



SPOKANE POLICE DEPARTMENT

Internal Affairs Exemption Log



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

#2b	Records relating to commission of Juvenile offenses.	Redacted to protect the personal information of a juvenile in the court system. May not be released to the public except by court order.	RCW 13.50.050 (Juvenile Courts and Juvenile Offenders) and RCW 13.50.100 (4) (a) and (b) (Keeping and Release of Records by Juvenile Justice or Care Agencies). <i>Deer v. DSHS</i> , 122 Wn.App. 84, 94 (2004)
#2c	Child Victim of Sexual Assault	This redaction protects information revealing the identity (name, address, location, or photograph) of child victims of sexual assault who are under age eighteen.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
#2d	Child victims or child witnesses	Information re a child witness / victim is protected to assure the rights under law: to not have name, address, nor photograph disclosed by any law enforcement agency w/o permission of the child or parents/guardians.	RCW 42.56.240(5) (Investigative, law enforcement, and crime victims)
ACCESS Database Info			
#3a	Information from WACIC/NCIC (ACCESS): <u>Criminal history information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3b	Information from WACIC/NCIC (ACCESS): <u>License Plate Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3c	Information from WACIC/NCIC (ACCESS): <u>Vehicle Registered owner information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3d	Information from WACIC/NCIC (ACCESS): <u>Wanted persons information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3e	Information from WACIC/NCIC (ACCESS):	WACIC/NCIC/III - information from ACCESS restricted to law	28 USC § 534 For criminal justice purposes only.

	<u>Officer safety information</u>	enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3f	Information from WACIC/NCIC (ACCESS): <u>Gun information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3g	Information from WACIC/NCIC (ACCESS): <u>DOL Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3h	Information from WACIC/NCIC (ACCESS): <u>Stolen Vehicle Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3i	Information from WACIC/NCIC (ACCESS): <u>Missing Persons Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3j	Information from WACIC/NCIC (ACCESS): <u>Runaways or endangered persons</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3k	WACIC/NCIC (ACCESS): <u>DOC Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
Personal Identifiers and Financial Info			
#4a	Social Security Number	This information constitutes personal identifying information unique to the holder and which, if obtained by the	RCW 42.56.050 (Invasion of privacy), RCW 42.56.230 (Personal information),

		public could be abused or lead to identity theft.	42.56.250(3)(8) (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt), 42 USC § 405(c)(2)(viii)(I) (Limits on Use and Disclosure of Social Security Numbers)
#4b	Driver's License or Identocard	This information constitutes personal identifying information unique to the holder and which, if obtained by the public could be abused or lead to identity theft.	18 USC § 2721 (Prohibition On Release And Use Of Certain Personal Information From State Motor Vehicle Records); RCW 42.56.050 (Invasion of privacy), RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#4c	Credit/Debit Card Numbers	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4d	Electronic Check/Check Numbers	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4e	Card Expiration Dates	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4f	Bank Account Number	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4g	Financial Institution Account Number	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
Employees Files			
#5a	Photos of Spokane Police Department or other criminal justice employees	Photographs in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030 are protected from disclosure for their safety and privacy.	RCW 42.56.250(8) (Employment and licensing)
#5b	Birthdates of criminal justice employees	Birthdates in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030 are protected from	RCW 42.56.250(8) (Employment and licensing)

		disclosure for their safety and privacy.	
#5c	Personal Information in employee files	Personal information in files maintained for employees, appointees, or elected officials of any public agency is protected to the extent that disclosure would violate their right to privacy.	RCW 42.56.230(3) (Personal information), RCW 42.56.250(3) (Employment and licensing)
Criminal History			
#6a	Criminal history <u>not</u> from ACCESS- Non-Conviction Data	Criminal history which has not led to a conviction or other adverse disposition is protected by state law and only released to Criminal Justice Agencies for law enforcement purposes.	RCW 10.97 (Criminal Procedure)
Officer Safety or Intelligence			
#7a	Intelligence, sensitive security, or tactical information	Record includes sensitive intelligence, security or tactical information the non-disclosure of which is essential to effective law enforcement.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7b	Undercover Officer identification	Contains information which could reveal the identity of an undercover officer, who undertakes ongoing dangerous / confidential undertakings to effect law enforcement purposes. Protected to preserve the life and personal safety of officer and family.	RCW 42.56.240(1) Specific intelligence information the nondisclosure of which is essential to effective law enforcement.
#7c	ID Records revealing covert law enforcement activity	Any record pertaining to a vehicle license plate, driver's license, or identicard revealing the identity of an individual performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigative activity.	RCW 42.56.230(7)(c) (Personal Information)
#7d	Law Enforcement Information Sheet	Contains confidential data used for law enforcement purposes. Disclosure has no legitimate value to the public and can endanger an individual's safety. Contains specific intelligence information the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7e	Confidential Informant information	Contains identifying information which could reveal the identity of a confidential informant. Considered intelligence information, used in a confidential manner for law enforcement purposes, protected to preserve the life and personal safety	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims). Ashley v. Public Disclosure Comm'n, 16 Wn.App. 830, 836 (1977).

		of the informant and family. Specific intelligence information compiled by law enforcement, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	
Photos			
#8a	Photos showing a deceased person	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8b	Photos showing highly sensitive material	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8c	Photo Montages	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
Protected by Law			
#9	Medical Records	Medical records consist of confidential and privileged information highly personal and restricted. The disclosure of medical records is regulated by state and federal law and not public information. Right to Privacy: Disclosure would be highly offensive to a reasonable person.	RCW 42.56.360 (Health care), 70.02.005 (Findings) and HIPPA (45 CFR 164.502). RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#10a	Jail records	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as this information is only available to criminal justice agencies as defined in RCW 43.43.705.	RCW 70.48.100 (Jail register)
#10b	Jail booking photos	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as	RCW 70.48.100 (Jail register)

		this information is only available to criminal justice agencies as defined in RCW 43.43.705.	
#11	Autopsies, postmortems	Reports and records of autopsies or postmortems are confidential and exempt from public disclosure, but certain officials with authority to examine and obtain copies of such reports may access.	RCW 68.50.105 (Autopsies, postmortems – Reports and records confidential)
#12	Confidential Attorney Client Communications	This redaction protects confidential communications between an attorney and his/her client.	RCW 5.60.060(2)(a) (Privileged communications) <i>Hangartner v. Seattle</i> , 151 Wn.2d 439 (2004).
#13a	<u>Name/Identity</u> of accused police officers	This redaction protects the identities of officers/employee accused of sexual misconduct in Internal Affairs Investigations and Inquiries, if the findings are not Sustained. Police officers/employees have a right to privacy in their identities in connection with unsubstantiated allegations of sexual misconduct.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011). <i>Bellevue John Does</i> , 164 Wash 2d at 212, 189 P.3d 139.
#13b	<u>Date of birth</u> of accused police officers/employee.	This redaction protects the identities of accused officers/employees in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13c	<u>Personal work, home, or cell phone number</u> of accused police officers/employee.	This redaction protects the identities of accused officers/employee in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13d	<u>Residential address</u> of accused police officers/employee.	This redaction protects the identities of accused officers/employee in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13e	<u>E-mail address</u> of accused police officers/employee.	This redaction protects the identities of accused officers/employee in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#14	Information concerning Mental Health Services	This redaction contains confidential information concerning services to either voluntary or involuntary recipients of mental health services. Such information, if disclosed, would invade an individual's privacy and possibly cause unintended consequences for that individual.	RCW 71.05.390 (Confidential information and records)



Spokane Police Department Use Of Force Report

Incident Entered By: Sergeant Ronald Tilley

Incident Details

Date Received

4/8/2016

Date of Occurrence

3/30/2016

Time of Occurrence

23:30

Record ID #

9263

Incident No

16-111983

IA No

F16-030

Date/Time Entered

4/8/2016 01:26

Incident Summary

Officers Conrath and Donaldson attempted to arrest a subject for Pedestrian Interference. The subject appeared to be under the influence of drugs. He resisted violently, assaulted Ofc Donaldson by hitting him in the face, and tried to disarm Ofc. Conrath. They used multiple levels of force to eventually gain control and apprehend the subject.

In compliance with policy per Assistant Chief Meidl 05/09/16.

Incident Location

- 333 Spokane Falls BLVD, Direction: W, Spokane, WA 99201 - : Downtown

Use of Force Specific Information

Reason for Use of Force

Multiple (Specify)

Service Being Rendered

Call for Service

Weather Condition

Clear

Lighting Condition

Exterior Lighting

Distance to Citizen

a-0-3 feet

Citizen Injured

Yes

Citizen Taken to Hospital

Yes

Citizen Arrested

Yes

More than 1 Citizen Involved

No

Citizen's Build

Medium

Citizen's Height

6'1" to 6'3"

Officer Assessment of Citizen Condition During Incident

Alcohol and/or Drugs

Officer(s) Injured

No

Officer(s) Taken to Hospital

No

Reporting/Involved Citizen Information

Brian Curtis Fowler

DOB: 6/13/1989 Race: White Gender: Male

Address

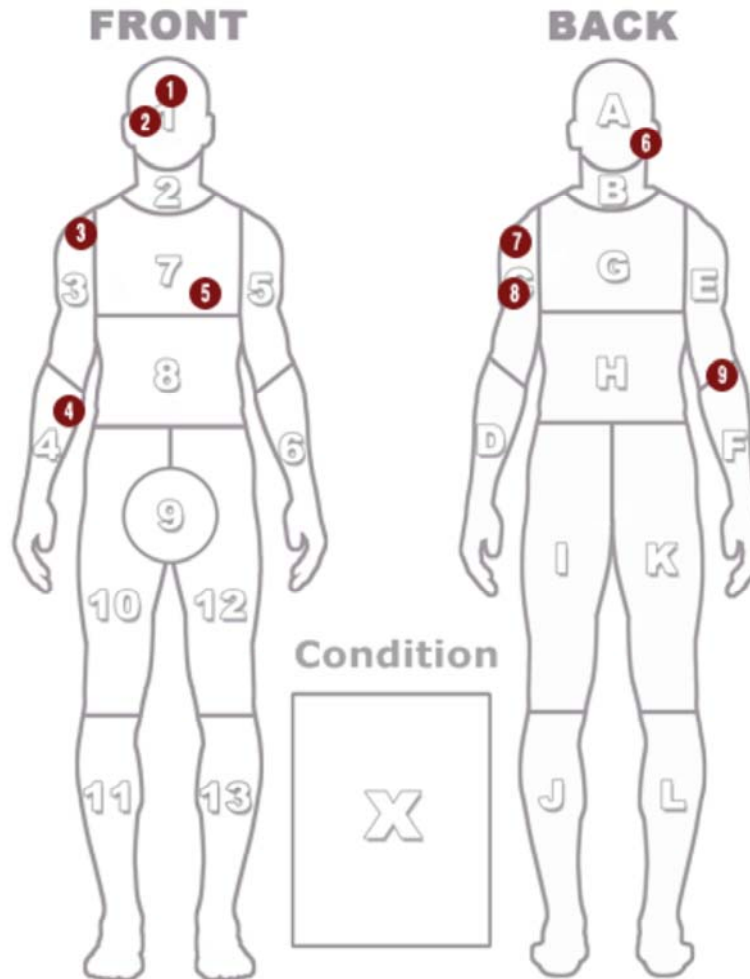
- 3429 Hogan ST, Direction: N, Spokane, WA 99207

Types of Resistance Citizen Used Against Officer(s)

- Assaultive
- Active Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
b-Minor Visible Injury	1, 3, 4, 7, A, C, E	1, 2, 3, 4, 5, 6, 7, 8, 9

**Charges against this citizen**

- Felony - PersonCrime
- Misdemeanor - PersonCrime
- ResistingArrest

Involved Officers

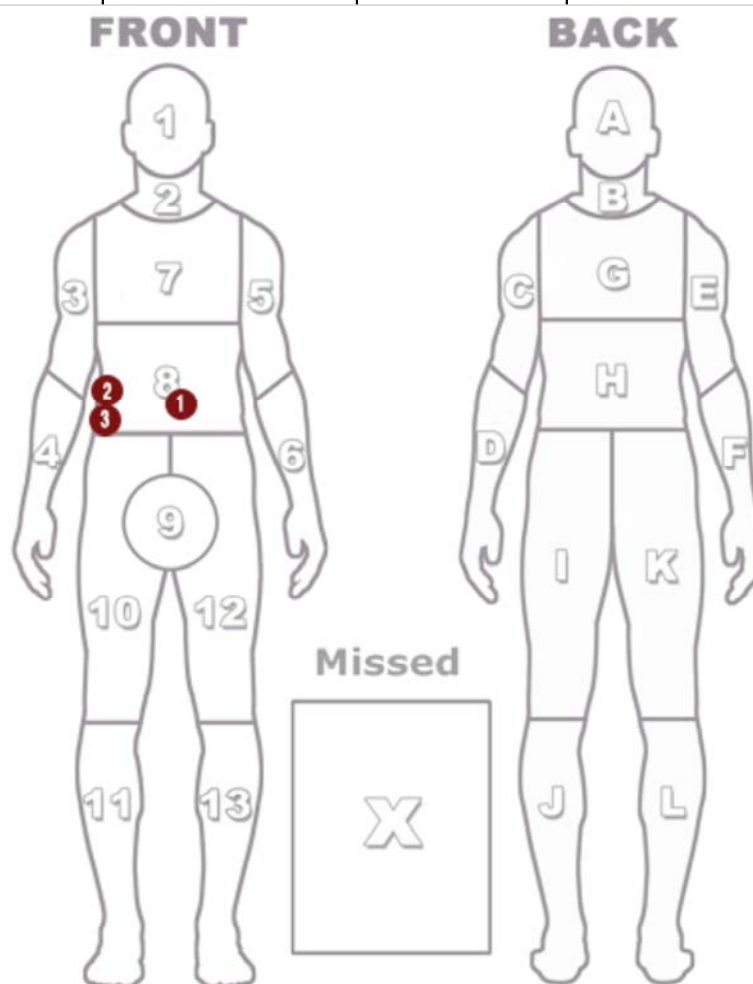
Officer Christopher Conrath - Payroll Number: #5c

Force used by this officer against the citizen

- Level 2 Tactic - Was force effective: No

- TASER-Drive - Was force effective: No
- Level 2 Tactic - Was force effective: No

Force Used	Effective?	Regions	Points of contact
Level 2 Tactic	No	8	1
TASER-Drive	No	8	2
Level 2 Tactic	No	8	3

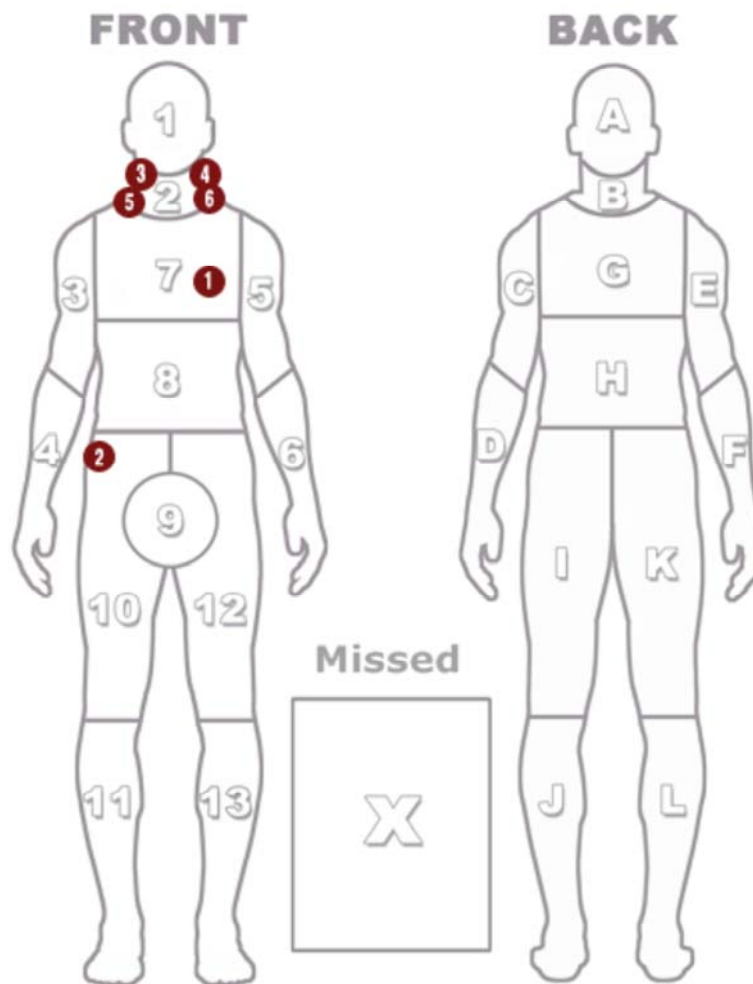


Officer Nathan Donaldson - Payroll Number: #5c

Force used by this officer against the citizen

- TASER-Probe then Drive - Was force effective: No
- LNR-Level 2 - Was force effective: No
- LNR-Level 2 - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
TASER-Probe then Drive	No	10, 7	1, 2
LNR-Level 2	No	2	3, 4
LNR-Level 2	Yes	2	5, 6



Citizen Witnesses

Francis Olesen

DOB: 8/12/1962 - Race: White - Gender: Male

Address

- 420 Hodges, Direction: N, Spokane Valley, WA 99016

Attachments

Date Attached	Attachment Description	Attachment Type
4/8/2016	Arrest report	pdf
4/8/2016	Conrath Additional	pdf
4/8/2016	Haney Additional	pdf
4/8/2016	Affidavit	pdf
4/8/2016	Witness Statement	pdf
4/8/2016	Witness Statement	pdf
4/8/2016	CAD	pdf
4/8/2016	Photo Logs	pdf
4/8/2016	Taser report	pdf

4/8/2016	IA Additional	doc
4/8/2016	Yrigollen BWC	
4/8/2016	Yrigollen BWC	
4/8/2016	Cedeno BWC	
4/8/2016	Tilley BWC	
4/8/2016	Donaldson BWC	
4/8/2016	Conrath BWC	
4/8/2016	Donaldson BWC	
4/8/2016	Conrath BWC	
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
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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
4/26/2016	Officer Donaldson follow-up	pdf

Chain of Command History

Sent Dt	From	To	CC	Approved
4/8/2016	Internal Affairs	Internal Affairs	Lieutenant Joseph Walker	<input checked="" type="checkbox"/>
Sender's Instructions: Please attach photos and return.				
Recipient's Comments/Response: Photos attached				
4/11/2016	Sergeant Michael Carr	Sergeant Ronald Tilley	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: I have attached the Photographs of the suspect.				
Recipient's Comments/Response: Reviewed photos. Injuries are consistent with the force used.				
4/15/2016	Internal Affairs	Internal Affairs	Lieutenant Joseph Walker	<input checked="" type="checkbox"/>
Sender's Instructions: For your review.				
Recipient's Comments/Response: COC Use of Force review				
4/18/2016	Sergeant David Staben	Lieutenant Joseph Walker	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: COC Use of Force review				
Recipient's Comments/Response: I have reviewed this incident and concur with Sgt Tilley's review and recommendation. The officers use of force was appropriate given the facts and circumstances they were faced with at the time of this incident. I find that they acted within SPD policy and training.				
4/18/2016	Lieutenant Joseph	Captain Daniel Torok	(none)	<input type="checkbox"/>

Walker				
Sender's Instructions: ready for review				
Recipient's Comments/Response: On page 4, paragraph 7 Ofc. Donaldson said that the suspect "turtled up". I am aware of the meaning. However, other readers may not be. On page 5, paragraph 2 Ofc. Donaldson describes the circumstances surrounding the taser application. His application was to a non preferred target (chest). I can deduce why that was his target, but would prefer that he articulates his reasoning (lack of other target availability, immediacy of action, etc) Please have him describe "turtled up" and address the targeting of the taser in an additional report.				
4/25/2016	Captain Daniel Torok	Lieutenant Joseph Walker	(none)	<input type="checkbox"/>
Sender's Instructions: see comments				
Recipient's Comments/Response: please see Capt Torok's comments for additional information				
4/25/2016	Lieutenant Joseph Walker	Sergeant Blaine Kakuda	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: see Capt Torok's comments				
Recipient's Comments/Response: See Officer Donaldson's attached additional follow-up report.				
4/26/2016	Sergeant Blaine Kakuda	Captain Daniel Torok	Lieutenant Joseph Walker	<input checked="" type="checkbox"/>
Sender's Instructions: See Officer Donaldson's attached additional follow-up report.				
Recipient's Comments/Response: I concur that the use of force was within policy.				
5/2/2016	Captain Daniel Torok	Asst Chief Craig Meidl	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: for review				
Recipient's Comments/Response: Use of force was within policy.				

Entering Officer Signature Line

 Sergeant Ronald Tilley
Chain of Command Signature Lines

 Sergeant Michael Carr

 Sergeant Ronald Tilley

 Sergeant David Staben

 Lieutenant Joseph Walker

 Captain Daniel Torok

 Sergeant Blaine Kakuda

Asst Chief Craig Meidl



Spokane Police Department
Internal Affairs



Use of Force
Additional

Incident #: 16-111983

Date: 03-31-16

Involved Officer(s) BWC Y/N:

Conrath #1106 BWC Y,
Donaldson #973 BWC Y

Reviewing Supervisor:

R. Tilley #369

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:

Ofc's Conrath and Donaldson responded to the Davenport Grand Hotel on the report of a Disorderly male. They arrived and contacted the Subj and the Comp, (Davenport Hotel Security). Security just wanted the Subj trespass. After talking with the Subj, they were able to convince him to leave the property. They followed him to his vehicle which was parked on Washington. They were concerned the Subj was going to continue to be a problem so they remained on scene and kept him under observation. The Subj remained near his parked vehicle, but also stood in the street, Washington. They saw several vehicles have to swerve around the Subj. They determined that if they did not arrest him, for the violation of Pedestrian Interference, he would continue to be a problem and could be struck by passing vehicles.

When they placed him under arrest, he immediately started resisting. During the resistance, the Subj assaulted Ofc Donaldson by striking him in the mouth with an open hand, (Ofc Donaldson was not injured.). The Subj also grabbed and held onto Ofc Conrath's holstered Duty Handgun. Defeating the first level of retention on the holster.

During the event of trying to take the Subj into custody, and prevent further assaults on them, they used multiple levels of force to include: 3 Tazer applications, 1 closed fist strike to the Subj's abdomen, 3 knee strikes to the left side of the Subj's mid-section, and 2 level 2 Lateral Neck Restraints. The second application of the LNR is what was finally effective in allowing the Officers to get the Subj handcuffed.

Neither Officer suffered any injury. The Subj was treated at Sacred Heart ER for minor injuries, was released and booked into Jail for 2 counts of Assault 3rd. The charges of Pedestrian Interference and Resisting Arrest were included in the Charging Document.

Officer Interview Summary:

I conducted a quick Field Debrief with Ofc's Donaldson and Conrath immediately after the incident. I also reviewed their reports when they were completed. The information in the Debrief and their reports was inclusive.

Subject Interview Summary:

I did not interview the Subj. He appeared to be under the extreme effects of some mind altering chemicals. Even after being at the Hospital for two hours after the arrest, the Subj still failed booking because of his confrontational behavior. Photographs of his injuries were taken at the scene by Cpl Blessing and at the Jail after being treated by Cpl Haney.

Witness Interview Summary:

Ofc Brannon interviewed one of the original complainants from the Davenport Grand who had also witnessed the arrest. See his additional. Cpl Haney also placed on property hand written statements from Security Guards of the Davenport Grand. Copies of those statements were also submitted to records. Davenport Security was also going to make copies of their security footage and contact Crime Check to have the copies pick up. (Unknown if this was ever done.)

Witness Officer Interview Summary BWC Y/N:**Any Relevant Clarifying Information and Observations:****Sergeant Findings:**

After reviewing the Officer's reports and BWC videos, the use of force was appropriate and justified.

R. Tilley, Sgt, Team 13
04-08-16

Entered	03/31/16	00:00:14	BY 91110	911209
Dispatched	03/31/16	00:00:41	BY PCC03	1141
Enroute	03/31/16	00:00:41		
Onscene	03/31/16	00:02:57		

[illegible]

#3c

/001605		MISC	
/001605		MISC	
/001605		MISC	
/001605		MISC	
/001605		MISC	
/001605		MISC	
/001605		MISC	
/001605		MISC	
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/001605		MISC	
/001605		MISC	
/002312		MISC	C352
/002548		MISC	C352
/002558		MISC	C352
/002808		MISC	C350
/002812	(1188)	*ASSTER	D471
/002813	(1141)	MISC	C350
/002817	(1220)	*ASSTER	A447
/002820	(1264)	*ASSTER	B321
/002821	(369)	*ASSTER	L269
/002823	(783)	*ASSTER	D470
/002826	(1141)	MISC	C350
/002833	(730)	*ASSTER	P318
/002840	(244)	*ASSTER	L244
/002841	(287)	*ASSTER	P301
/002842	(1123)	ASSTER	P313
/002846	(1224)	*ASSTER	B323
/002902	(1218)	*ASSTER	D271

,OUTSIDE OF CAR YELLING
 ,DOWN BLOCK EYES ON HIM
 ,CARS HAVING TO SWERVE AROUND HIM
 ,RESTRICTED
 [333 W SPOKANE FALLS BL ,SPK]
 #1188 MOHONDRO, CORRIGAN
 ,FIGHTING
 [333 W SPOKANE FALLS BL ,SPK]
 #1220 BENESCH, CHRISTOPHER
 [333 W SPOKANE FALLS BL ,SPK]
 #1264 WALKER, ERIC
 #1085 STONE, DAVID
 [333 W SPOKANE FALLS BL ,SPK]
 #369 TILLEY, RONALD G
 [333 W SPOKANE FALLS BL ,SPK]
 #783 BRANNON, BEAU
 ,WEST SIDE
 [333 W SPOKANE FALLS BL ,SPK]
 #730 HANEY, SCOTT
 [333 W SPOKANE FALLS BL ,SPK]
 #244 LEE, TOM
 [333 W SPOKANE FALLS BL ,SPK]
 #287 HAGER, BILL
 #507 BLESSING, ERIN
 [333 W SPOKANE FALLS BL ,SPK]
 #1224 HOWE, JEREMY
 [333 W SPOKANE FALLS BL ,SPK]
 #1218 CEDENO, JULIAN

#3c

/002903	(1141	)	MISC	C352	,WEST SIDE
/002911	(1233	)	*ASSTER	B325	[333 W SPOKANE FALLS BL ,SPK]
					#1233 TOAL, AUSTIN
/002947	(1264	)	*PREMPT	B321	
/002948	(1233	)	*PREMPT	B325	
/002950	(1224	)	*PREMPT	B323	
/002950	(1141	)	MISC	C352	,DETAINED
/003012			EMSREQ	C352	T/PCC05
					,START MEDICS....
/003018	(1240	)	*ASSTER	D472	[333 W SPOKANE FALLS BL ,SPK]
					#1240 ZIMMERMAN, MARK
/003026	(369	)	*ONSCNE	L269	
/003036	(1141	)	EMSREQ	C352	T/PCC05
					,TASER DEPLOYMENT AND LACERATION TO HEAD
/003040	(1220	)	*PREMPT	A447	
/003056	(1141	)	MISC	C352	,OTHER UNITS SLOW IT DOWN, NEED SUPV
/003103	(657	)	CALLBK		T/PCC03
					,FIRE ADV
/003144	(1188	)	*ONSCNE	D471	
/003146			*ONSCNE	D471	
/003147			*ONSCNE	D471	
/003147			*ONSCNE	D471	
/003149	(287	)	*ONSCNE	P301	
/003214	(1141	)	ASSTOS	D473	[333 W SPOKANE FALLS BL ,SPK]
					#1255 BEASLEY, JAROD
/003228	(1218	)	*ONSCNE	D271	
/003236	(1240	)	*ONSCNE	D472	
/003428	(730	)	*ONSCNE	P318	
/003446	(1154	)	*ASSTOS	C353	[333 W SPOKANE FALLS BL ,SPK]
					#1154 YRIGOLLEN, KYLE
/003603	(287	)	*CLEAR	P301	,CORP BLESSINGS GOT THE PHOTOS
/003604	(244	)	*CLEAR	L244	
/004210	(730	)	*MISC	P318	,PSTAT/ASST PSTAT/VIDN
/004229			*CLEAR	P318	
/004308	(1218	)	*MISC	D271	,SEC EMPL: "FRANK" WILL HAVE VIDEO PREPARED FO
					R TOMORROW TO GIVE TO LE. SYSTEM NOT WORKING R
					IGHT NOW. SAYS VIDEO WILL SHOW PRE-INCIDENT, B
					UT NOT THE ACTUAL UOF OUTSIDE. NO CAMERAS THER
					E.
/004333	(507	)	*CHGLOC	P313	[RADIO]
/004453	(1123	)	\$PREMPT	P313	
/004453			PREDSP	P313	CH1 #SP160111962 T/DV [2417 E ILLINOIS
					AV ,SPK]
/004533	(1255	)	*CLEAR	D473	,PSTAT/ASST NOT ONSCENE FOR UOF
/004540	(1218	)	*CLEAR	D271	,PSTAT/ASST PSTAT/VIDY
/004721	(1188	)	*CLEAR	D471	,PSTAT/ASST PSTAT/VIDN
/004803	(507	)	*ASSTER	P313	[333 W SPOKANE FALLS BL ,SPK]
					#507 BLESSING, ERIN
/004823			*CHGLOC	P313	[PROP]
/004829	(1240	)	*CHGLOC	D472	[SH]
/005025	(1154	)	*CHGLOC	C353	[SH]
/005100	(973	)	*CHGLOC	C350	[SIG1]
/005257	(1106	)	*CHGLOC	C352	[1]
/005341	(1240	)	*ONSCNE	D472	
/005420	(369	)	*CLEAR	L269	,PSTAT/ASST PSTAT/VIDY
/005508	(973	)	*ONSCNE	C350	
/005552	(783	)	*ONSCNE	D470	
/005559	(1154	)	*ONSCNE	C353	
/005648	(1106	)	*ONSCNE	C352	
/010011	(783	)	*CLEAR	D470	,PSTAT/ASST PSTAT/RPT... 1B

/010836 (507) *ONSCNE P313

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-111983	
INCIDENT TYPE Arrest		INCIDENT CLASSIFICATION #1 RESISTING ARREST		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 ASSAULT-SIMPLE
		INCIDENT CLASSIFICATION #3 DISORDERLY CONDUCT		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4 ASSAULT-SIMPLE
		RESPONDING TO (Officer Assault) Other		ASSIGNMENT (Officer Assault) Other Assisted	
REPORTED ON Thu 03/31/2016 00:00		DATE/TIME Wed 03/30/2016 23:30		OCCURRED TO Thu 03/31/2016 02:00	
DISPATCH TIME		ARRIVED TIME		CLEARED TIME	
				REPORT DATE 03/31/2016	
				REPORT TIME 01:47	
EST. TOTAL PROPERTY LOSS					
PRIMARY CHARGE 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)					UCR/NIBRS CODE /13A
ADDITIONAL CHARGES 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)					
LOCATION OF INCIDENT 333 W Spokane Falls Blvd, Spokane, WA 99201				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS PC Affidavit Completed, Suspect Arrested, Suspect Can Be ID'd, Useful Physical Evidence, Witness to Crime					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS Conrath					
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim - Individual, A-Arrested Person, VB-Victim - Business, M-Missing, MIF-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 A-1	NAME: LAST, FIRST, MIDDLE Fowler, Brian Curtis			SEX M	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE 06/13/1989 26					
HEIGHT 6'01"	WEIGHT 190	BUILD Medium	HAIR Brown	EYES HAZ - Hazel	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 3429 N Hogan Street, Spokane, WA 99207			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
CHARGE LEVEL Felony Class C		DESCRIPTION 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)			UCR/NCIC CODE /13A
WARRANT #		BAIL	TYPE OF ARREST On-View of Arrest		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Felony Class C		DESCRIPTION 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)			UCR/NCIC CODE /13A
WARRANT #		BAIL	TYPE OF ARREST On-View of Arrest		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION #	DATE	TIME	BOOKED WHERE Spokane County Jail		DATE 03/31/2016
				TIME 00:30	
ARREST LOCATION N Washington Street & W Spokane Falls Blvd, Spokane, WA 99201				STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input checked="" type="checkbox"/> DENIED
JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO				SUSPECT ARMED WITH	
NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED		NOTIFIED BY	
DISPOSITION OF JUVENILE					
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE		OTHER ID (ID Card) #4b

ID NO/NAME OF REPORTING OFFICER #973 - Donaldson, Nathan		DISTRIBUTION	
APPROVAL #369 - Tilley, Ronald		DATE/TIME 03/31/2016 04:44	

Incident Report #1

03/31/2016 04:45:35.856

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION RESISTING ARREST				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 16-111983	
CODE W-1	NAME: LAST, FIRST, MIDDLE Baker, George A				SEX M	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE 06/11/1995 20
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1110 E Cozza Avenue #270, Spokane, WA 99208				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES 863-2701							
CODE VB-1	NAME: LAST, FIRST, MIDDLE Davenport Grand Hotel				SEX -	RACE/ETHNICITY -	DATE OF BIRTH/AGE
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 333 W Spokane Falls Blvd, Spokane, WA 99201				RESIDENTIAL STATUS		PHONE (509) 570-3764
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Business) (509) 570-3764							
CODE V-2	NAME: LAST, FIRST, MIDDLE Nathan Donaldson, E OFC				SEX M	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE #5c
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1100 W Mallon Avenue, Spokane, WA 99260				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Work) (509) 242-8400							
REALTIONSHIP TO SUSPECT			VICTIM OF Offns. # 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)			OFNDR. # A-1	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES None					TYPE OF VICTIM		MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO
HOSPITAL TAKEN TO		TAKEN BY		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN	SUICIDE NOTE FOUND? <input type="checkbox"/>	HOLD PLACED BY

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION RESISTING ARREST				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 16-111983	
CODE V-3	NAME: LAST, FIRST, MIDDLE Christopher Conrath, S Ofc				SEX M	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE #5c
HEIGHT 6'03"	WEIGHT 200	BUILD Medium	HAIR Blonde or	EYES BLU - Blue	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1100 W Mallon Avenue, Spokane, WA 99260				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Work-Message Phone) (509) 242-8400 x.21106							
DRIVER'S LICENSE <input type="checkbox"/> FAKE <input type="checkbox"/> STATE		SOCIAL SECURITY NO. <input type="checkbox"/> FAKE		OTHER ID			
#4b							
RELATIONSHIP TO SUSPECT			VICTIM OF Offns. # 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)			OFNDR. # A-1	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES None					TYPE OF VICTIM		MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO
HOSPITAL TAKEN TO		TAKEN BY		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN		SUICIDE NOTE FOUND? <input type="checkbox"/>
HOLD PLACED BY							
NARRATIVE							

On 033116 at approximately 0000, I dispatched to 333 W Spokane Falls Blvd on a reported disorderly person. The complainant, Frank Olsen, advised there was a male yelling at staff. That male, later identified as Brian Fowler, threatened a staff member with a glass.

Officer Conrath and I arrived onscene. I walked to the valet entrance from the east. As we approached Davenport security walked out to meet us. They pointed at Fowler who was west of us on the sidewalk in front of the hotel.

I contacted George Baker. Baker advised he was working in the lobby of the Davenport Grand when Fowler came in. Fowler was being loud and yelling. Security asked Fowler to leave and he became irate. At one point Fowler was drinking a glass of water which he raised above his head. Baker felt Fowler was threatening him with the glass but Fowler never stated any intent to assault him.

Staff wished to have Fowler trespassed from the hotel. When he was advised he needed to leave Fowler's mood changed. He questioned the hotel's right to trespass him and demanded to watch the security video, as well as my body camera video. Fowler's mood swung violently. At one point he was happy and then seconds later he would yell at us. He even claimed to know Officer Conrath and screamed at him. I asked Fowler if he needed a cab as he seemed intoxicated. Fowler told me he did not drink but that he had been smoking 'weed.' I asked him if he wanted us to call him a cab, he declined.

Fowler turned and walked to his vehicle, which was parked on Washington just west of the hotel. He sat in the car, rolled down his window and began playing music loudly. He then began singing at the top of his lungs. I got into my patrol car and drove around to Washington and Main to observe

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION
RESISTING ARREST

ATTEMPTED
☐

INCIDENT NUMBER
16-111983

Fowler. Fowler continued to yell loudly and would exit his car and stand in the lane of travel. Several cars, including a fire engine drove passed him. Ofc Conrath advised two cars were required to swerve to prevent hitting Fowler. Officer Conrath and I made the decision to arrest Fowler for Pedestrian Interference.

I drove up behind Fowler's vehicle and exited as Ofc Conrath reached Fowler. Fowler was standing in the open driver's door of his car. I took left arm control of Fowler. He immediately tensed all of the muscles in his arm. Swiftly he pulled his arm towards the front of his body, into his center of mass giving him leverage against me.

It was necessary to guide him to the ground for the following reasons:

At this time Fowler was under arrest for Pedestrian Interference.

Fowler posed an immediate threat to Ofc Conrath and I for several reasons. Fowler is taller and heavier than I am. He was admittedly under the influence of a narcotic, which was making Fowler's mood swing, as well as raising his threshold of pain. He seemed to exhibit extreme strength and he was able to pull his left arm out from behind his back even though I was holding him with both hands.

Fowler had tensed all of the muscles in his left arm and actively pulled his arm in front of him. He began pulling against Ofc Conrath as well. Fowler pulled his arm from my grasp and swung it back towards me, striking me with his open left hand in the mouth.

As such it was necessary to place Fowler onto the ground, taking him off balance so Ofc Conrath and I could handcuff him. I told Fowler to stop resisting. I noted Fowler was leaning forward so I wrapped my right arm around his neck and pushed forward on his head. Fowler followed this and fell to the ground. Fowler turtled up and I was unable to get him placed in the prone position. He placed his left arm under himself before standing up.

Fowler stepped backwards away from me. I could hear Officer Conrath say that Fowler had ahold of his pistol. I had drawn my TASER. Fowler spun facing me as Ofc Conrath ordered him to let go of his pistol. We quickly spun again back to my left as I had ahold of Fowler's left arm with my right hand.

It was necessary to apply my TASER to Fowler for the following reasons:

Fowler had just committed Assault 3rd against me on top of his previous Pedestrian Interference and Resisting Arrest.

Ofc Conrath advised Fowler had grabbed his pistol. Seconds earlier he had assaulted me. I had

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION
RESISTING ARREST

ATTEMPTED
☐

INCIDENT NUMBER
16-111983

just guided him to the ground, which he was able to defeat and stand back up. It was apparent Fowler was going to continue his resistance and assaultive nature towards of Ofc Conrath and myself.

Due to the rapidly evolving nature of this incident and the fact that I believed Fowler had or was trying to gain control of Ofc Conrath's pistol I did not have time to announce index. I delivered the TASER darts at close range to Fowler's chest. Due to the distance I knew the darts would not be spread apart widely and likely not incapacitate him. I touched the TASER to Fowler on the left side of his body near his hip. He bent over at the waist and fell to the ground. I followed him to the ground. Fowler immediately fell onto his right shoulder, and pushed his arm out in front of him, away from me. I again ordered Fowler to stop resisting. He did not.

We were able to roll Fowler onto his stomach. He kept his right arm beneath him despite several orders to move his arm out. I set my TASER down to use both hands to pry on Fowler's arm. My TASER fell off his back and I pushed it away from Fowler. Using my knee I pressed down on Fowler's upper back and neck to restrict his movements. Fowler rolled to his left, driving his left shoulder under him and out from under me. I attempted to maintain control of his right arm. He then got his feet under him and stood. As he stood he presented his back to me.

Fowler was or had committed Assault 3rd, Pedestrian Interference, and Resisting Arrest.

For more than 1.5 minutes he had physically resisted two officers, assaulting us in the process. He was standing up again and trying to regain his balance. This posed an immediate threat to Ofc Conrath and myself as I was beginning to become physically tired from attempting to overpower Fowler. Fowler seemed to not be suffering any fatigue or pain.

As such I applied the Level 2 Lateral Neck Restraint on Fowler in order to render him unconscious and take him in to custody.

Fowler continued to thrash his whole body and move his neck. I was unable to get the Lateral Neck Restraint applied effectively and Fowler did not lose consciousness. I told Ofc Conrath to apply his TASER to Fowler. I maintained my hold of Fowler and pressed my bodyweight against him to try and control his movements.

I had used my shoulder mike to broadcast that we were fighting with Fowler. I saw that Fowler had my radio in his hand. I depressed the emergency button on my shoulder mike as I did not know if Police Dispatch had heard my broadcast and we were still the only officers onscene.

I heard a TASER activate and felt it shock my right hand and arm as I was also wrapped in the TASER cables from my earlier TASER deployment. It seemed to effect Fowler. I released Fowler and attempted to gain control of one of his arms for handcuffing. I immediately noted Fowler again

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION RESISTING ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-111983
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turtled and began writhing. He then tried to push up off the ground trying to find his feet again one more time.

It was necessary to apply another Level 2 Lateral Neck restraint on Fowler for the following reasons:

He was continuing to resist arrest after assaulting both Ofc Conrath and I.

Fowler was attempting to gain his feet again after a continued fight with myself and Ofc Conrath. I was becoming increasingly fatigued and we were the only officers on scene. I was unsure if we had been able to broadcast that we were fighting with Fowler. As before Fowler did not seem to be suffering from fatigue and continued to exhibit extreme strength.

With my left arm I applied a Level 2 Lateral Neck restraint to Fowler. Fowler stayed in a pushup position for several seconds pushing against my body weight. He then fell to the ground. I heard Ofc Conrath advise me to maintain control of the Neck Restraint. I maintained the technique for several more seconds and then released it.

Fowler did not stay unconscious for long and seemed to come back very quickly. He was now handcuffed so I moved off of him and tried to roll him onto his side and into a recovery position. I advised Fowler he was under arrest for two counts of Assault 3rd, and Resisting Arrest.

Additional officers arrived at this time and took custody of Fowler. I advised Sergeant Tilley of the above information.

During the altercation my body camera had fallen off, I did not notice it for several minutes. I retrieved it. I also was able to regain control of my portable radio which was covered in Fowler's blood. I noted it was powered off. I learned that Police Dispatch had not heard my emergency button activate and it was likely Fowler had powered my radio off when he had control of it.

It should be noted during this incident Fowler screamed at us to stop. At one point he asked to call his mother. At no time during the physical altercation did Fowler stop his physical resistance or follow our lawful commands.

Fowler was transported to SHER for medical clearance and then booked into the Spokane County Jail.

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.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION RESISTING ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-111983
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N. Donaldson #973
Team #9

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-111983	
REPORT PURPOSE			REPORTED ON DATE Tue 04/26/2016	TIME 00:00	INCIDENT XREF
INCIDENT CLASSIFICATION #1 RESISTING ARREST		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 OBSTRUCT OFFICER		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 04/26/2016		REPORT TIME 00:20
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

In my original report I noted Fowler "turtled," up when he was initially guided to the ground. When Fowler fell forward he brought his arms into his center, beneath his upper body. He also did not fully prone out, instead he almost went straight down into a ball. He was still partially on his feet. Fowler was not fully off balance and stood back to his feet.

When Fowler stood he placed his back to his car. This prevented myself and Officer Conrath from moving behind him. I maintained a hold of his left arm. Fowler responded by pulling against me and turning his whole body back and forth violently. This caused me to spin about in the street.

I had drawn my TASER in an attempt to overcome Fowler's resistance. I heard Officer Conrath advised Fowler had ahold of his pistol. Officer Conrath's voice was very calm despite the escalation of the incident. I already had my TASER drawn and in my left hand. We were in constant motion back and forth. Fowler was not standing tall and his arms were folded up towards the sides of his chest with his hands up towards his face. This position was similar to how a boxer would protect their body, with the arms acting as a shield. As such I did not have a clear opening to apply my TASER darts to the lower center of mass. The upper left area of Fowler's chest was exposed. I pressed TASER forward to insure that the darts would not miss and accidentally strike Ofc Conrath who on Fowler's right side. I deployed my TASER darts at close range and then touched the TASER body to Fowler's left side near his hip/upper leg muscles.

Ofc N. Donaldson #973

Team #9

ID NO./NAME OF REPORTING OFFICER #973 - Donaldson, Nathan		DISTRIBUTION
APPROVAL	DATE/TIME	

Supplemental Report #1

04/26/2016 00:44:10.579

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-111983	
INCIDENT TYPE Arrest		INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 RESISTING ARREST
		INCIDENT CLASSIFICATION #3 DISORDERLY CONDUCT		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4 <input type="checkbox"/>
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Thu 03/31/2016 00:00	DATE/TIME	OCCURRED ON Wed 03/30/2016 23:45	DATE/TIME	OCCURRED TO Thu 03/31/2016 00:29	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 03/31/2016	REPORT TIME 01:50	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE					UCR/NIBRS CODE
LOCATION OF INCIDENT 333 W Spokane Falls Blvd, Spokane, WA 99201				LOCATION NAME (IF APPLICABLE) Davenport Grand	
SOLVABILITY FACTORS PC Affidavit Completed, Suspect Arrested, Witness to Crime					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS Ofc Donaldson					
NARRATIVE					

On the listed date and time, Officer Donaldson and I were dispatched to the Davenport Grand Hotel at 333 W Spokane Falls Boulevard to a report of a disorderly male who was threatening staff and refusing to leave.

Upon arrival, we contacted the suspect, Brian Fowler. He was stumbling around in the valet parking entrance to the hotel. Security staff confirmed that he was the problem individual that they had called about. Ofc Donaldson spoke with security staff to determine if there was a crime at that point while I contacted Fowler.

He appeared to be under the influence of some sort of drugs or alcohol. When asked, he replied that he had only smoked some weed and been doing yoga. His behavior was bizarre and nonsensical. He claimed that guests of the hotel had invited him there because they wanted to pay him money for his yoga skills. Initially, we determined that there was no PC for a crime. Per the request of security staff, Fowler was trespassed from the property indefinitely. I explained this to Fowler in no uncertain terms. We walked with him to the west side of the property where he reluctantly got into his vehicle which was parked there on the street. Rather than leave, Fowler turned up the stereo in the car, and stood outside the driver side door while he shouted things which were unintelligible to me. I felt confident that Fowler would be a continuing problem for the hotel if left there. I chose to monitor him for a few more minutes. As I watched, he repeatedly stepped into the lane of travel for vehicles which were driving northbound on Washington Street. I observed several vehicles that had to swerve into the center lane to avoid hitting him. I advised Ofc Donaldson that we had PC for Pedestrian Interference.

Ofc Donaldson maneuvered his patrol vehicle to the south of Fowler's position and activated his

ID NO./NAME OF REPORTING OFFICER #1106 - Conrath, Chris		DISTRIBUTION
APPROVAL	DATE/TIME	

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED
☐

INCIDENT NUMBER
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emergency lights. I walked to his position from the north. We approached Fowler at the same time. I informed him that he was under arrest for Pedestrian Interference. I took control of his right wrist/arm while Ofc Donaldson was on his left side. Fowler immediately tensed both of his arms and attempted to pull them into his body. I gave him several instructions to stop resisting, and to put his hands behind his back. I heard Ofc Donaldson do the same. As we struggled to gain control, Fowler exerted more and more muscular tension to oppose our efforts. Ofc Donaldson initiated a takedown in a forward direction. I applied downward pressure to help with that process. Fowler was able to stand up despite the fact that the weight of two officers on his back. He spun to the left which left him facing the parked car. Fowler was able to extend his right arm as we spun. He looked back at my gun belt and took a firm grip on the handle of my pistol. He had a grip on the handle of my pistol for several seconds before I was able to remove it. I advised Ofc Donaldson that he was grasping for my gun. The three of us spun back to the right and Fowler was pressed against the vehicle with his back to it. I elected to deploy a level two strike at that time for the following reasons:

Crime:

Fowler was under arrest for Pedestrian Interference, Resisting Arrest, and had committed a felony assault on a police officer by attempting to disarm me of my firearm. I was unaware at that time that Ofc Donaldson had been assaulted as well.

Threats:

Fowler had exhibited unpredictable and bizarre behaviors. He was clearly under the influence of a drug that was altering his ability to rationalize his decisions, and he was demonstrating tremendous strength in the way he was resisting our efforts to control him. He made a legitimate attempt to disarm me of my firearm, and the situation was escalating quickly.

Resistance:

Fowler was not only refusing to follow any of our repeated verbal instructions to comply, but he was physically overpowering both of our efforts to detain him. He did not appear as if he was simply trying to escape, but was actually aggressing in that he had tried to access my firearm. I later discovered that the first level of retention on my holster had been defeated when Fowler tried to take it from me.

I delivered one solid closed fist strike to Fowler's midsection using my right hand. He reacted very slightly as if he barely felt it. At about the same time, Ofc Donaldson deployed the probes from his taser to Fowler's upper right chest area. The taser application also had a minimal effect. Fowler reacted only for a brief moment where he went to the ground again. I struggled to take control of both of Fowler's arms, but could only control the left. I knew that Ofc Donaldson had attempted a second drive stun application with the taser, but it had no effect. I believe that the thin wires to the taser had been broken, and thus the connectivity was minimal. By this time, several pieces of

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-111983
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equipment had been ripped from our persons. Ofc Donaldson's portable radio was on the ground and Fowler was even holding it in his hands at one time. My earpiece had been disconnected from my radio, so I couldn't hear any communications at all. We had been fighting with Fowler for several minutes at that point. I was becoming fatigued.

Ofc Donaldson set down his taser and transitioned to another technique. I also recognized the need to try something different. I urged him to apply a lateral neck restraint (LNR) and render Fowler unconscious. I was reluctant to release what little control I had of Fowler's left wrist/arm. Ofc Donaldson communicated to me that he was unable to obtain the proper effectiveness of the LNR. Ofc Donaldson's taser was on the ground next to me with the already discharged cartridge still attached. I elected to administer a drive stun with that taser, followed by three knee strikes for the following reasons:

Crime:

Fowler was under arrest for Pedestrian Interference, Resisting Arrest, and had committed a felony assault on a police officer by attempting to disarm me of my firearm. I was unaware at that time that Ofc Donaldson had been assaulted as well.

Threats:

Fowler had exhibited unpredictable and bizarre behaviors. He was clearly under the influence of a drug that was altering his ability to rationalize his decisions, and he was demonstrating tremendous strength in the way he was resisting our efforts to control him. He made a legitimate attempt to disarm me of my firearm, and the situation was escalating quickly. In addition, we had been struggling violently for several minutes, and I was becoming fatigued. Our previous attempts to gain control of Fowler had failed. I could only interpret Fowler's attempt to disarm me as a lethal threat, yet we were both attempting to apply force that was reasonable and necessary under the circumstances. It was unclear whether we had been able to communicate to dispatch or to other units that we needed assistance due to the fact that both of our radios had been essentially disabled or removed. We were still there by ourselves.

Resistance:

Fowler was not only refusing to follow any of our repeated verbal instructions to comply, but he was physically overpowering both of our efforts to detain him. He did not appear as if he was simply trying to escape, but was actually aggressing in that he had tried to access my firearm. I later discovered that the first level of retention on my holster had been defeated when Fowler tried to take it from me. We had struggled violently with Fowler for several minutes my that point. He seemed as if he was becoming stronger as I became more fatigued.

I informed Ofc Donaldson that I was going to apply the taser again. I pressed the taser into Fowler's

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED
☐

INCIDENT NUMBER
16-111983

left side and activated it. Once again, the taser had almost a negative effect. Fowler pulled away so quickly that I lost control of his left arm. Ofc Donaldson was still struggling to apply the LNR, but had transitioned to a left armed technique which exposed Fowler's left side to me as a potential target for a knee strike. I delivered three knee strikes to the left side of Fowler's midsection. I re-evaluated in between each strike to determine whether it had the desired effect. Fowler did not seem to feel either of the first two strikes. After the third, he flinched, which seemed to allow Ofc Donaldson to apply the LNR effectively. Fowler lost consciousness. I communicated that fact to Ofc Donaldson, and urged him to maintain it until I was able to apply handcuffs. Fowler was detained in handcuffs (dl) without further incident.

It was at that time that multiple units arrived on scene. Medics were requested as well as a supervisor. Sgt Tilley responded to handle the use of force report. Cpl Blessing took photographs of the minor injuries to Fowler's face, and also collected the spent taser cartridge and probes which she placed on property. Fowler was transported to the hospital for a medical clearance before being booked into County Jail for Two counts of Assault 3rd Degree (on officers), Pedestrian Interference, and Resisting Arrest.

See Ofc Donaldson's report for additional information.

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

C. Conrath 1106

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-111983	
REPORT PURPOSE			REPORTED ON DATE Thu 03/31/2016	TIME 00:01	INCIDENT XREF
INCIDENT CLASSIFICATION #1 DISORDERLY CONDUCT		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 04/01/2016	REPORT TIME 04:07
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 04/01/2016, at 0350, I responded to the Davenport Grand Hotel. I contacted hotel employee Francis "Frank" Olesen. He had two written witness statements ready to be picked up. He was the author of one of the statements, and the other was authored by Shawn Romney.

I placed the original statements into evidence, and I submitted photocopies of them to records.

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

CPL S. Haney #730 P318

04/01/2016

Spokane, Spokane County, Washington

ID NO./NAME OF REPORTING OFFICER #730 - Haney, Scott		DISTRIBUTION	
APPROVAL #625 - Busch, Kevin	DATE/TIME 04/01/2016 04:43		

Supplemental Report #1

04/01/2016 04:52:45.820

**SPOKANE POLICE DEPARTMENT
CHARGING REQUEST AND WITNESS LIST
Superior Court State of Washington**

DATE: 033116

REPORT NUMBER: 160111983

CHARGES REQUESTED: 1. Assault 3rd degree 2. Assault 3rd degree 3. Resisting Arrest 4. Pedestrian Interference

DEFENDANT: Fowler, Brian W/M DOB 061389

STATUS: In Custody

VICTIM(S): Officers N. Donaldson and C. Conrath.

DATE/TIME OF CRIME: 033116 at approximately 0030 hours

LOCATION OF CRIME: Washington and Spokane Falls Blvd Spokane, WA 99201

INVESTIGATOR: N. Donaldson #973

APPROVED BY: *A. Tiley 369*

WITNESSES	ADDRESS	PHONE #
Ofc C. Conrath #1106	1100 W Mallon	242-8400
Ofc. N. Donaldson #973	1100 W Mallon	242-8400

EVIDENCE CONSISTS OF: Witness statements and body camera footage.

SUBMITTED TO PROSECUTORS OFFICE

RECEIVED BY: _____ DATE: _____ TIME: _____

**STATEMENT OF INVESTIGATING OFFICER
AFFIDAVIT OF FACTS**

STATE OF WASHINGTON
COUNTY OF SPOKANE

REPORT NUMBER: 160111983

DEFENDANT: Fowler, Brian W/M DOB 061389

The undersigned, a law enforcement officer, competent to testify, states as follows: That he/she believes a crime was committed by the above named defendant/defendants in the City and County of Spokane, State of Washington, because:

Officer Conrath can testify to the following in summary:

1. On 033116 at approximately 0000 hours he responded to 333 W Spokane Falls Blvd Spokane, WA 99201 on reported disorderly person.
2. He arrived on scene along with Ofc Donaldson and contacted the Defendant.
3. The Defendant left the hotel and walked to his car parked on Washington just south of Spokane Falls.
4. He witnessed the Defendant standing in the lane of travel of Washington St. causing vehicles to swerve around him.
5. He advised the Defendant he was under arrest for pedestrian interference.
6. The Defendant violently resisted arrest by pulling away from him and attempting to disarm him by grabbing his sidearm.
7. He ordered the Defendant to stop resisting multiple times and noted the Defendant refused to comply and continued to physically resist.

Ofc N. Donaldson can testify to the following in summary:

1. On 033116 at approximately 0000 hours he responded to 333 W Spokane Falls Blvd Spokane, WA 99201 on reported disorderly person.
2. He arrived on scene and contacted the Defendant.
3. He watched the Defendant leave the property and walk to his car parked on Washington St.
4. He contacted the Defendant after Ofc Conrath advised he had witnessed the Defendant commit Pedestrian Interference.
5. The Defendant violently resisted arrest by pulling away from him and hit him in the face with his left open hand causing minor pain.
6. He ordered the Defendant to stop resisting multiple times and witnessed the Defendant refuse to comply by pulling away from him and defeating restraint techniques.

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: 033116 PLACE: SPOKANE, WASHINGTON SIGNATURE: N. DONALDSON #973

VICTIM / WITNESS STATEMENT

PAGE 1 OF 2

D A T A	AGENCY NAME		INCIDENT CLASSIFICATION		INCIDENT NUMBER 16-111983	
	SUSPECT INFORMATION:					
V I C T I M / W I T N E S S	NAME: LAST, FIRST MIDDLE				RACE	DOB/AGE
	VICTIM / WITNESS INFORMATION:				ETH	SEX
	NAME: LAST, FIRST MIDDLE				RACE	DOB/AGE
	STREET ADDRESS APT# CITY STATE ZIP CODE				RESIDENCE/CELL/MESSAGE PHONE	
V I C T I M / W I T N E S S	EMERGENCY CONTACT (LOCAL FRIEND OR RELATIVE):					
	NAME: LAST, FIRST MIDDLE				RACE	DOB/AGE
	Olesen Francis F				ETH	SEX
	STREET ADDRESS APT# CITY STATE ZIP CODE				RESIDENCE/CELL/MESSAGE PHONE	
V I C T I M / W I T N E S S	420 N. HODGES SPOKANE VALLEY 99016					
	On 3 / 31 , 2016, at W. 333 SPOKANE falls BLVD. (PLACE)					
	the following events occurred: AFTER CALLING CRIME CHECK TO HAVE AN					
	INDIVIDUAL TRESPASSED, WHO I LATER FOUND TO BE BRIAN FOWLER					
V I C T I M / W I T N E S S	FROM THE GRAND HOTEL. OFFICERS DONALDSON AND CONRATH					
	INTERVIEWED FOWLER. THE SUSPECT WAS ERRATIC AND					
	VERBALLY COMBATIVE AND AT TIMES INCOHERENT WHEN HE					
	ANSWERED OFCR CONRATH'S QUESTIONS. AFTER SEVERAL					
	MINUTES OF BEING ARGUMENTATIVE FOWLER DECIDED TO					
	RAISE HIS VOICE IN A THREATENING MANNER TO THE					
	OFFICERS. AT THIS TIME FOWLER STARTED TO LEAVE TOWARDS					
	THE CORNER OF WASHINGTON AND SPOKANE falls BLVD. FOWLER'S					
	VEHICLE WAS PARKED ON WASHINGTON ST NEXT TO THE					
	GRAND RESTAURANT. OFCR DONALDSON LEFT TO RETRIEVE					
	HIS VEHICLE. WHILE I STAYED TO ASK OFCR CONRATH SOME					
	QUESTIONS FOR MY REPORT. OFCR CONRATH SUDDENLY					
	LEFT MY SIDE AND AS I APPROACHED THE WASHINGTON					
	AND SPOKANE falls BLVD. CORNER, I SAW OFCR CONRATH					
AT FOWLER'S CAR AND OFCR DONALDSON GRABBING						
FOWLER AS TO RESTRAIN HIM. SECONDS LATER, I HEARD						
"TAKE YOUR HANDS OFF MY GUN" THEN I HEARD A POP.						
HOWEVER FOWLER CONTINUED TO RESIST AND AGAIN I						
HEARD ONE OF THE OFFICERS SAY "STOP RESISTING" YET						
FOWLER CONTINUED TO RESIST. SECONDS LATER ALL						
THREE WERE ON THE GROUND AND THE OFFICERS HAD —						
FOWLER RESTRAINED. BY THEN I HEARD (Continue on back if needed.)						
I certify, under penalty of perjury, under the laws of the State of Washington, that this entire statement is true and correct.						
DATE		PLACE		SIGNED		

VICTIM / WITNESS STATEMENT

PAGE 2 OF 2

DATA	AGENCY NAME	INCIDENT CLASSIFICATION	INCIDENT NUMBER 16-111983			
	SUSPECT INFORMATION:					
VICTIM / WITNESS STATEMENT	NAME: LAST, FIRST MIDDLE		RACE	ETH	SEX	DOB/AGE
	<p>SIBENS, I TURNED AROUND AND SAW A POLICE CAR ON SPOKANE FALLS BLVD DRIVING TOWARD ME, I FLOPPED IT DOWN AND IT TURNED LEFT ON WASHINGTON ST. THE OFFICER GOT OUT AND ASSISTED THE OFFICERS. BY THAT TIME FIRE DEPT HAD ARRIVED AND EMS WAS DRIVING UP THERE AS WELL.</p>					
<p>I certify, under penalty of perjury, under the laws of the State of Washington, that this entire statement is true and correct.</p>						
DATE		PLACE		SIGNED		

VICTIM / WITNESS STATEMENT

PAGE 1 OF 2

O C C U R R E N C Y A	AGENCY NAME		INCIDENT CLASSIFICATION		INCIDENT NUMBER 16-111983	
	SUSPECT INFORMATION:					
	NAME LAST, FIRST MIDDLE				DATE	DOB/AGE
V I C T I M /	VICTIM / WITNESS INFORMATION:					
	NAME LAST, FIRST MIDDLE				RACE	DOB/AGE
	STREET ADDRESS APT# CITY STATE ZIP CODE				SEX	
					RESIDENCE/CELL/MESSAGE PHONE	
W I T N E S S	EMERGENCY CONTACT (LOCAL FRIEND OR RELATIVE):					
	NAME LAST, FIRST MIDDLE				RACE	DOB/AGE
	STREET ADDRESS APT# CITY STATE ZIP CODE				SEX	
	425 South Washington St Apt 9 Spokane WA 99204				02/16/72	
<p>On March 31, 2016, at 333 Spokane Falls Blvd (Raven Port Grand) PLACE</p> <p>the following events occurred: At 11:30 pm Frank Olsen, grave shift supervisor and myself, Shawn Ramsey spotted a man on camera laying outside the Table 13 restaurant doing yoga on a mat. Olsen and myself asked the man to please get up and find another location to do his yoga. The man, we learned later his name was Brian Fowler, refuse to leave and told Olsen and myself that he was recording himself and it was his right to do so. Olsen told the man he can do his yoga but not here on the Grand property. Fowler finally got up, gather his personal item and spoke with some guest that were staying here at the Grand as he put his items in his car. I had to deal with another situation, but was later called to lobby about 11:50 pm. We learned the guest Mr. Fowler spoke with invited him for a drink at the bar here in the Grand. On arrival Mr. Fowler refuse to leave the property cutting in front of guest as they tried to check in for the night. I myself asked him to step outside while guest checked in. Mr. Fowler told me no, he was afraid Olsen and myself wanted to hurt him?</p> <p>Finally Mr. Fowler put his cup down and left the building. That is when officers Conrath and Donelson made contact with Mr Fowler. Conrath asked Mr. Fowler several times to leave the property, that he was trespassing and not to return. Mr. Fowler slowly made his way down the (Continue on back if needed.)</p>						
<p>I certify, under penalty of perjury, under the laws of the State of Washington, that this entire statement is true and correct.</p>						
DATE		PLACE		SIGNED		

VICTIM / WITNESS STATEMENT

PAGE 2 OF 2

D A T A	AGENCY NAME	INCIDENT CLASSIFICATION		INCIDENT NUMBER				
	SUSPECT INFORMATION:							
	NAME: LAST, FIRST MIDDLE			RACE	ETH	SEX	DOB/AGE	
V I C T I M / W I T N E S S S T A T E M E N T	<p>street. He also ranted on about being a human being and he wanted to make people happy in the world. Officers Donaldson and Conrath followed the man to his vehicle to make sure that Fowler would leave peacefully. As the officers came back from their search you could hear Mr. Fowler yelling around the corner. Conrath and Donaldson returned to see why the man was yelling. I myself Ramsey was asked by an employee that just asked for work to get his equipment for him. I assisted that employee. I returned later to see several police cars and Mr. Fowler was in handcuffs.</p>							
	I certify, under penalty of perjury, under the laws of the State of Washington, that this entire statement is true and correct.							
	DATE	PLACE			SIGNED			

[illegible]



EVIDENCE SYNC™

TASER Information

Dept. SPOKANE CITY POLICE DEPARTMENT
Serial X12000NCE
Model TASER X26P
Firmware Version Rev. 04.020
Device Name N DONALDSON
Health Good

Report Generated by

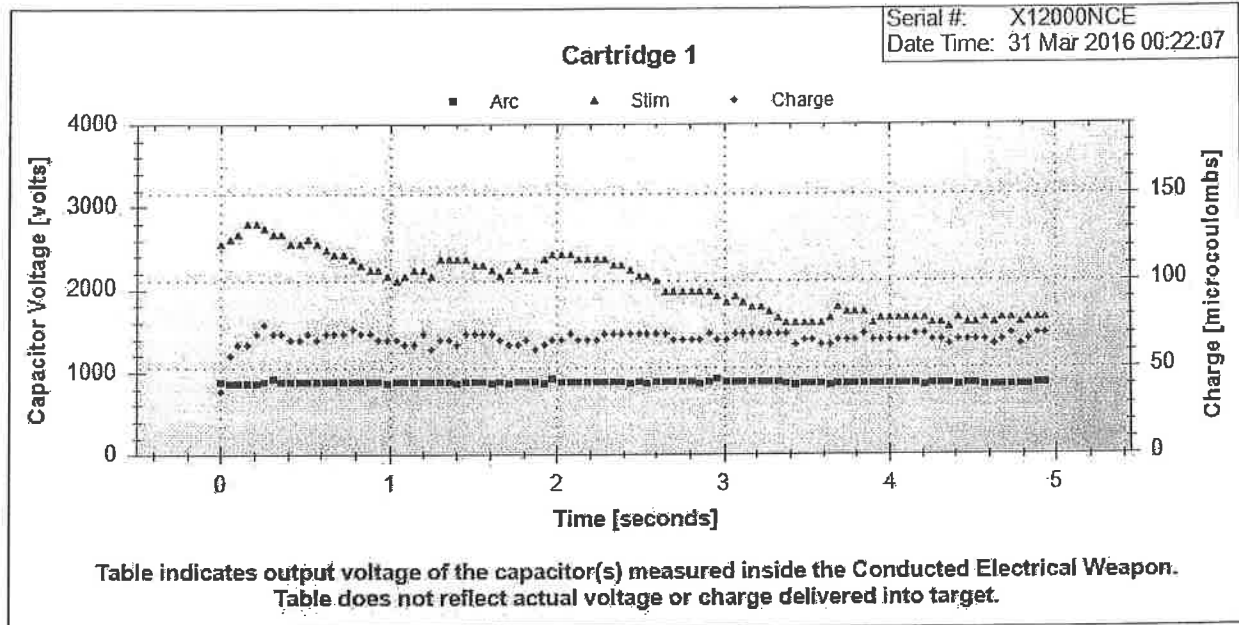
NAME Kakuda, Blaine
Badge ID 443
Local Timezone Pacific Standard Time (UTC -0700)
Generated On 31 Mar 2016 01:14:38

Device (X26P)

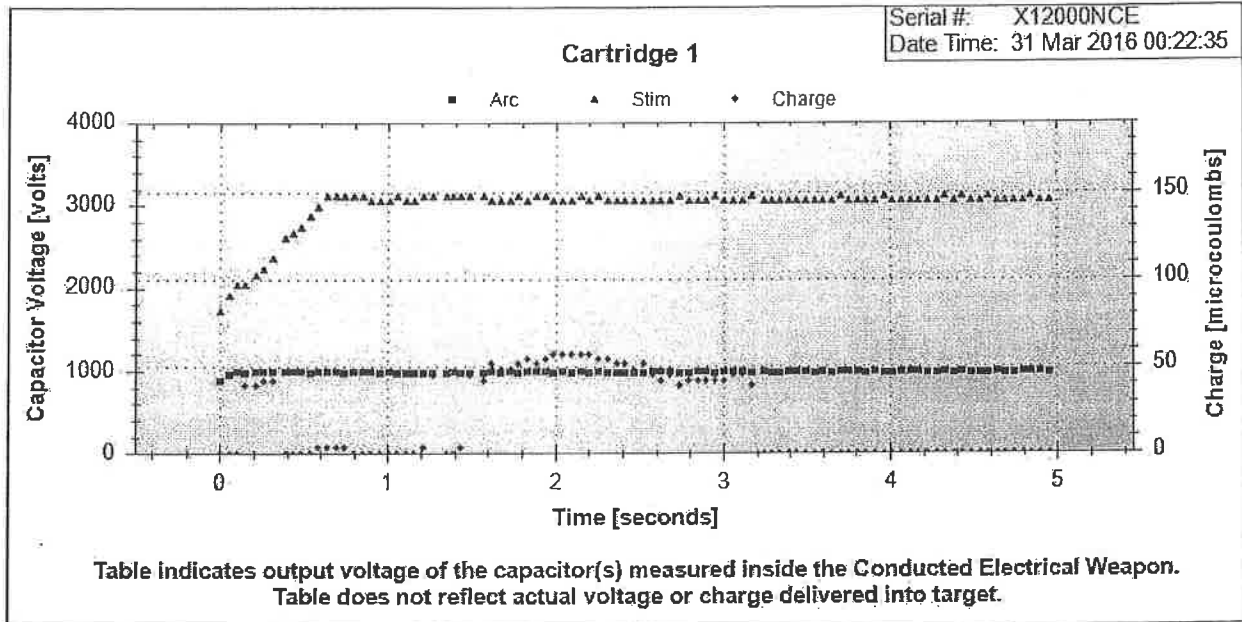
Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
1	21 Nov 2013 10:08:01	Power Magazine Change	0xFF S/N: Battery capacity: 0%		
2	21 Nov 2013 10:08:01	Firmware Update	FW Bundle, Rev. 03.041, 4/15/2013		
3	21 Nov 2013 10:08:01	Firmware Update	MC, Rev. 03.041, 4/15/2013		
4	21 Nov 2013 10:08:01	Firmware Update	LDR, Rev. 03.041, 4/15/2013		
5	21 Nov 2013 10:08:01	Firmware Update	CAM, Rev. 01.020, 3/14/2013		
6	21 Nov 2013 10:08:01	Armed		29	0
7	21 Nov 2013 10:08:55	Armed		29	0
8	21 Nov 2013 10:39:06	Power Magazine Change	Manufacturing S/N: DPM000 Battery capacity: 67%		
9	21 Nov 2013 10:39:06	Armed		27	67
10	21 Nov 2013 10:39:12	Trigger	5		67
11	21 Nov 2013 10:39:18	Trigger	5		67
12	21 Nov 2013 10:39:24	Trigger	5		67
13	21 Nov 2013 10:39:30	Trigger	5		67
14	21 Nov 2013 10:39:36	Trigger	5		67
15	21 Nov 2013 10:39:42	Trigger	5		67
16	21 Nov 2013 10:39:48	Trigger	5		67
17	21 Nov 2013 10:39:54	Trigger	5		67
18	21 Nov 2013 10:40:00	Trigger	5		67
19	21 Nov 2013 10:40:05	Trigger	15		67

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
1100	30 Mar 2016 03:29:27	Safe	3	27	88
1101	30 Mar 2016 03:29:28	Armed		28	88
1102	30 Mar 2016 03:29:32	Safe	4	27	88
1103	30 Mar 2016 15:41:00	Armed		25	88
1104	30 Mar 2016 15:41:00	Safe	0	25	88
1105	31 Mar 2016 00:22:05	Armed		23	88
1106	31 Mar 2016 00:22:07	Trigger	5		88
1107	31 Mar 2016 00:22:35	Trigger	5		88
1108	31 Mar 2016 00:23:30	Trigger	5		88
1109	31 Mar 2016 00:29:45	Safe	460	30	86
1110	31 Mar 2016 01:06:32	USB Connected			
1111	31 Mar 2016 01:11:29	Time Sync	31 Mar 2016 01:06:36 to 31 Mar 2016 01:11:29		

Pulse Log Graph



Pulse Log Graph



Pulse Log Graph

