



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)
#1f	Confidential information elicited pursuant to police Domestic Violence Protocol.	Disclosure of this information is protected under chapter 10.99 RCW. Release of this information could endanger the lives of victims or witnesses.	RCW 10.99.030(5) and 10.99.010
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): <u>Officer safety 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.

#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 public could be abused or lead to identity theft.	RCW 42.56.050 (Invasion of privacy), RCW 42.56.230 (Personal information), 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 Identity Card	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 disclosure for their safety and privacy.	RCW 42.56.250(8) (Employment and licensing)
#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 identification card 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 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.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims). <i>Ashley v. Public Disclosure Comm'n, 16 Wn.App. 830, 836 (1977).</i>
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 this information is only available to criminal justice agencies as defined in RCW 43.43.705.	RCW 70.48.100 (Jail register)
#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	Date of Occurrence	Time of Occurrence
5/15/2016	5/9/2016	00:53
Record ID #	Incident No	IA No
9308	16-165059	F16-048
Date/Time Entered		
5/15/2016 23:18		

Incident Summary

While investigating a argument between a male/female Officer's Hayward and Thompson had to use force to detain the male who attempted to flee first in a vehicle, then on foot. During his attempt to flee on foot, the male, assaulted Officer Thompson by shoving him. They used a foot sweep to get him on the ground. A level 2 strike to the abdomen was also used in order to get him into custody because they were fighting on the ground in the street.

In compliance with policy per Major King 07/22/16.

Incident Location

- 1600 Sharp AV, Direction: E, Spokane, WA 99202 - : Central

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Assaulting Officer	Call for Service	
Weather Condition	Lighting Condition	Distance to Citizen
Clear	Street Light	a-0-3 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	Yes	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Medium	5'7" to 5'9"	
Officer Assessment of Citizen Condition During Incident		
None Detected		
Officer(s) Injured	Officer(s) Taken to Hospital	
Yes	No	

Reporting/Involved Citizen Information

Tye A Holland

DOB: 4/5/1997 Race: White Gender: Male

Address

- 3417 Lee, Direction: N, Spokane, WA 99207

Phone

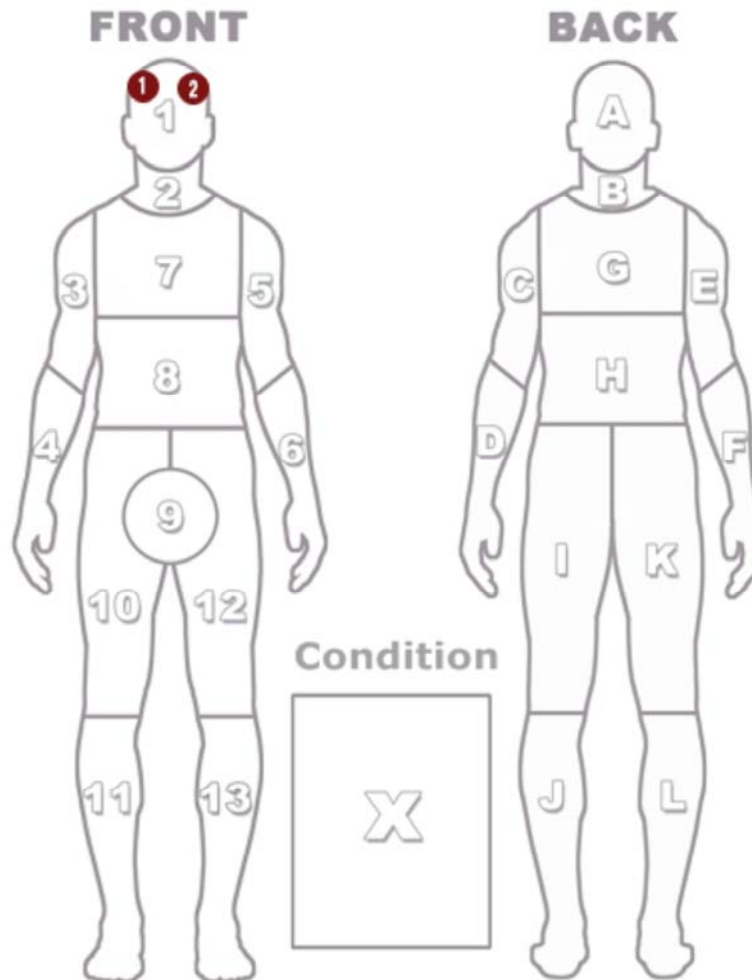
- (509) 216-6185

Types of Resistance Citizen Used Against Officer(s)

- Assaultiv e
- Activ e Resistance

Injuries sustained by this citizen

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

**Charges against this citizen**

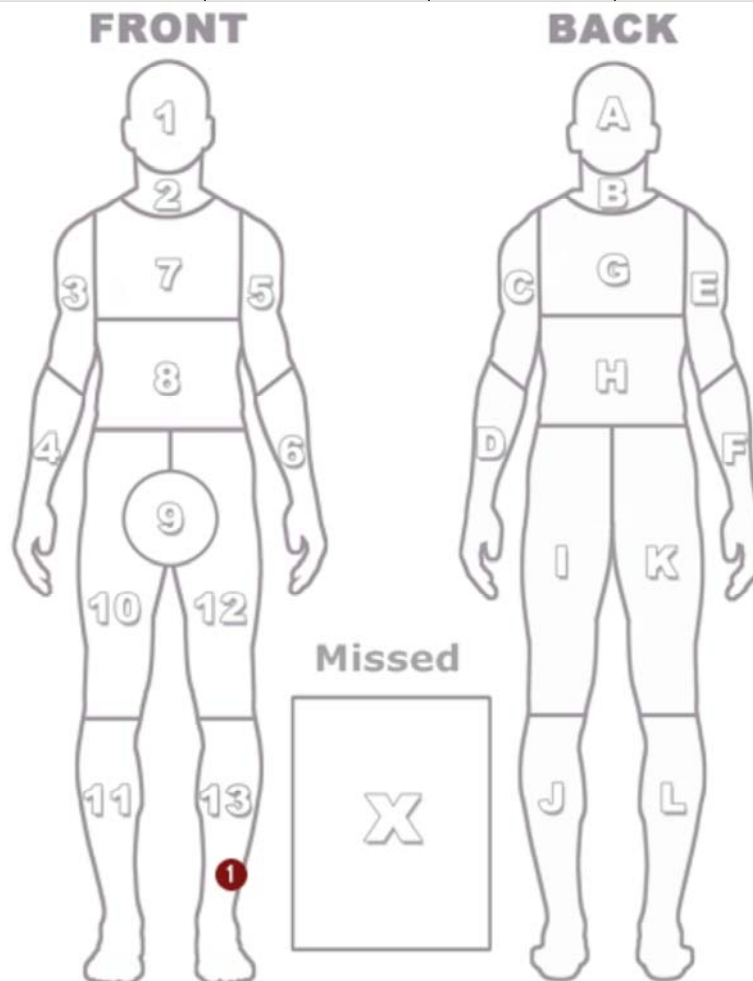
- Felony - Person Crime
- Obstructing
- Resisting Arrest
- Warrant

Involved Officers

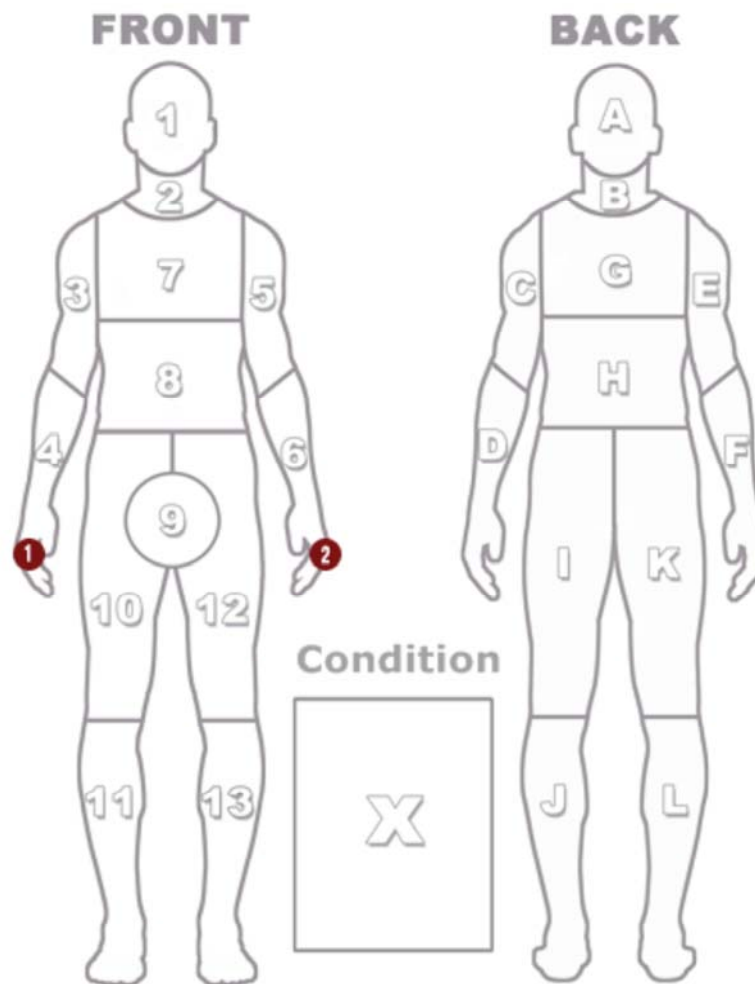
Officer Elijah Hayward - Payroll Number: 22116**Force used by this officer against the citizen**

- Takedown Technique - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Takedown Technique	Yes	13	1

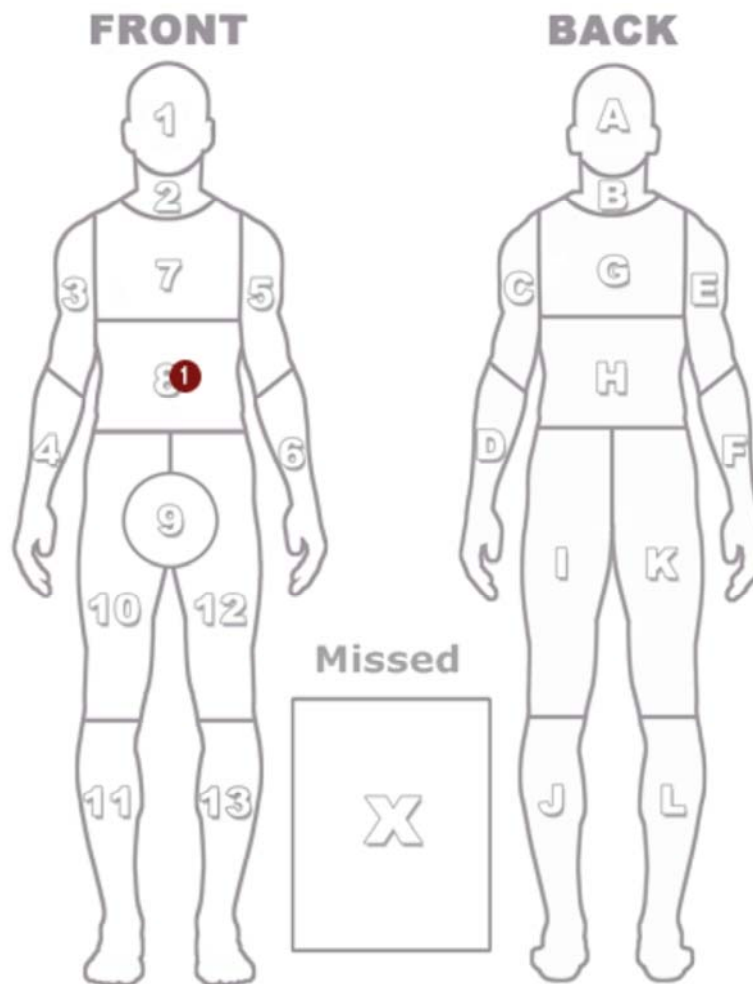
**Injuries sustained by this officer**

Injury	Regions	Injury Locations
a-Minor Injury	4, 6	1, 2

**Officer Greg Thompson - Payroll Number: 21913****Force used by this officer against the citizen**

- Level 2 Tactic - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Level 2 Tactic	Yes	8	1



Attachments

Date Attached	Attachment Description	Attachment Type
5/15/2016	Thompson Arrest report	pdf
5/15/2016	Hayward's Additional	pdf
5/15/2016	CAD Print out	pdf
5/15/2016	IA Additional	doc
5/15/2016	Hayward BWC	
5/16/2016	Thompson BWC	
5/16/2016	Benesch BWC	
5/16/2016	Guzzo BWC	
5/16/2016	Stadelman BWC	
5/16/2016	Tilley BWC	
5/16/2016	Guzzo BWC	
5/16/2016	Benesch BWC	
5/16/2016	Thompson BWC	
5/16/2016	Thompson BWC	
5/23/2016	Overall of Subject	JPG
5/23/2016	Overall of Subject	JPG
5/23/2016	Overall of Subject	JPG
5/23/2016	Subject Head	JPG

5/23/2016	Overall of Ofc. Hayward	JPG
5/23/2016	Hand Injury	JPG
5/23/2016	Hand Injury	JPG
5/23/2016	Ofc. Thompson	JPG
5/23/2016	Torn Uniform	JPG
5/23/2016	Front of uniform	JPG
5/23/2016	Uniform	JPG
5/23/2016	Photolog	JPG

Chain of Command History

Sent Dt	From	To	CC	Approved
5/16/2016	Internal Affairs	Internal Affairs	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Please attach photographs and return				
Recipient's Comments/Response: [Forwarded by Sergeant Michael Carr]				
5/23/2016	Sergeant Michael Carr	Sergeant Ronald Tilley	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Returning to you as requested.				
Recipient's Comments/Response: The photos of injuries to the subject and Officers are consistent with a struggle on the pavement while taking the subject into custody.				
5/23/2016	Internal Affairs	Internal Affairs	Lieutenant Dean Sprague	<input checked="" type="checkbox"/>
Sender's Instructions: For your review				
Recipient's Comments/Response: [Forwarded by Sergeant David Staben]				
5/24/2016	Lieutenant David Staben	Lieutenant Dean Sprague	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: chain of command review				
Recipient's Comments/Response: BWC from involved officers didn't capture video of UoF, but did capture Holland's attempt to flee and subsequent audio. Level 2 strike was delivered during struggle to disrupt Holland's active, ongoing physical resistance to arrest, and was effective as part of the control process. Within Policy, case law and use of force guidelines, given all circumstances.				
6/18/2016	Lieutenant Dean Sprague	Captain Daniel Torok	(none)	<input type="checkbox"/>
Sender's Instructions: Forward through patrol chain of command.				
Recipient's Comments/Response: Please add Ofc. Hayward and Thompson add a marker where the UOF occurred even if only captured via audio.				
6/20/2016	Captain Daniel Torok	Lieutenant Dean Sprague	(none)	<input type="checkbox"/>
Sender's Instructions: See comments				
Recipient's Comments/Response: Unable to add BWC markers at my level. Returned to Sgt. Tilley.				
6/20/2016	Lieutenant Dean Sprague	Sergeant Ronald Tilley	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Please provide BWC markers for time of stop and time of activity by Holland.				
Recipient's Comments/Response: Markers have been added to the first two attached BWC files. Markers indicate first contact with the suspect and his attempt to flee. Markers were placed on both Hayward's and Thompson's.				
6/20/2016	Sergeant Ronald Tilley	Lieutenant Dean Sprague	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Markers have been placed for your review.				
Recipient's Comments/Response: Markers placed on BWC footage for involved officers showing initial contact with vehicle, and point where Holland attempts to flee.				
7/1/2016	Lieutenant Dean Sprague	Captain Daniel Torok	(none)	<input checked="" type="checkbox"/>

Sender's Instructions: markers placed on BWC footage for 2 involved officers. Forward through patrol chain of command.

Recipient's Comments/Response: The force used was within policy.

7/21/2016	Captain Daniel Torok	Major Kevin King	(none)	<input checked="" type="checkbox"/>
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Sender's Instructions: for review

Recipient's Comments/Response: This use of force was within policy and state and federal laws.

7/22/2016	Internal Affairs	Internal Affairs	(none)	<input checked="" type="checkbox"/>
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Sender's Instructions: Completed

Recipient's Comments/Response: Completed

Entering Officer Signature Line

Sergeant Ronald Tilley

Chain of Command Signature Lines

Sergeant Michael Carr

Sergeant Ronald Tilley

Lieutenant David Staben

Lieutenant Dean Sprague

Captain Daniel Torok

Major Kevin King

Sergeant Daniel Waters



Spokane Police Department
Internal Affairs



Use of Force
Additional

Incident #: 16-165059

Date: 5-9-16

Involved Officer(s) BWC Y/N: Yes

Reviewing Supervisor: Ron 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:

Officer's Hayward and Thompson were investigating an anonymous complaint of a male/female arguing, possibly physical in the area of: Sharp/ Helena. Possible address of: 1606 E Sharp. After checking that address, they saw a vehicle in the intersection occupied by a male and female. The female was in the Driver's seat. They contacted the couple. During the investigation, they had the female step out of the vehicle so they could interview her away from the male. Suddenly, the male moved from the front passenger seat to the driver's seat. He tried to take off in the vehicle but was unable to get it into gear. He then bolted out the driver's door shoving Ofc Thompson in his attempt to flee. Ofc Hayward used a Leg Sweep and they were able to drag him down onto the street as he continued to try to get away. While on the ground fighting with the male, Ofc Thompson delivered one level 2 strike to the abdomen of the male. No other force was used to get the male into custody.

Officer Interview Summary:

At the scene, I received a de-brief from both Officers. I saw that Ofc Thompson's plastic name tag on his uniform shirt was broken. His uniform pants were also torn. I saw that there were scrapes on the knuckles of both of Ofc Hayward's hands. The information they gave me, matches what they wrote in their reports which I read later.

Subject Interview Summary:

I spoke to the Suspect, Holland, at the scene. He was complaining that the Officers had smashed his head into the curb. I could see two small abrasions on his forehead which were consistent with being tackled and prone cuffed in the street. Medics were called to the scene and he was transported to Holy Family ER by Ambulance. He was released a short time later for the Hospital and booked into Jail.

Witness Interview Summary:

None

Witness Officer Interview Summary BWC Y/N:

None

Any Relevant Clarifying Information and Observations:

Sergeant Findings:

The Use of Force was justified and within Policy and Procedures.

R. Tilley, Sgt, Team 13
5-15-16

Entered	05/09/16	00:23:50	BY 91117	911249
Dispatched	05/09/16	00:53:48	BY PCC03	1210
Enroute	05/09/16	00:53:48		
Onscene	05/09/16	01:00:34		
Closed	05/09/16	05:59:10		

[illegible]

				#3c	#4b
/011141		REMINQ	D475	WANT,D475,,,,,,,,,,,,,	1
/011249		REMINQ	D475	WANT,D475,,,,,,,,,,,,,	#1a #1b
/011306		REMINQ	D475	WANT,D475,,,,,,,,,,,,,	#1a #1b
/011554	(1244)	*ASSTER	B326	[SHARP/HELENA] #1244 GUZZO, ANTHONY	
/011606	(369)	*ASSTER	L269	[SHARP/HELENA] #369 TILLEY, RONALD G	
/011617	(1227)	*ASSTER	B324	[SHARP/HELENA] #1227 STADELMAN, STANLEY	
/011623	(1210)	MISC		,FIGHTING W/1	
/011625		MISC		,RESTRICTED	
/011627	(625)	*ASSTER	P317	[SHARP/HELENA] #625 BUSCH, KEVIN	
/011628	(1084)	*ASSTER	A445	[SHARP/HELENA] #1084 BELITZ, TODD	
/011635	(1220)	*ASSTER	A447	[SHARP/HELENA] #1220 BENESCH, CHRISTOPHER	
/011656	(1244)	*ONSCNE	B326		
/011704	(1210)	MISC		,UNITS SLOW IT DOWN, ONE IN CUSTODY....C355	
/011704	(625)	*PREMPT	P317		
/011710	(1220)	*ONSCNE	A447		
/011710	(1210)	MISC		,JUST 1 OR 2 MORE UNITS....C355	
/011738		MISC		,C355 DON'T THINK WE NEED MEDICS	
/011745	(1227)	*ONSCNE	B324		
/011812	(1046)	*ASSTOS	A443	[SHARP/HELENA] #1046 ROGAN, GREGORY	
/011821	(1210)	EMSREQ	B326	T/PCC02 ,START MEDICS	
/011906	(1234)	CALLBK	B326	T/PCC03 ,MEDICS ENRT	
/011941	(369)	*ONSCNE	L269		
/011954	(1154)	*ASSTOS	C353	[SHARP/HELENA] #1154 YRIGOLLEN, KYLE	
/012056	(1210)	REMINQ	A447	WANT,A447,,,,,,,,,,,,,	#2d
/012200		MISC	A447	,C4	
/012204		PREMPT	A445		
/012257		MISC		,C4 UNRESTRICTED	
/012421		REMINQ	A447	WANT,A447,,,,,,,,,,HOLLAND, TYE, A, 1997, 04, 05,,,,,,,,,	
/012436		CALLBK	A447	T/PCC02 ,CONF/SEND HOLLAND, TYE A 19970405	
/012512		CALLBK	A447	T/PCC02 ,ALSO STAT 1/IDAHO, HIT TO FOLLOW	
/012831		MISC		,LOCAL STAT 1 CONF	
/012949	(1234)	CALLBK	A447	T/PCC03 ,S-1 IDAHO CONF/EXTRADITABLT	
/013232	(1046)	*MISC	A443	,PSTAT/ASST	
/013233		*CLEAR	A443		
/013239	(1210)	ASSTOS	D471	[SHARP/HELENA] #1188 MOHONDRO, CORRIGAN	
/013425		PREMPT	D471		
/013437		MISC		,DISREGARD D471....NOT ON THIS CALL	
/013441	(1227)	*CLEAR	B324	,PSTAT/ASST	
/013849	(679)	*ASSTER	P307	[SHARP/HELENA] #679 ARREDONDO, STEPHEN	
/013851		*ONSCNE	P307		

/013934	(1154)	*CHGLOC	C353	[2308 S RIVERTON]
/014426		*ONSCNE	C353	
/014623		*REMINQ	C353	MVEH,AJR5402,,,,,,,,,,,,,,,,,,,,,
/014632	(1244)	\$PREMPT	B326	
/014635	(1154)	*REMINQ	C353	MVEH,AOC0570,,,,,,,,,,,,,,,,,,,,,
/014647		*REMINQ	C353	MVEH,AZA5766,,,,,,,,,,,,,,,,,,,,,
/014659		*REMINQ	C353	MVEH,AZA5840,,,,,,,,,,,,,,,,,,,,,
/014737	(1210)	REMINQ	C353	WANT,C353,,,,,,,,,LOMAE,MERITHA,H,1982,04,08,,,,
''''''				
/014747		NEWLOC	C353	[2308 E SOUTH RIV]
/014835	(1220)	*CLEAR	A447	,PSTAT/ASST PSTAT/VIDY
/015044	(1273)	*CHGLOC	C355	[PROPERTY]
/015636		*ONSCNE	C355	
/020327	(1234)	REMINQ	C353	LIC,C353,AZA5840,,,,
/020437		\$CROSS		#SP160165105
/021146	(369)	*CLEAR	L269	,PSTAT/ASST PSTAT/VIDY
/021346	(1234)	MISC	C353	,#####
/021426	(1263)	*REMINQ	D475	MWANT,,,,,,,,,HOLLAND,TYEA,1997,04,05,,,,,,,,,,,,
''				
/021651	(1234)	OK	C355	
/022105		NEWLOC	P307	[PROPERTY]
/022335	(1154)	*MISC	C353	,PROPERTY FOUND ON TYE HOLLAND WAS JUST STOLEN IN THE LAST COUPLE OF HOURS DURING A VEHICLE PROWLING NEAR HIS ARREST LOCATION THAT THE RO' S WERE NOT AWARE OF PRIOR TO CONTACT.
/022512	(1234)	\$PREMPT	C353	
/022644		CROSS		#SP160165120 ,INCIDENTS ARE RELATED
/023111		OK	P307	
/023442	(1273)	*CHGLOC	C355	[2308 E S RIVERTON]
/023849		*ONSCNE	C355	
/024926	(679)	\$PREMPT	P307	
/025233	(1263)	*TRANSC	D475	[JAIL] M/4.3
/025600	(1273)	*CHGLOC	C355	[SIG 1]
/030342		*ONSCNE	C355	
/031137	(1234)	OK	C355	
/031141		OK	D475	
/050104	(1263)	*NEWLOC	D475	[PAPER]
/055523	(1273)	*CLEAR	C355	TYP: DV --> ASLT RSP: P --> P DSP: 1E ,PSTAT/CFS PSTAT/FEL PSTAT/RPT PSTAT/VIDY ,PSTAT/CFS PSTAT/RPT PSTAT/VIDY ,PSTAT/FEL PSTAT/MISD PSTAT/MISD PSTAT/WAR PST AT/WAR DSP: 1E --> 1E
/055829	(1263)	*MISC	D475	
/055906		*MISC	D475	
/055910		*CLEAR	D475	
/055910		CLOSE	D475	

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-165059	
INCIDENT TYPE Arrest, Information		INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 OBSTRUCT OFFICER
		INCIDENT CLASSIFICATION #3 RESISTING ARREST		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4 WARRANT ARREST
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Mon 05/09/2016	DATE/TIME 00:23	OCURRED ON Mon 05/09/2016	DATE/TIME 00:01	OCURRED TO Mon 05/09/2016	DATE/TIME 01:00
DISPATCH TIME 00:53		ARRIVED TIME 01:00		CLEARED TIME 04:00	
REPORT DATE 05/09/2016		REPORT TIME 02:24		EST. TOTAL PROPERTY LOSS	
PRIMARY CHARGE 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)					UCR/NIBRS CODE /13A
ADDITIONAL CHARGES M-10.07.034 RESISTING ARREST, M-10.07.032 OBSTRUCTING, 10.88.320 FUGITIVE-LOCAL WARRANT OF ARREST ISSUED					
LOCATION OF INCIDENT E Sharp & W Helena , Spokane, WA				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS PC Affidavit Completed, Suspect Arrested					
RELATED INCIDENT NUMBERS					INCIDENT XREF 16-165120
ADDITIONAL REPORTING OFFICERS Hayword, Yrigollen					
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim - Individual, A-Arrested Person, VB-Victim - Business, M-Missing, MIR-Person Mentioned, RO-Registered Owner, V-Deceased, PS-Passenger, PE-Pedestrian, PG-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 Holland, Tye A			SEX M	RACE/ETHNICITY W-White
DATE OF BIRTH/AGE 04/05/1997 19					
HEIGHT 5'07"	WEIGHT 120	BUILD Light	HAIR Blonde or	EYES BLU - Blue	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 3417 N Lee Street, Spokane, WA 99207			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (509) 216-6185					
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 Taken Into Custody			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION M-10.07.034 RESISTING ARREST				UCR/NCIC CODE
WARRANT #	BAIL	TYPE OF ARREST Taken Into Custody			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION M-10.07.032 OBSTRUCTING				UCR/NCIC CODE
WARRANT #	BAIL	TYPE OF ARREST Taken Into Custody			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Felony Class A	DESCRIPTION 10.88.320 FUGITIVE-LOCAL WARRANT OF ARREST ISSUED				UCR/NCIC CODE 90Z/90Z
WARRANT # JV14-323	BAIL	TYPE OF ARREST Taken Into Custody			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
ID NO./NAME OF REPORTING OFFICER #1263 - Thompson, Gregory				DISTRIBUTION	
APPROVAL #1096 - Olson, Rex		DATE/TIME 05/09/2016 06:38			

Incident Report #1

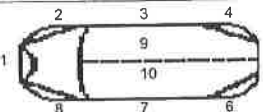
05/09/2016 10:40:54.266

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 16-165059	
CITATION #		DATE	TIME	BOOKED WHERE Spokane County Jail		DATE 05/09/2016	TIME 02:30
ARREST LOCATION E Sharp & W Helena, Spokane, WA				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 checked="" type="checkbox"/> NO		NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED		DISPOSITION OF JUVENILE	
CODE V-1	NAME: LAST, FIRST, MIDDLE Thompson, Gregory W			SEX M	RACE/ETHNICITY W-White		DATE OF BIRTH/AGE #5b
HEIGHT 5'10"	WEIGHT 140	BUILD Light	HAIR Blonde or	EYES BRO - Brown	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 (509) 242-8400							
RELATIONSHIP TO SUSPECT Victim was Stranger			VICTIM OF Offns. # 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)			OFNDR. # A-1	
CODE VB-3	NAME: LAST, FIRST, MIDDLE City of Spokane			SEX -	RACE/ETHNICITY		DATE OF BIRTH/AGE
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 808 W Spokane Falls Blvd, Spokane, WA 99201			RESIDENTIAL STATUS		PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE	
RELATIONSHIP TO SUSPECT Victim was Stranger			VICTIM OF Offns. # M-10.07.034 RESISTING ARREST			OFNDR. # A-1	
VEHICLES							
CODI V-1	CIRCUMSTANCES		LICENSE NO.	STATE	LIC. YEAR	LICENSE TYPE	VIN/HIN
YEAR	MAKE	MODEL	BODY STYLE	TOP/FRONT/ONLY COLOR		BOTTOM/REAR COLOR	
#1a							
SPECIAL FEATURES/DESCRIPTION							
DECAL NUMBER		REGISTERED OWNER				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				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"/> Top <input type="checkbox"/> Interior <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



INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-165059
NARRATIVE		

On 05/09/2016 at 0053 hours, I was dispatched to a possible DV at 1606 E. Sharp Ave. The anonymous caller said over the past 30 minutes they could hear a male and female voice arguing. They advised it was coming from 1603 E. Boone Ave possible. They said later it was actually 1606 E. Sharp Ave.

My self and Officer Hayward check on scene at that location and contacted the people inside. The male said there are no problems at that location. He advised they too heard the yelling outside earlier, possible a DV. The male said he hadn't heard anything in a while though.

As myself and Officer Hayward were walking away from the house back to toward Sharp when we observed a blue Chevy Impala pulling away from the curb on Helena approaching Sharp. The vehicle saw us as we walked toward it and stopped.

Inside the car I could see a female was driving the car and male was sitting in the passenger seat that. Due to us investigating a possible DV in the area with a male and female they were stopped. Officer Hayward asked the driver to step out of the car. They both walked to the back of the car.

I started to talk with the passenger of the car who was later identified as Tye Holland. I asked Holland what his name was and he told me he doesn't have to talk to me. I told Holland that we were investigating a possible DV and asked if he heard anyone yelling. Holland said he didn't, but it was possible the neighbor's house that we had just come from.

As I walked back over to talk with the female who was standing at the back car, Officer Hayward went back up to the car to speak with Holland. I saw Officer Hayward move from the driver side of the car to the passenger side. Officer Hayward was standing next to the passenger side door, when Holland jumped from the passenger seat and got into the driver seat.

I ran up to the driver side door and told Holland to shut the car off. While standing next to the driver side door, I could see Holland actively trying to get the running vehicle into drive frantically. While he was doing this he was looking directly at me. At this point I believed that Holland was actively trying to get away with the vehicle

Holland opened the driver side door and stepped out, running directly into me. When he hit me he shoved me back enough where it caused me to have to back pedal. I told Holland that he was under arrest and to stop resisting. I immediately moved in, in an attempt to gain right arm control. My attempt at that was un-successful and he started running E/B. I chased after Holland in attempt to gain control of him. I was able to catch up to him and grabbed onto his shoulders. We were able to guide Holland to the ground as he continued to try and get away.

While attempting to get Holland into handcuffs he was pulling his arms and hands toward his center mass and waist band area. At the time it was unknown if Holland was attempting to access weapons in his waist band.

While we were on the ground I delivered a level II strike to his abdomen for the following reason:

Crime:

Assault 3rd a crime of violence, on Officer Thompson by pushing him.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED
☐

INCIDENT NUMBER
16-165059

Threat:

He already showed the intent to use violence and force on Officer Thompson by pushing him.

He had not been searched prior to attempting the arrest.

I attempted to control Holland by grabbing right arm control, but he was physically stronger and pulled away.

Moving his hands and arm toward his center and waist band area.

Unknown if he was trying to access weapons in his waist band.

Resistance:

I attempted to control Holland by grabbing right arm control, but he was physically stronger and pulled away.

Moving his hands and arm toward his center and waist band area.

We were able get Holland's hands behind his back and into handcuffs. Once other officer were on scene they took control of Holland and medics were started to look at the scrapes on his knees.

During the course of trying to get Holland to the ground, I told him to stop fight and that he was under arrest. I also told him to stop resisting. While arresting Holland, I destroyed my name tag and ripped the back leg to my pants which are both part of the uniform of the day.

A name check of Holland through SPD Radio confirmed he had a Warrant for Identity theft in the second degree and a fugitive warrant from Idaho.

While medics checked on Holland he complained of the police slamming his head into the ground. He said because of that his head hurts and wanted to be taken to the hospital. AMR transported Holland to Holy Family Hospital where he sought treatment. Medical staff there released him and said he was fine to be transported to jail.

I transported Holland from Holy Family Hospital to Spokane Co. Jail where he was booked for his warrant, out of state fugitive from ID along with Assault 3rd, Resisting Arrest, and Obstructing Officers.

A corporal responded to the scene and took pictures of the damage to my uniform, and Holland.

See Officer Hayward, and Yrigollen report for further detail.

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

G. Thompson

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-165059
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#1263 Team 10

05/09/2016

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-165059	
REPORT PURPOSE			REPORTED ON DATE Mon 05/09/2016	TIME 00:23	INCIDENT XREF 16-165120
INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 WARRANT ARREST		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME		REPORT DATE 05/09/2016	REPORT TIME 03:24
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 5/9/16 at 0053 hours, Officer Thompson and I were dispatched to a report of possible domestic violence in the area of 1606 E. Sharp.

The complainant, who was calling from 1603 E. Boone, said he heard what sounded like a physical altercation between a male and female coming from the area of the alley north of the residence. SPD Dispatch relayed that the location was likely 1606 E. Sharp.

Upon arrival, Officer Thompson and I did not hear any argument or fight. We made contact with subjects inside of the residence who said there was no fight or argument at the location. One male subject said he heard a "DV" earlier, but it was coming from outside of the location.

As we were checking the area around the residence, I observed a male (later identified as Tye Holland) walk from the area south of the residence and get into a blue Chevrolet Impala sedan, which was parked on Helena/ Sharp. The sedan was being driven by a female (later identified as #1a). The vehicle began to drive southbound on Helena.

I illuminated the vehicle with my flashlight to see if the occupants could be the people involved in the domestic violence complaint.

The vehicle stopped. I made contact with #1a, who appeared very nervous. Her hands were trembling and she did not maintain eye contact with me as she spoke. I asked #1a if she was involved in an argument with the male and she said she wasn't. #1a said she was just picking him up. I asked if she knew the male and she said she did. #1a was so nervous, she could hardly speak to me.

Holland sat in the passenger seat wearing a black backpack.

Concerned that #1a may have been assaulted by the male and was intimidated by his presence, I asked her to step out of the vehicle and speak with me. Once out of the vehicle, #1a said she only knew the male as "Tye" and she was asked to pick him up by another male named "Tye." #1a said she was not involved in any argument or altercation with the male.

I walked back to the vehicle to make contact with Holland. Holland appeared very nervous and was

ID NO./NAME OF REPORTING OFFICER #1273 - Hayward, Elijah		DISTRIBUTION	
APPROVAL #445 - Cordis, Tyler	DATE/TIME 05/09/2016 06:36		

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION

ASSAULT-SIMPLE

ATTEMPTED



INCIDENT NUMBER

16-165059

looking all around the vehicle. Holland told me his name was not Tye. I walked around to the passenger side of the vehicle and, as I did, Holland shed his backpack and jumped into the driver seat of the vehicle. Holland tried to shift the vehicle into drive as he revved the engine. #1a shouted, "no, no!"

At this point, I recognized that Holland was trying to take #1a vehicle to aide his escape from Officer Thompson and me.

Holland was unable to get the car into drive, so he fled out of the driver's door. I observed Holland push Officer Thompson, who was standing on the driver's side of the vehicle. I ran over to assist Officer Thompson, who was holding onto Holland. I grabbed onto Holland, who was actively trying to escape from Officer Thompson.

Officer Thompson told Holland he was under arrest and to stop resisting.

I held Holland's right arm, which Holland tried to pull toward his waistline.

At this point, Holland was suspected of attempting to take a motor vehicle and had committed the crimes of assault 3rd on Officer Thompson, resisting arrest, and obstructing.

Holland was so motivated to flee law enforcement, he was willing to take a motor vehicle and assault law enforcement to aid in his escape. I know that individuals who are extremely motivated to avoid arrest are dangerous and have a high propensity to commit violent acts to accomplish their escape.

Holland had already assaulted Officer Thompson by pushing him as he attempted to flee. Holland ignored Officer Thompson's orders to stop resisting as he continued to actively resist his arrest. Holland was unsearched and was pulling his hand away from me and toward his centerline. I know that the waistband is the most common area to conceal a firearm or other dangerous weapon. I feared Holland may be trying to access a weapon to aid in his escape.

Based on the above factors, I used my left leg to trip Holland, who fell onto the ground. I attempted to pull Holland's arm behind his back, but he continued to pull his hand toward his waistband. Holland continued to struggle and attempt to pull away from me. Officer Thompson and I were able to get Holland's hands behind his back and handcuff him.

Multiple officers responded to assist. Officer Benesch identified Holland, who had a warrant for his arrest.

I contacted #1a and asked her if I could remove Holland's backpack from her vehicle. #1a gave me her permission to do so.

SUPPLEMENTAL REPORT CONTINUED

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Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED
☐

INCIDENT NUMBER
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I searched Holland's backpack, incident to his arrest. I found several items of mail belonging to Meritha Lomae and a social security card and passport belonging to Serphen Lomae. I found a large can of "bear spray" pepper spray in the backpack and an opened bottle of Black Velvet liquor. I also found a black Sony 5000 digital camera in the backpack.

Officer Rogan arrived to assist and he spoke with **#1a** **#1a** gave Officer Rogan permission to search her vehicle. Officer Rogan found another large bottle of pepper spray on the front floorboard. **#1a** said the bottle was not hers and was left in the car by Holland.

Officer Yrigollen followed up with the items belonging to the Lomaes. Refer to his report for additional information.

I took the backpack, pepper spray and camera to Spokane County Property and placed the items on as evidence.

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

E. Hayward #1273