkbox"/>	S	<input type="checkbox"/>	W	<input type="checkbox"/>		

UNIT 01	MOTOR VEHICLE	<input checked="" type="checkbox"/>	PEDAL-CYCLE	<input type="checkbox"/>	DAMAGE THRESHOLD MET	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	PHONE	
---------	---------------	-------------------------------------	-------------	--------------------------	----------------------	-----	--------------------------	----	-------------------------------------	-------	--

LAST NAME	UNKNOWN	FIRST NAME		MIDDLE INITIAL	
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STREET NEW ADDRESS	
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CITY		ST		ZIP	
------	--	----	--	-----	--

CDL		RESTRICTIONS		ENDORSEMENTS	
-----	--	--------------	--	--------------	--

DRIVER'S LICENSE #		STATE		SEX	U	D.O.B.	MMDDYYYY			
--------------------	--	-------	--	-----	---	--------	----------	--	--	--

ON DUTY	<input type="checkbox"/>	STATUS		AIRBAG	2	RESTR.	9	EJECT	1	HELMET USE	9	INJURY CLASS	1	NATURE OF INJURIES	
---------	--------------------------	--------	--	--------	---	--------	---	-------	---	------------	---	--------------	---	--------------------	--

LICENSE PLATE #		STATE		VIN#	
-----------------	--	-------	--	------	--

TRAILER PLATE #		STATE		TRAILER PLATE #		STATE	
-----------------	--	-------	--	-----------------	--	-------	--

VEH. YEAR		MAKE		MODEL		STYLE	SD	VEHICLE TOWED	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>	TOWED BY		GOVT. VEHICLE	YES	<input type="checkbox"/>	NO	<input checked="" type="checkbox"/>
-----------	--	------	--	-------	--	-------	----	---------------	-----	--------------------------	----	-------------------------------------	----------	--	---------------	-----	--------------------------	----	-------------------------------------

REGISTERED OWNER INFO.

LIABILITY INSURANCE	<input type="checkbox"/>	INSURANCE CO & POLICY #	
---------------------	--------------------------	-------------------------	--

VEHICLE LEGALLY STANDING	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	CITATION #		CHARGE	
--------------------------	-----	--------------------------	----	--------------------------	------------	--	--------	--

VEHICLE NO. 1

SHADE IN DAMAGED AREA



UNIT 02	MOTOR VEHICLE	<input type="checkbox"/>	PEDAL-CYCLE	<input type="checkbox"/>	PEDESTRIAN	<input checked="" type="checkbox"/>	PROPERTY OWNER	<input type="checkbox"/>	DAMAGE THRESHOLD MET	YES	<input checked="" type="checkbox"/>	NO	<input type="checkbox"/>	PHONE	
---------	---------------	--------------------------	-------------	--------------------------	------------	-------------------------------------	----------------	--------------------------	----------------------	-----	-------------------------------------	----	--------------------------	-------	--

LAST NAME	PEARSON	FIRST NAME	MICHAEL	MIDDLE INITIAL	A
-----------	---------	------------	---------	----------------	---

STREET NEW ADDRESS	<input checked="" type="checkbox"/>	TRANSIENT
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CITY		ST		ZIP	
------	--	----	--	-----	--

CDL		RESTRICTIONS		ENDORSEMENTS	
-----	--	--------------	--	--------------	--

DRIVER'S LICENSE #		STATE		SEX	M	D.O.B.	MMDDYYYY	12		01		1989
--------------------	--	-------	--	-----	---	--------	----------	----	--	----	--	------

ON DUTY	<input type="checkbox"/>	STATUS	3	AIRBAG		RESTR.		EJECT		HELMET USE		INJURY CLASS	1	NATURE OF INJURIES	
---------	--------------------------	--------	---	--------	--	--------	--	-------	--	------------	--	--------------	---	--------------------	--

LICENSE PLATE #		STATE		VIN#	
-----------------	--	-------	--	------	--

TRAILER PLATE #		STATE		TRAILER PLATE #		STATE	
-----------------	--	-------	--	-----------------	--	-------	--

VEH. YEAR		MAKE		MODEL		STYLE		VEHICLE TOWED	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	TOWED BY		GOVT. VEHICLE	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----------	--	------	--	-------	--	-------	--	---------------	-----	--------------------------	----	--------------------------	----------	--	---------------	-----	--------------------------	----	--------------------------

REGISTERED OWNER INFO.

LIABILITY INSURANCE	<input type="checkbox"/>	INSURANCE CO & POLICY #	
---------------------	--------------------------	-------------------------	--

VEHICLE LEGALLY STANDING	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	CITATION #		CHARGE	
--------------------------	-----	--------------------------	----	--------------------------	------------	--	--------	--

VEHICLE NO. 2

SHADE IN DAMAGED AREA



OFFICER'S NAME (PRINT)	D. COLE	BADGE OR ID #	149	AGENCY	WA0320400
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STATE OF WASHINGTON  
POLICE TRAFFIC  
COLLISION REPORT



1591972

CORRECTION

REPORT NO.

CASE # 16-1128291

ADDITIONAL PERSONS INVOLVED (PASSENGERS AND/OR WITNESSES ONLY)

NAME (LAST, FIRST, MIDDLE INITIAL)		RODRIGUEZ JUAN J																																																																															
ADDRESS & PHONE #		1100 W MALLON SPOKANE WA 99260																																								SEX	M	D.O.B. MMDDYYYY	<span style="background-color: black; color: black;">[REDACTED]</span>										#5c	<span style="background-color: black; color: black;">[REDACTED]</span>																									
PASSENGER	<input type="checkbox"/>	WITNESS	<input checked="" type="checkbox"/>	UNIT #		SEAT POS.		AIRBAG		RESTR.		EJECT		HELMET USE		INJURY CLASS		NATURE OF INJURIES																																																															
NAME (LAST, FIRST, MIDDLE INITIAL)																																																																																	
ADDRESS & PHONE #																																										SEX		D.O.B. MMDDYYYY											-		-																								
PASSENGER	<input type="checkbox"/>	WITNESS	<input type="checkbox"/>	UNIT #		SEAT POS.		AIRBAG		RESTR.		EJECT		HELMET USE		INJURY CLASS		NATURE OF INJURIES																																																															
NAME (LAST, FIRST, MIDDLE INITIAL)																																																																																	
ADDRESS & PHONE #																																										SEX		D.O.B. MMDDYYYY											-		-																								
PASSENGER	<input type="checkbox"/>	WITNESS	<input type="checkbox"/>	UNIT #		SEAT POS.		AIRBAG		RESTR.		EJECT		HELMET USE		INJURY CLASS		NATURE OF INJURIES																																																															

NARRATIVE

Pearson was running from police from a vehicle parked in the E/B curb lane of Wellesley and ran across the roadway and into the side of an E/B vehicle. The E/B vehicle did not stop.

Daniel A Cole #149

I CERTIFY (DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT. (RCW 9A.72.085)

D. COLE

INVESTIGATING OFFICER'S SIGNATURE

UNIT OR DIST. DET

DATED

PLACE SIGNED

APPROVED BY

DATE

BADGE OR ID #	149	ORI #	WA0320400	TIME POLICE DISPATCHED	4:11 PM	TIME POLICE ARRIVED	4:11 PM
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Pittsburg



Wellesley





# INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>16-112829</b>	
INCIDENT TYPE <b>Arrest, Drug Involved</b>		INCIDENT CLASSIFICATION #1 <b>DRUGS-POSSESS</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <b>OBSTRUCT OFFICER</b>
		INCIDENT CLASSIFICATION #3 <b>DWLS</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4 <b>WARRANT ARREST</b>
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON <b>Thu 03/31/2016 16:10</b>	DATE/TIME	OCCURRED ON <b>Thu 03/31/2016 15:57</b>	DATE/TIME	OCCURRED TO <b>Thu 03/31/2016 16:15</b>	DISTRICT
DISPATCH TIME <b>16:10</b>	ARRIVED TIME <b>16:10</b>	CLEARED TIME <b>18:00</b>	REPORT DATE <b>03/31/2016</b>	REPORT TIME <b>16:42</b>	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE					UCR/NIBRS CODE
LOCATION OF INCIDENT <b>Wellesley &amp; Pittsburg, Spokane, WA 99207</b>				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS <b>PC Affidavit Completed, Suspect Arrested, Useful Physical Evidence</b>					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS <b>McCollough, Rodriguez</b>					
<b>SUSPECTS</b> <small>S-Suspect, V-Victim, I-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-Owner, C-Complainant, IR-Institutional, G-Legal Guardian, D-Driver, W-Witness, CV-Complainant is Victim, CON-Contact, RU-Runaway, OW-Owner of Property</small>					
CODE <b>S-1</b>	NAME: LAST, FIRST, MIDDLE <b>Pearson, Michael A</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White/Non-Hispanic</b>
HEIGHT <b>5'07"</b>	WEIGHT <b>140</b>	BUILD <b>Light</b>	HAIR <b>Blonde or</b>	EYES <b>Blue</b>	DATE OF BIRTH/AGE <b>12/01/1989 26</b>
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY, STATE ZIP <b>101 S Havana #B206, Spokane, WA 99201</b>			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ ADDRESS				OCCUPATION	EMPLOYER PHONE
CITATION #		DATE	TIME	BOOKED WHERE	DATE TIME
ARREST LOCATION				STATEMENT <input type="checkbox"/> Oral <input type="checkbox"/> Written	CHARGES <input type="checkbox"/> Admitted <input type="checkbox"/> Denied
JUV/PAR/GRD. Notified <input type="checkbox"/> Yes <input type="checkbox"/> No	NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED	NOTIFIED BY	DISPOSITION OF JUVENILE
DRIVER'S LICENSE <b>#4b</b>		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE	OTHER ID	

ID NO./NAME OF REPORTING OFFICER <b>#149 - Cole, Daniel A.</b>		DISTRIBUTION
APPROVAL	DATE/TIME	

Incident Report #1

04/07/2016 09:31:27.595

# INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION <b>DRUGS-POSSESS</b>				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER <b>16-112829</b>	
<b>VEHICLES</b>							
CODI <b>V-1</b>	CIRCUMSTANCES <b>Suspect</b>		LICENSE NO. <b>AUG6922</b>		STATE <b>WA</b>	LIC. YEAR	LICENSE TYPE
YEAR <b>1989</b>	MAKE <b>Buick</b>	MODEL <b>Century</b>	BODY STYLE		TOP/FRONT/ONLY COLOR <b>White</b>		BOTTOM/REAR COLOR
SPECIAL FEATURES/DESCRIPTION							
DECAL NUMBER		REGISTERED OWNER <b>GABBERT, RICKY LEON</b>				HOME PHONE	
VEHICLE DISPOSITION <input type="checkbox"/> LEFT AT SCENE <input type="checkbox"/> DRIVEN AWAY <input type="checkbox"/> TOWED		REGISTERED OWNER'S ADDRESS: STREET, CITY STATE ZIP <b>1003 E Frederick, Spokane, WA 99205</b>				VALUE \$	
LOCKED <input type="checkbox"/> Yes <input type="checkbox"/> No	KEYS IN VEHICLE <input type="checkbox"/> Yes <input type="checkbox"/> No	DELINQUENT PAYMENT <input type="checkbox"/> Yes <input type="checkbox"/> No	VICTIM CONSENT <input type="checkbox"/> Yes <input type="checkbox"/> No	DRIVABLE <input type="checkbox"/> Yes <input type="checkbox"/> No	ESTIMATED DAMAGE	DAMAGE <input type="checkbox"/> Window <input type="checkbox"/> Interior <input type="checkbox"/> Top <input type="checkbox"/> Underside	SHADE IN DAMAGED AREA
TOW COMPANY		HOLD REQUESTED BY		HOLD FOR			
RELEASE BY	DATE	TIME	RELEASE NO.	RELEASING AUTHORITY	OWNER NOTIFIED	DATE	TIME
OPERATOR'S NAME							
<b>NARRATIVE</b>							

I responded to the general area of Lacey and Queen to assist Cpl. McCollough with an attempt to stop a vehicle. Earlier in the shift, I was aware that he had observed Pearson as the operator of a white Buick Century, and I was also aware that Pearson had an outstanding arrest warrant issued by the Department of Corrections.

At about 1610, Cpl. McCollough began to advise over police radio the directions that the vehicle was driving. From Cpl McCollough's radio transmission, it sounded as if the vehicle was being driven in an erratic manner. Cpl. McCollough was driving an undercover police vehicle and was unable to stop the vehicle. As I was S/B on Crestline in about the 5300 block, I observed a white Buick Century turn from W/B on either Wabash or Queen and turn S/B onto Crestline. From the speed of the vehicle as it came into my view, it was obvious that the vehicle failed to stop for the stop sign that controls either of these intersections. The vehicle accelerated to a rate of speed of about 40mph S/B on Crestline.

I got behind the vehicle at the red light that controls the S/B traffic at Wellesley and Crestline. I was in a fully marked black and white police vehicle with overhead lights. I was wearing a police vest as the outer clothing that had a cloth Spokane Police badge and "POLICE" in 3" gold lettering across the stomach area, and "POLICE" in 6" gold lettering across the back. The vehicle proceeded W/B onto Wellesley. The occupants were moving around more than people typically do, and it seemed obvious to me that they were aware of police presence. I had the feeling that if I were to attempt a normal stop of the vehicle, that there was a high probability the vehicle would flee. At the time, there was a moderate amount of vehicle traffic, and we were approaching Roger's High School. Myself and Ofc. Rodriguez coordinated a "stop/block" of the vehicle. I was following the vehicle in the inside lane and Ofc. Rodriguez in his undercover police vehicle passed me and the suspect vehicle on the right. As he passed the suspect vehicle he pulled into the left lane in front of it. The suspect vehicle then made a lane change into the curb lane without the use of signals. Ofc. Rodriguez turned into the curb lane in front of the vehicle as it approached the red light for W/B traffic on

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

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INCIDENT CLASSIFICATION  
**DRUGS-POSSESS**

ATTEMPTED  
☐

INCIDENT NUMBER  
**16-112829**

Wellesley.

I pulled very close to the rear of the suspect vehicle and activated my overhead lights. I could see both occupants moving about, and it appeared as if Pearson was trying unsuccessfully to find the door handle, and looked like he was grabbing at the column shifter, as if he might attempt to drive out of the block. I quickly went up to the driver's door to prevent him fleeing. He put his hands up as ordered. I opened the driver's door and told Pearson to step from the vehicle. I recognized him at that point as who he was. I initially tried to control his left arm but due to where I was standing in the open vehicle door, I moved to the right, and as he exited the vehicle, I grabbed his right arm near the wrist. He was apparently compliant at that point, but I was going to place him in right wrist lock control. I was still concerned about the passenger at that point because he was not being fully compliant with Ofc. Rodriguez' commands, and I was still concerned with Pearson who had not been searched, and was concerned he might have a weapon in his waist area.

As I was trying to control his right arm, he suddenly bolted backwards and twisting away from me and began to run S/B. He ran into a moving car which spun him. The vehicle was travelling W/B in the adjacent lane at about 15 MPH. There were also vehicles traveling in the E/B lanes. At about that time I ran into his back and (the moving vehicle had cleared), put my right arm around his upper body/neck area. My thoughts about stopping him immediately were that I did not want to be involved in an extended foot pursuit, and there was a high school tennis match in progress just to our south. His actions in the vehicle and by choosing to actively resist were indications of his motivation, which was concerning. We were running at the same speed prior to his running into the vehicle. As his run was stalled, I maintained my speed and ran into his back with the intention of taking him to the ground, which is what occurred. I maintained my hold on his upper body, knowing there were other officers soon to be assisting me. I did not apply any pressure to his neck. It was not a LVR technique, but I was in a position to apply it if needed. I did want to keep him pinned to the street in the prone position, in the event he were to try to access a weapon. That position would make it most difficult for him to be able to use a weapon. I kept him pinned and told him to relax while Ofc. Rodriguez and Sgt. Vigasaa controlled his arms. Once they had done so, I moved off of him.

I helped him stand and we walked towards my vehicle. About half way there, he began to scream as if in pain and then took a step to his right, across my path. It seemed an unnatural response if his pain was valid, and I thought he might attempt to break my grasp. I pulled him to my left and leaned his upper body over my trunk lid.

I conducted a search of his person incident to arrest. In his right front pants pocket, I found a tied plastic baggie that contained a ball of crystals about the size of a grape that appeared to me to be methamphetamine. In the same pocket was \$134 in the denominations that included a \$100 bill and two \$20's. There was also a piece of folded metal foil that had burned areas. A field test of the substance was positive for the presence of methamphetamine.

## INCIDENT REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

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INCIDENT CLASSIFICATION <b>DRUGS-POSSESS</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-112829</b>
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Medics were summoned for Pearson, who continued to scream as if in pain.

Department of Corrections officers were en route to the location to contact Pearson as part of their supervision. The subject of the DOC's supervision normally remains at the scene during these in field contacts, but we felt we needed to seek medical attention for Pearson, and it prioritized his presence at the scene.

Pearson was transported to Deaconess North ER and X-rays were taken. He had a scrape from the asphalt on the left side of his face and both elbows were scraped. The scrapes were not bloody.

His X-rays revealed a chipped bone which the ER Doctor thought to be unusual, as it was on the inner part of the elbow. The doctor thought the injury was consistent with a blunt force impact.

While at the ER, I transferred custody of the methamphetamine and money to Ofc. Rodriguez.

He was released from the ER at about 2200. I transported him to jail and booked him for his Department of Correction's warrant.

I became aware that Cpl. McCollough seized the vehicle to request a search warrant.

An additional report will follow.

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

DATE: 4-01-2016 PLACE: SPOKANE, WASHINGTON SIGNATURE:

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

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INCIDENT CLASSIFICATION <b>DRUGS-POSSESS</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-112829</b>
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*David D. Clark #149*

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

DATE: 4-01-2016 PLACE: SPOKANE, WASHINGTON SIGNATURE:

*David D. Clark #149*

# SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER	INCIDENT NUMBER <b>16-112829</b>	
REPORT PURPOSE		REPORTED ON DATE <b>Thu 03/31/2016</b>	TIME <b>15:57</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>TRAFFIC-OTHER</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <b>DRUGS-POSSESS</b>		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>04/01/2016</b>	REPORT TIME <b>21:21</b>
PRIMARY CHARGE				UCR/NIBRS CODE
<b>NARRATIVE</b>				

On 03-31-16 at about 1030hrs Cpl McCollough advised of a suspicious vehicle with a wanted subject in the east central area. Cpl McCollough recognized the driver as Michael Pearson and advised Pearson was wanted on a felony DOC warrant. Cpl McCollough was driving an under cover vehicle and was unable to stop Pearson.

Later in the afternoon I was driving near Regal and Diamond on my way to another incident, when I observed the same vehicle Cpl McCollough had advised about earlier now at 2911 E Diamond. I advised Cpl McCollough of this as I drove by. A short while later, I heard Cpl McCollough asking for a patrol unit to assist with stopping a wanted subject. I was listening to Cpl McCollough and then Ofc Rodriguez follow the vehicle in UC cars while waiting for Ofc Cole or Ofc Ecklersey to make the traffic stop. It was apparent by the way Pearson was driving that he was trying to drive undetected by Police. I noticed this when he made a turn into an alley near Crestline and then onto Crestline for no reason. This is common driving behavior for wanted subjects trying to avoid Police attention or checking to see if they are being followed. It is likely Pearson saw one of the marked Police vehicles looking for him.

I was driving towards the area as it sounded like Pearson was going to try and flee in his vehicle. I heard Ofc Cole get behind Pearson in his marked police vehicle near Crestline and Wellesley and said that we should make a blocking stop on Pearson. I know this was due to Ofc Cole believing Pearson was going to try and elude officers if they tried to stop him. My team including Ofc's Cole and Rodriguez consistently analyze when to initiate and train on blocking stops of vehicles while they are stopped or momentarily stopped to avoid dangerous pursuits. I was making a WB turn onto Wellesley from Crestline when Ofc Cole and Rodriguez were planning and initiating the block stop at Wellesley and Pittsburg.

There was medium to heavy traffic at this time of day (1612hrs). I activated my vehicles emergency lights to get to the stop quickly due to believing there was only two officers and two subjects in the vehicle. At this time, I knew that Pearson was a convicted felon driving the listed vehicle and was wanted for a felony DOC warrant. I knew based on the radio traffic that Pearson was driving in a manner consistent with a subject trying to avoid and likely will try to flee or fight to avoid returning to jail. I knew there was at least one other unknown subject with Pearson.

I sped up to the stop location and as I was nearing, I observed Ofc Cole approach the driver's door. I then observed Pearson step out of the vehicle. I was approaching the stop driving in the EB lanes which were free of EB traffic due to the red light at Pittsburg. The WB Wellesley lanes were both backed up with traffic. As I was about 100 ft east of the stop location and braking, I observed

ID NO./NAME OF REPORTING OFFICER <b>#424 - Vigesaa, Kurt</b>		DISTRIBUTION
APPROVAL <b>#244 - Lee, Thomas</b>	DATE/TIME <b>04/02/2016 00:42</b>	

## SUPPLEMENTAL REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

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INCIDENT CLASSIFICATION <b>TRAFFIC-OTHER</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-112829</b>
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Pearson take off running SB. I came to a stop and exited my vehicle. At this point, Ofc's Cole and Rodriguez were holding onto Pearson in the middle of Wellesley. I didn't see how they ended up on the ground due to traffic impeding my view after I saw Pearson take off from Ofc Cole.

As I approached the officers, Ofc Cole was holding Pearson down with upper body control and Ofc Rodriguez was on Pearson's left side. Pearson was lying on the pavement with his body facing SB. I immediately noticed both of Pearson's arms under his torso and heard Ofc Rodriguez tell him to give him his hands.

I came up to them and grabbed ahold of Pearson's right arm. I knew Pearson hadn't been searched due to how quik he was out of the car and then running from the officers. I know that it is very common for suspects to be armed with some type of weapon or firearm and the common area of carrying is around the waist area or pants pockets. Pearson's right arm was under his body and towards his waist area. I gave Pearson commands of "Stop resisting" as I grabbed hold of his right arm. I began pulling his right arm out and told Pearson to relax and stop resisting again. Pearson resisted my effort to remove his arm and was actively moving it under his body as though he was reaching for something.

With my right hand on the back of his right tricep area and my left hand on his upper forearm just below his elbow I pulled his arm out from under his body (against his resistance) and brought his right wrist to the small of his back where Ofc Rodriguez was holding his left handcuffed hand. I then applied the handcuff to Pearson's right wrist and stood up. I immediately turned to Pearson's vehicle where Ofc Eckersley was holding his firearm at low ready on the drivers side while giving the passenger commands to put his hands in the air.

I walked over to the passenger side and advised him he was being detained momentarily while we controlled this scene. The passenger-Poindexter asked "What did I do" and I advised him nothing that I know of, you are just being detained for your safety and ours temporarily. My team had just arrested Poindexter a couple months ago on an outstanding DOC warrant. Ofc Eckersley holstered his firearm and came over and spoke to Poindexter.

At this point I was hearing Pearson complain about being injured. I walked over to him and asked him what was wrong. He said something to the effect of you "fuckers" broke my arm or elbow. Pearson didn't have any visible injuries to his arm. I asked dispatch to start medics for Pearson. I advised he may have dislocated his elbow which was just a guess that I gave dispatch to update responding medics.

Medics arrived quickly and looked at Pearson's arm. They couldn't diagnose any apparent injury so I advised them that we would transport him to the hospital to have him examined.

Cpl McCollough had contacted a DOC officer which is standard procedure that we do when we have arrested a DOC offender. DOC officers chose to respond to the scene and normally they want the offender to be present so they can speak with him as part of their supervision. Since Pearson was complaining of injuries I advised Ofc Cole to go ahead and transport Pearson to Deaconess ER to have him looked at.

Cpl McCollough photographed the scene and Pearson on before he was transported. Pearson was continuously yelling and calling the Police and Medics vulgar names and complaining of his injury.

## SUPPLEMENTAL REPORT CONTINUED

*Spokane Police/Spokane County Sheriff*

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INCIDENT CLASSIFICATION  
**TRAFFIC-OTHER**

ATTEMPTED  
☐

INCIDENT NUMBER  
**16-112829**

I asked Ofc Rodriguez to go with Ofc Cole to the hospital due to Pearson's aggravated and aggressive behavior.

I cleared the scene and checked on Pearson's condition periodically by contacting Ofc Cole.

The Hospital/ER was apparently busy and they were there for several hours without a diagnosis.

At about 2115hrs I responded to the ER and contacted the officers and Pearson. Pearson was lying on an examination table and was still very angry. I knew at this point that Ofc Cole had removed Meth off of Pearson and that DOC had located about 1.5 ounces of Meth in Pearson's vehicle during their supervisory search of Pearson's vehicle. I didn't know about whom had read him his CR's so I read him his CR's. I asked him if he understood his rights and he said "No, you said them too fast". I then read them a second time and he stated "Ya" when I asked him if he understood them and "Ya" when I asked him if he wanted to talk about the incident.

I asked him how he was doing and he said words to effect of "Those fuckers broke my arm and im going to sue you". I asked him how they broke his arm and he said I don't know but I heard it. I asked him who was truly at fault for his hurt arm and he stated "Me" referring to him. Pearson calmed down and we spoke about his life. Pearson stated he is currently homeless and couch surfs at various places. He is a Meth addict and has been for numerous years. He smoked Meth just before being stopped. He only uses Meth but doesn't sell it. I asked him about the 1.5 ounces in the car and he said it wasn't his. I told him that we were applying for a search warrant for the rest of his vehicle and asked him what else was inside. Pearson didn't respond to this question.

Over the next 30 minutes, Pearson was up and down with his moods. At one point, the nurse was talking nice to him about how he can and should change his lifestyle. Pearson yelled angrily at her that he is a 9 plusser who's looking at a charge of 1.5 ounces of Meth.

Pearson was apparently diagnosed with a chipped right elbow. I didn't talk with a doctor about the injury. They put a cast on his right arm and he was released to go to jail.

Pearson was booked on his DOC warrant. PCS and resisting charges will be added.

It should be noted that there were numerous citizens and students at the Rogers High School tennis courts next to where the traffic stop and subsequent arrest in the street took place. I looked in the area for any surveillance cameras that may have captured the incident but didn't locate any.

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

Vigesaa 424



# SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>16-112829</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Thu 03/31/2016 15:57</b>		INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>DRUGS-POSSESS</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <b>WARRANT ARREST</b>		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>03/31/2016</b>	REPORT TIME <b>16:57</b>
PRIMARY CHARGE					UCR/NIBRS CODE
<b>VICTIM/WITNESSES/OTHERS</b> <small>S-Suspect, V-Victim, I-Individual, A-Arrested Person, VB-Victim - Business, M-Missing, MR-Person Mentioned, RO-Registered Owner, V-Deceased, PS-Passenger, PE-Pedestrian, PC-Pedestrian - Cyclist, O-Other, C-Complainant, IN-Institutional, G-Legal Guardian, D-Driver, W-Witness, CV-Complainant is Victim, CON-Contact, RU-Runaway, OW-Owner of Property</small>					
CODE <b>PS-1</b>	NAME: LAST, FIRST, MIDDLE <b>Poindexter, Logan D</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>
HEIGHT <b>6'01"</b>	WEIGHT <b>165</b>	BUILD <b>Medium</b>	HAIR <b>Blonde or</b>	EYES <b>BRO - Brown</b>	DATE OF BIRTH/AGE <b>08/25/1994 21</b>
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL ADDRESSES					ADDRESS TYPE <b>Transient</b>
<b>VEHICLES</b>					
CODI <b>V-1</b>	CIRCUMSTANCES <b>Investigative Information</b>		LICENSE NO. <b>AUG6922</b>	STATE <b>WA</b>	LIC. YEAR <b>04/2016</b>
YEAR <b>1989</b>	MAKE <b>Buick</b>	MODEL <b>Century</b>	BODY STYLE <b>02: Sedan, 4 Door</b>	LICENSE TYPE <b>Regular</b>	VIN/HIN <b>1G4AH51N0K6423984</b>
SPECIAL FEATURES/DESCRIPTION					
DECAL NUMBER		REGISTERED OWNER <b>GABBERT, RICKY LEON</b>			HOME PHONE
VEHICLE DISPOSITION <input type="checkbox"/> LEFT AT SCENE <input type="checkbox"/> DRIVEN AWAY <input type="checkbox"/> TOWED		REGISTERED OWNER'S ADDRESS: STREET, CITY STATE ZIP <b>6817 N Calispel Street, Spokane, WA 99205</b>			VALUE \$
LOCKED <input type="checkbox"/> Yes <input type="checkbox"/> No	KEYS IN VEHICLE <input type="checkbox"/> Yes <input type="checkbox"/> No	DELINQUENT PAYMENT <input type="checkbox"/> Yes <input type="checkbox"/> No	VICTIM CONSENT <input type="checkbox"/> Yes <input type="checkbox"/> No	DRIVABLE <input type="checkbox"/> Yes <input type="checkbox"/> No	ESTIMATED DAMAGE
TOW COMPANY		HOLD REQUESTED BY		HOLD FOR	
RELEASE BY	DATE	TIME	RELEASE NO.	RELEASING AUTHORITY	OWNER NOTIFIED
DATE		TIME		OPERATOR'S NAME	
<b>NARRATIVE</b>					

On 3/31/16 at about 1557 hrs I assisted Officer Cole and Cpl. McCollough on a traffic stop involving a wanted subject, Michael A. Pearson.

Cpl. McCollough advised that he noticed Pearson (driver) getting into a vehicle at Diamond and Regal area. Pearson had a Department of Corrections warrant for his arrest. There was also a male passenger in the vehicle later identified as Logan Poindexter. The vehicle they were in was a white 1989 Buick Century with Washington State License Plate of AUG6922.

I noticed the vehicle traveling southbound on Haven then turned westbound onto Queen.

ID NO./NAME OF REPORTING OFFICER <b>#1212 - Rodriguez, Juan</b>		DISTRIBUTION	
APPROVAL <b>#244 - Lee, Thomas</b>		DATE/TIME <b>04/01/2016 15:34</b>	

## SUPPLEMENTAL REPORT CONTINUED

*Spokane Police/Spokane County Sheriff*

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INCIDENT CLASSIFICATION <b>DRUGS-POSSESS</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-112829</b>
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Prior to getting to Crestline the vehicle turned southbound into an alleyway. I then noticed the vehicle turn out from the alleyway onto Crestline and proceed southbound onto Crestline then turned westbound onto Wellesley.

At this point Officer Cole was behind the vehicle and I was directly behind him. I drove past the suspect vehicle which at this point was in the inside lane travelling westbound on Wellesley. I pulled into the inside lane directly in front of the suspect vehicle. In the distance I could see the steady red signal light at Wellesley and Pittsburg.

A plan was formulated to intercept and block the movement of the momentarily stopped suspect vehicle. At this point the driver, Pearson was unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit as Pearson would be a potential flight risk.

I was now in front of Pearson's vehicle in my undercover vehicle. At this point we were coming to a stop because of the red signal light. Pearson decided to change lanes into the outside lane, I did the same. We came to a complete stop and I waited a bit to allow Officer Cole to get into position and simultaneously we closed the gap. I put the UC vehicle in reverse and Officer Cole got close to the suspect's rear bumper. He activated his overhead red and blue emergency lights on his fully marked patrol vehicle. Pearson was now blocked in which prevented him from fleeing the area in the vehicle.

I exited my vehicle and noticed Pearson put his vehicle in reverse and appeared as he was going to attempt to try to drive his vehicle out of the block but was unsuccessful. I walked up to the driver's side portion of the vehicle near the 'A' pillar and could see both Pearson and Poindexter digging around in their pockets. From my training and experience I believed they were trying to dispose of narcotics or possibly had a firearm.

I was standing next to the driver's side door which both Pearson and Poindexter could clearly see I was law enforcement. I was wearing the uniform of the day which consists of: A ballistic vest with 3 inch silver 'Police' across the midsection and one inch silver 'Police' across the upper chest, 3 inch silver 'Police' across the back, SPD cloth badge on the left side, full duty belt and portable radio. I announced, "Police get your hands up!" Pearson and Poindexter both disregarded my orders to get their hands up and continued digging around in their pockets pulling things out. Pearson was clearly identified and is a convicted felon. I did not know his or Poindexter's intentions in regards to possibly having a firearm and what they planned if they did have a firearm. They clearly were not following orders and there being a potential that they may have a firearm I had my duty weapon out and at the low ready for officer safety reasons. I could also hear Officer Cole giving them orders to get their hands up. Officer Cole ordered Pearson out of the vehicle and told him he was under arrest. The driver's side door was now open. My attention was divided between

## SUPPLEMENTAL REPORT CONTINUED

*Spokane Police/Spokane County Sheriff*

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INCIDENT CLASSIFICATION  
**DRUGS-POSSESS**

ATTEMPTED  
☐

INCIDENT NUMBER  
**16-112829**

Pearson and Poindexter at this point. Poindexter finally complied with orders and put his hands up in the air at this point I holstered my duty weapon as Officer Eckersley approached the passenger side of the vehicle and could now deal with Poindexter. I observed as Officer Cole took hold of Pearson's arm. At this very moment Pearson made a conscious decision to attempt to run from us by turning away from Officer Cole making him lose his grasp. I later asked Pearson why he did what he did and he stated, "Yeah, I was trying to get away from you guys." I observed as Pearson got out of Officer Cole's grasp and began to run directly southbound. Pearson took a few steps, there I noticed a light blue newer vehicle traveling westbound in the inside lane. Pearson ran into the side of the vehicle near the back portion. This caused Pearson's body to slightly rotate clockwise. This vehicle never stopped nor did the driver contact us later for a statement. I then observed Officer Cole take a hold of Pearson by wrapping his arm around Pearson's upper shoulder area. Pearson was still running away and they fell onto the roadway in the inside Westbound lane. Pearson was face down and Officer Cole was on top of him. Pearson was actively resisting. While struggling with Pearson and attempting to take him into custody I could see Pearson trying to reach into his front left pocket. I grabbed onto this left arm and pulled it away from his hip area. Pearson then attempted to turtle and put his arms underneath his chest. I however overcame his resistance and pulled his left arm out and held onto it. While this was going on Sgt. Vigesaa was on Pearson's right side and pulled out Pearson's right arm. After a short struggle with Pearson, Officer Cole got off of him which allowed me to place my left knee on Pearson's left shoulder blade and place the handcuff onto this left wrist. Sgt. Vigesaa brought his right arm closer and we finally placed him into handcuffs and took him into custody without further incident.

Prior to standing Pearson up he complained that his right elbow was hurting. Medics were requested and arrived and tended to Pearson's injury which he stated was just his right elbow.

Later, Officer Cole and I responded to the new Deaconess Emergency Room (8202 N. Division) where Pearson was further evaluated. X-rays were done and we were advised by the attending Physician Assistant that Pearson had a right chipped elbow or bone fragment. He explained that it was most likely impact related injury and not likely mechanical movement of the elbow. During this time Pearson became very disrespectful to staff and the P.A. he began yelling, "These fucking corrupt cops did this to me it wasn't when I fell, fuck you!" The P.A. tried to further explain to Pearson the mechanics involved in such a break but once again Pearson yelled profanities and told the P.A., "I'm done get the fuck out of here!" Pearson was placed into a sling and cast, he was later discharged and transported to Spokane County Jail.

At Deaconess E.R. Officer Cole handed me a baggie of methamphetamine and other drug paraphernalia found on Pearson. These items were located during the search incident to arrest and

## SUPPLEMENTAL REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

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INCIDENT CLASSIFICATION <b>DRUGS-POSSESS</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-112829</b>
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taken off his Pearson at the incident location (Pittsburg/Wellesley). I later placed these items onto property as evidence.

For further information regarding this investigation refer to Officer Cole, Cpl. McCollough, and Sgt. Vigesaa's report.

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

Officer J. Rodriguez  
#1212

# SUPPLEMENTAL REPORT

**Spokane Police/Spokane County Sheriff**

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AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>16-112829</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Thu 03/31/2016</b>	TIME <b>15:57</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>DRUGS-POSSESS</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <b>WARRANT ARREST</b>		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>04/01/2016</b>	REPORT TIME <b>10:15</b>
PRIMARY CHARGE					UCR/NIBRS CODE
<b>NARRATIVE</b>					

On 03/31/16 I assisted Officer D. Cole with the Spokane Police Department PACT team with a traffic stop. The location of the traffic stop was E. Wellesley and N. Pittsburg Ave.

I was driving a fully marked patrol vehicle (SUV) with light bar and sirens.

I pulled in behind Officer D. Coles patrol vehicle which was directly behind the suspect vehicle a white 1989 Buick WA-AUG6922 in curb side lane. As I exited my vehicle I observed the driver quickly get out of the vehicle at which time Officer Cole and several other officers began attempting to detain the suspect (identified as Michael A Pearson). As I approached the drivers side of the vehicle I could clearly see Officers holding Pearson to the ground just a few feet away from the vehicle he had exited. Due to the fact that the vehicle had a passenger I directed my attention to keeping him inside the vehicle. I drew my service weapon and kept it at the low ready position. I ordered the passenger (later identified as Logan D. Poindexter) to keep his hands up. Logan obeyed my commands and was later detained pending further investigation.

While controlling Logan in the vehicle I had my back to the officers who were attempting to control Pearson. My body was within a foot of the drivers door with my chest facing the window. Due to my attention on the passenger inside the vehicle I could not see what was happening behind me. I believe that because of my body position it limited if not blocked Logans view of what was happening behind me.

Due to the rapidly evolving situation had not activated my body camera.

Once the scene was secure I provided traffic control.

I was later contacted by Corporal McCollough.

He provided me with a large ziplock bag which contained a large ball of a crystal like substance. Also inside the bag was a smaller ziplock bag and what looked like a soft sunglass case (black in color). I later placed these items on police property for evidence.

It was determined at the scene that the white Buick would be towed for evidence and a possible

ID NO./NAME OF REPORTING OFFICER <b>#1182 - Eckersley, David</b>		DISTRIBUTION	
APPROVAL <b>#649 - Eckersley, Brian</b>	DATE/TIME <b>04/01/2016 18:44</b>		

## SUPPLEMENTAL REPORT CONTINUED

*Spokane Police/Spokane County Sheriff*

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INCIDENT CLASSIFICATION <b>DRUGS-POSSESS</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-112829</b>
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search warrant.

I followed the tow truck with the white Buick to the police property vehicle area. I then placed the Buick on police property as evidence.

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

OFFICER/NUMBER/CALL SIGN  
D. Eckersley/#1182/A248

# SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>16-112829</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Thu 03/31/2016 15:57</b>		INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>DRUGS-POSSESS</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <b>WARRANT ARREST</b>		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>04/01/2016</b>		REPORT TIME <b>09:39</b>
PRIMARY CHARGE					UCR/NIBRS CODE
<b>SUSPECTS</b> <small>S-Suspect, V-Victim, I-Individual, A-Arrested Person, VB-Victim-Business, M-Missing, MR-Person Mentioned, RO-Registered Owner, V-Deceased, PS-Passenger, PE-Pedestrian, PC-Pedestrian-Cyclist, O-Other, C-Complainant, IN-Institutional, G-Legal Guardian, D-Driver, W-Witness, CV-Complainant is Victim, CON-Contact, RU-Runaway, OW-Owner of Property</small>					
CODE <b>S-1</b>	NAME: LAST, FIRST, MIDDLE <b>Poindexter, Logan D</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>
DATE OF BIRTH/AGE <b>08/25/1994 21</b>	HEIGHT <b>6'01"</b>	WEIGHT <b>165</b>	BUILD <b>Medium</b>	HAIR <b>Blonde or</b>	EYES <b>Brown</b>
CONFIDENTIALITY <input type="checkbox"/>			RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ ADDRESS			OCCUPATION		EMPLOYER PHONE
ADDITIONAL ADDRESS					ADDRESS TYPE <b>Transient</b>
<b>NARRATIVE</b>					

On 03/31/2016 at about 1032 hours I was w/b on 5th from Altamont. I saw a white Buick, WA #AUG6922, traveling e/b on 5th towards Altamont. When the Buick passed me I saw it was being driven by a white male. I recognized the driver from previous contacts to be Michael Pearson. I was also aware that he is currently wanted on a felony Department of Corrections arrest warrant for Escape from Community Custody. Pearson also showed to currently be under D.O.C. supervision. A Washington D.O.I. check showed his driving status is currently Dwls 3rd.

I was driving an undercover vehicle that is not equipped with emergency lights or siren. I saw the Buick turn n/b on Altamont and I then lost sight of it. I checked the area and saw it again about five minutes later, w/b on 5th, from Altamont. I followed the Buick from a distance while contacting a patrol unit to stop the vehicle. Before a marked patrol unit arrived in the area I lost sight of the Buick. I later found it parked unoccupied in the north alley of 2100 E. 5th. I maintained surveillance on the vehicle for about an hour, but Pearson did not return to the vehicle.

At about 1550 hours Sgt. Vigasaa advised the Buick was now parked in front of an apartment building at 2911 E. Diamond.

I responded to that location and saw the Buick parked in front of 2911 E. Diamond. It was unoccupied at this time.

At about 1557 hours I saw Pearson and a second white male come out of 2911 E. Diamond and get into the Buick. Pearson got into the driver's seat. They drove about half a block to the east and quickly parked the vehicle. They both got out and ran back to 2911 E. Diamond.

At about 1608 hours I again saw Pearson and the second male come out of 2911 E. Diamond. They ran to the Buick and drove away e/b. Pearson was the driver. I lost sight of the Buick as it made a quick turn s/b on Haven.

ID NO./NAME OF REPORTING OFFICER <b>#639 - McCollough, Jeffrey</b>		DISTRIBUTION	
APPROVAL <b>#635 - Ferguson, Jordan</b>	DATE/TIME <b>04/07/2016 09:27</b>		

## SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION <b>DRUGS-POSSESS</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-112829</b>
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Ofc. Rodriguez was in the area and advised the Buick had turned back w/b.

I turned w/b on Queen and saw the Buick was now turning w/b on Queen from Lacey at a high rate of speed. The Buick continued w/b on Queen at speeds I would estimate to be about 40 m.p.h. I was several blocks behind the Buick and saw it turn s/b in an alley, just east of Crestline.

When I reached the alley I saw the Buick had cut s/b through the alley and was now turning towards Crestline. I lost sight of the Buick at that point. Ofc. Cole and Ofc. Rodriguez obtained a visual on the Buick at that point.

Ofc. Cole and Ofc. Rodriguez were able to stop the Buick at Wellesley/Pittsburgh. See their additionals for more information.

When I arrived onscene Ofc. Cole and other Officers were handcuffing Pearson on Wellesley, just south of the car.

The passenger male was identified as Logan D. Poindexter, 08/25/1994. A name check of Poindexter showed he was also under Department of Corrections supervision.

Due to the D.O.C. status of both Pearson and Poindexter I contacted D.O.C. Ofc. Jeremy Taylor by telephone. Ofc. Taylor advised he would be responding to check for possible D.O.C. violations.

Poindexter was not currently wanted and was released from the scene.

] I photographed Pearson and his injuries.

When Ofc. Taylor arrived he advised he would be searching Pearson's vehicle for D.O.C. violations. I watched as he started searching the front passenger seat area. I saw Ofc. Taylor locate a black cloth bag on the front passenger floor board. Inside the bag was a plastic baggy containing a large amount of white crystal substance. The amount was about the size of a raquetball.

I watched as Ofc. Taylor field tested the substance for meth. The substance field tested positive for meth.

Ofc. Taylor turned the bag and substance over to me.

At this time Ofc. Taylor stopped searching the vehicle and I advised him that we would be obtaining a search warrant to search the vehicle.

I photographed the vehicle and baggy of crystal substance.

I provided the baggy of crystal substance to Ofc. Eckersley to be placed on property. Ofc. Eckersley stood by with the vehicle and then followed it as it was towed to police property. He placed the vehicle and baggy of crystal substance on property.

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

Cpl. McCollough #639