



SPOKANE POLICE DEPARTMENT



## Internal Affairs Exemption Log

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

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

#3f	Information from WACIC/NCIC (ACCESS): <b><u>Gun information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3g	Information from WACIC/NCIC (ACCESS): <b><u>DOL Information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3h	Information from WACIC/NCIC (ACCESS): <b><u>Stolen Vehicle Information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3i	Information from WACIC/NCIC (ACCESS): <b><u>Missing Persons Information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3j	Information from WACIC/NCIC (ACCESS): <b><u>Runaways or endangered persons</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3k	WACIC/NCIC (ACCESS): <b><u>DOC Information</u></b>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
<b>Personal Identifiers and Financial Info</b>			
#4a	Social Security Number	This information constitutes personal identifying information unique to the holder and which, if obtained by the 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)
<b>Employees Files</b>			
#5a	<b>Photos</b> of Spokane Police Department or other criminal justice employees	Photographs in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030 are protected from disclosure for their safety and privacy.	RCW 42.56.250(8) (Employment and licensing)
#5b	<b>Birthdates</b> of criminal justice employees	Birthdates in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030 are protected from 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)
<b>Criminal History</b>			
#6a	Criminal history <u>not</u> from ACCESS- Non-Conviction Data	Criminal history which has not led to a conviction or other adverse disposition is protected by state law and only released to Criminal Justice Agencies for law enforcement purposes.	RCW 10.97 (Criminal Procedure)

<b>Officer Safety or Intelligence</b>			
#7a	Intelligence, sensitive security, or tactical information	Record includes sensitive intelligence, security or tactical information the non-disclosure of which is essential to effective law enforcement.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7b	Undercover Officer identification	Contains information which could reveal the identity of an undercover officer, who undertakes ongoing dangerous / confidential undertakings to effect law enforcement purposes. Protected to preserve the life and personal safety of officer and family.	RCW 42.56.240(1) Specific intelligence information the nondisclosure of which is essential to effective law enforcement.
#7c	ID Records revealing covert law enforcement activity	Any record pertaining to a vehicle license plate, driver's license, or 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</i> , 16 Wn.App. 830, 836 (1977).
<b>Photos</b>			
#8a	Photos showing a deceased person	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)

#8b	Photos showing highly sensitive material	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8c	Photo Montages	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
<b>Protected by Law</b>			
#9	Medical Records	Medical records consist of confidential and privileged information highly personal and restricted. The disclosure of medical records is regulated by state and federal law and not public information. Right to Privacy: Disclosure would be highly offensive to a reasonable person.	RCW 42.56.360 (Health care), 70.02.005 (Findings) and HIPPA (45 CFR 164.502). RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#10a	Jail records	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as this information is only available to criminal justice agencies as defined in RCW 43.43.705.	RCW 70.48.100 (Jail register)
#10b	Jail booking photos	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as 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	<b><u>Name/Identity</u></b> 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	<b><u>Date of birth</u></b> 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	<b><u>Personal work, home, or cell phone number</u></b> 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	<b><u>Residential address</u></b> 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	<b><u>E-mail address</u></b> 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:** Lieutenant Barton Stevens

**Assigned Investigator:** Sergeant Shawn Kendall

### Incident Details

<b>Date Received</b>	<b>Date of Occurrence</b>	<b>Time of Occurrence</b>
6/2/2016	5/27/2016	11:19
<b>Record ID #</b>	<b>Incident No</b>	<b>IA No</b>
9324	16-189769	F16-053
<b>Date/Time Entered</b>		
6/8/2016 12:26		

### Incident Summary

Use of Force.

Ofc. Jones - Taser application  
Ofc. Kirn - Level 2 Technique - Closed Fist Strike  
Sgt. Reese - Level 1 LNR

Officers contacted Nathan Heuer while assisting SCSO with an eviction of Heuer from his apartment at 301 W 2nd. After the eviction, Heuer refused to leave so officers arrested him for outstanding arrest warrants. During the arrest process, Heuer resisted and assaulted an officer. The use of force was used to take him into custody.

The force used by Ofc. Jones was within policy and was reasonable under the circumstances.  
The force used by Ofc. Kirn was an exceptional technique, but was reasonable under the totality of circumstances.  
The force used by Sgt. Reese was within police and was reasonable under the circumstances.

In compliance with policy per Assistant Chief Meidl 07/21/16.

### Incident Location

- 301 2nd AV, Direction: W, Spokane, WA 99201 - : Downtown

### Use of Force Specific Information

<b>Reason for Use of Force</b>	<b>Service Being Rendered</b>	
Assaulting Officer	Assist Other Agency	
<b>Weather Condition</b>	<b>Lighting Condition</b>	<b>Distance to Citizen</b>
Clear	Daylight	a-0-3 feet
<b>Citizen Injured</b>	<b>Citizen Taken to Hospital</b>	<b>Citizen Arrested</b>
Yes	No	Yes
<b>More than 1 Citizen Involved</b>		
No		
<b>Citizen's Build</b>	<b>Citizen's Height</b>	
Medium	6'1" to 6'3"	



**Officer Assessment of Citizen Condition During Incident**

Unknown

**Officer(s) Injured**

Yes

**Officer(s) Taken to Hospital**

No

## Reporting/Involved Citizen Information

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**Nathan T Heuer**

DOB: 11/26/1979 Race: White Gender: Male

**Address**

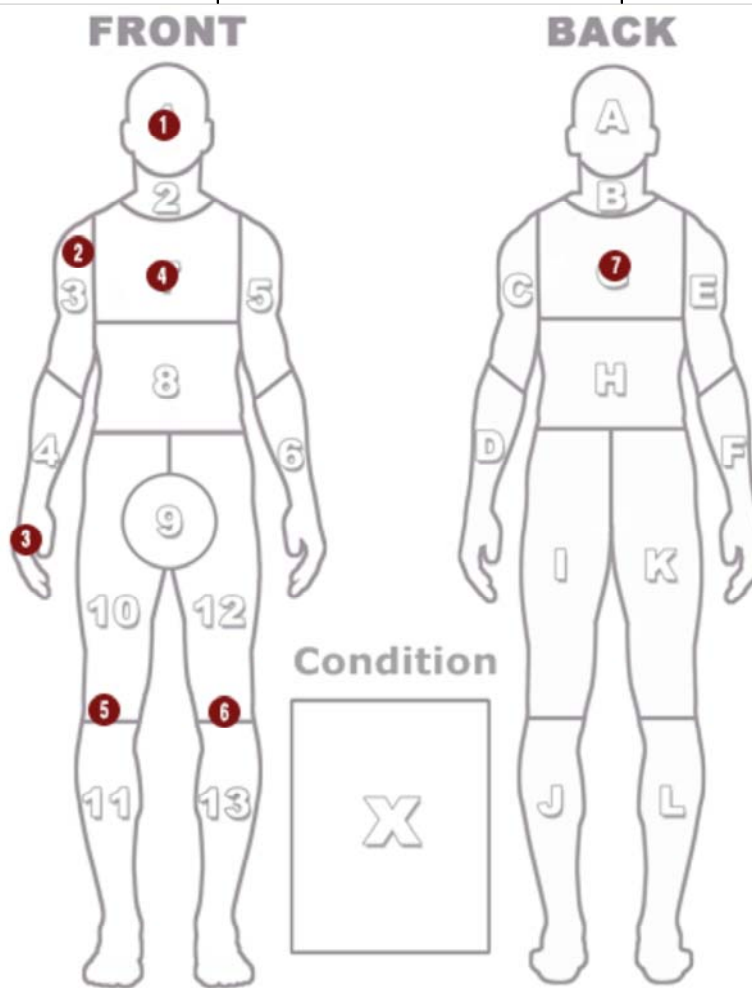
- 301 2nd AV, Suite/Apt: 22, Direction: W, Spokane, WA 99201

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

- Assaultive

**Injuries sustained by this citizen**

Injury	Regions	Injury Locations
b-Minor Visible Injury	1, 10, 12, 3, 4, 7, G	1, 2, 3, 4, 5, 6, 7

**Charges against this citizen**

- Felony - Person Crime

## Involved Officers

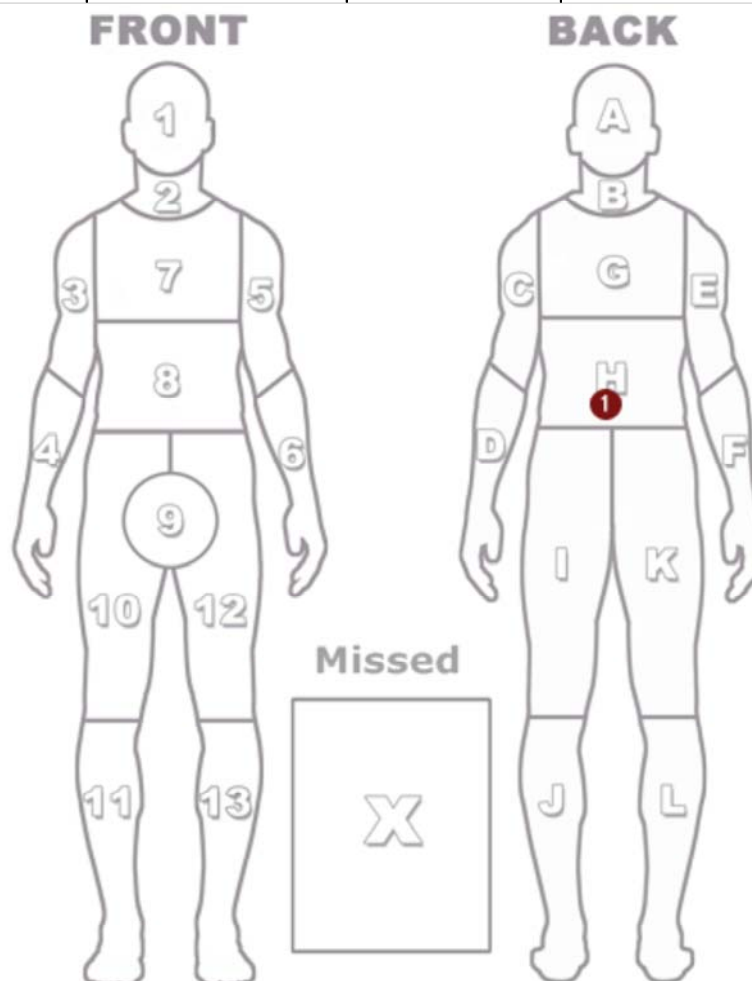
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### Officer Casey Jones - Payroll Number: 15403

#### Forcused by this officer against the citizen

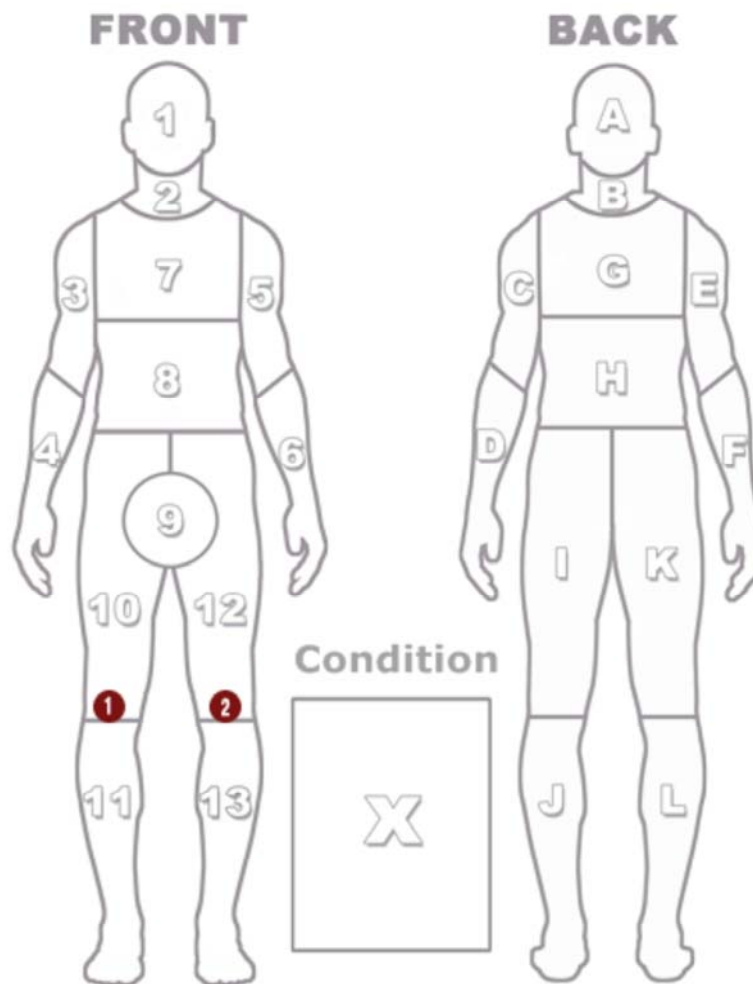
- TASER-Drive - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
TASER-Drive	Yes	H	1



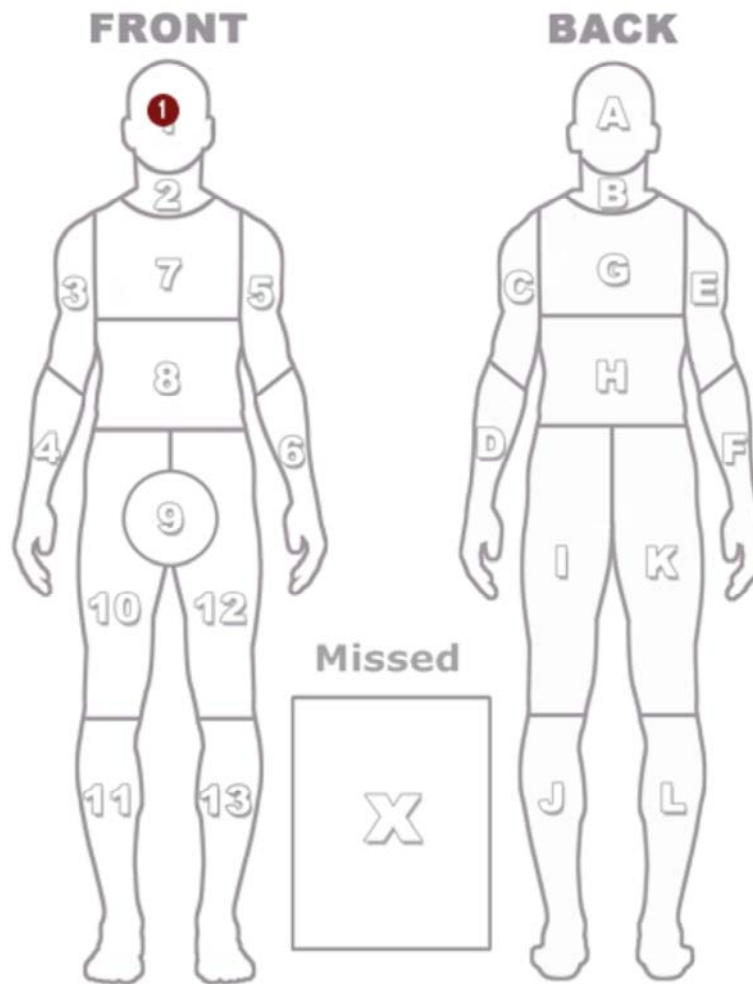
#### Injuries sustained by this officer

Injury	Regions	Injury Locations
a-Minor Injury	10, 12	1, 2

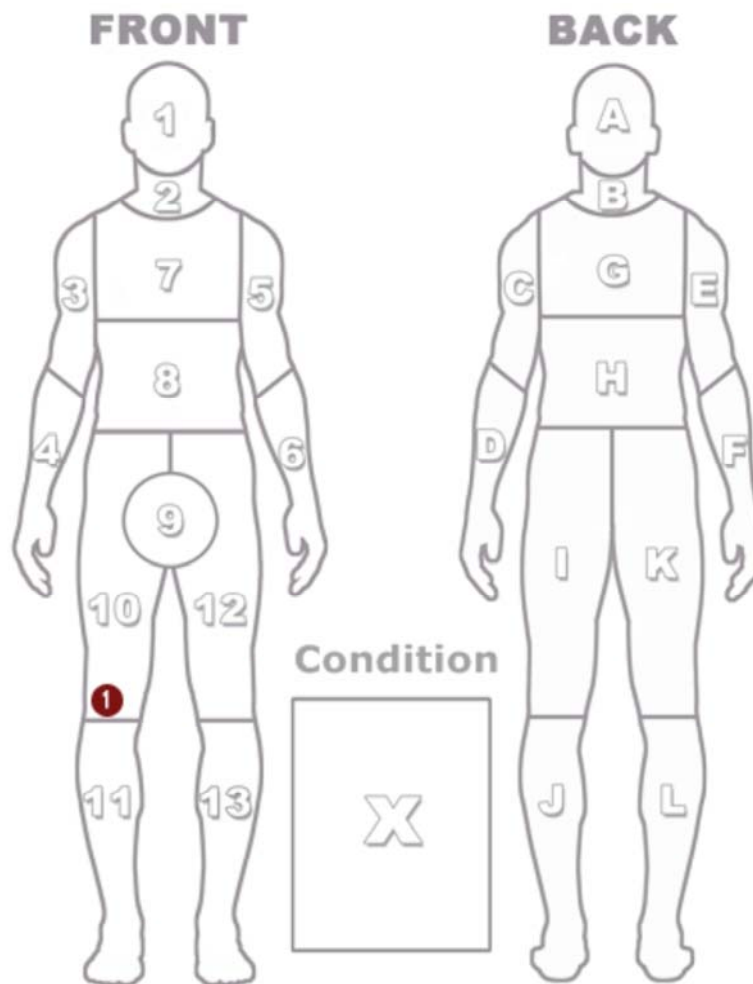
**Officer Christopher Kirn - Payroll Number: 16846****Forceused by this officer against the citizen**

- Level 2 Tactic - Was force effective: Yes

ForceUsed	Effective?	Regions	Points of contact
Level 2 Tactic	Yes	1	1

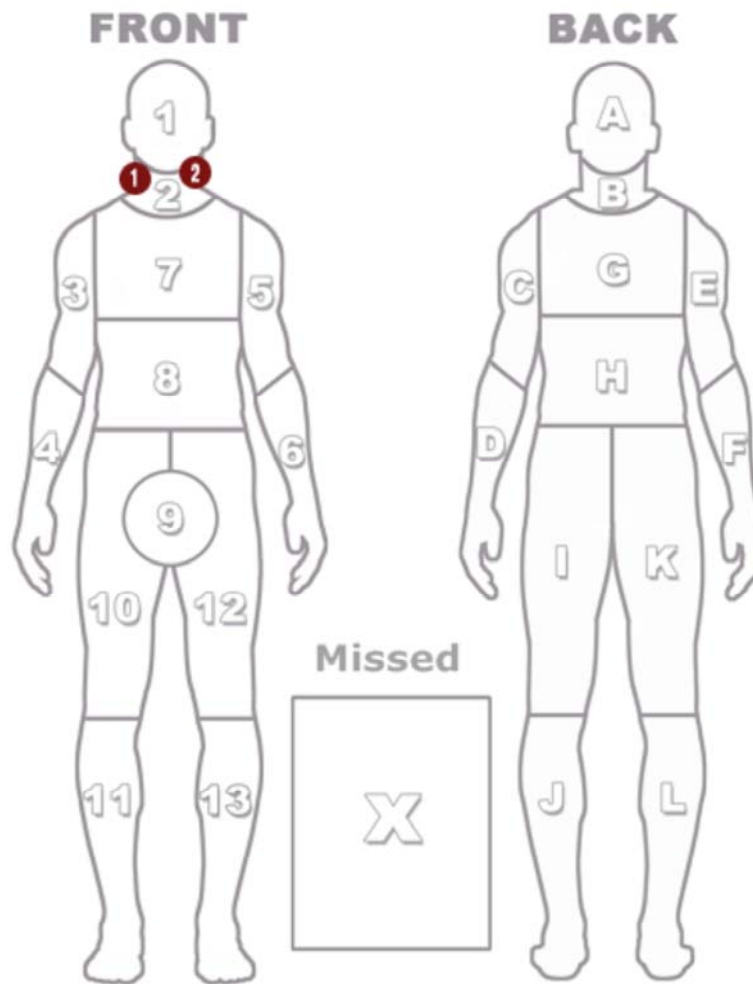
**Injuries sustained by this officer**

Injury	Regions	Injury Locations
a-Minor Injury	10	1

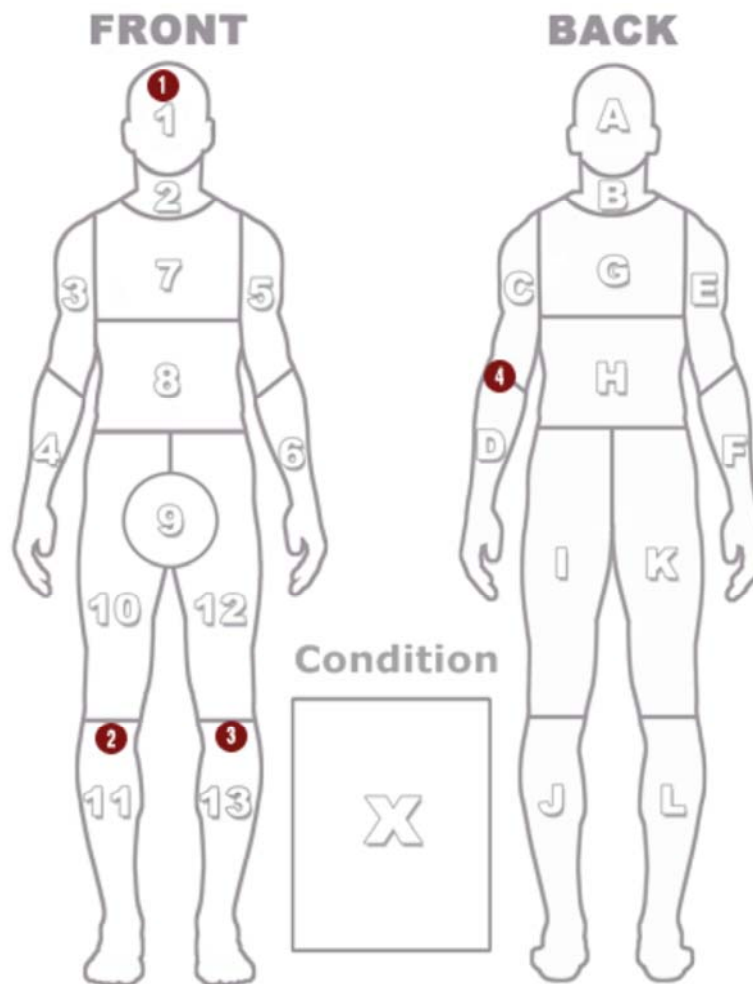
**Sergeant Kurtis Reese - Payroll Number: 15271****Force used by this officer against the citizen**

- LNR-Level 1 - Was force effective: Yes

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

**Injuries sustained by this officer**

Injury	Regions	Injury Locations
a-Minor Injury	1, 11, 13, D	1, 2, 3, 4



## Officer Witnesses

**Officer Ryan Akins - Payroll Number: 21915**

## Attachments

Date Attached	Attachment Description	Attachment Type
6/8/2016	Kirn Additional	pdf
6/8/2016	Reese Additional	pdf
6/8/2016	Akins Additional	pdf
6/8/2016	Lyons Additional	pdf
6/8/2016	PC Affidavit	pdf
6/8/2016	Photolog	pdf
6/8/2016	CAD	pdf
6/9/2016	Taser Graph	pdf
6/16/2016	Jones' Report	pdf
6/16/2016	BWC Links	
6/21/2016	IMG_0001	JPG
6/21/2016	IMG_0002	JPG
6/21/2016	IMG_0003	JPG
6/21/2016	IMG_0004	JPG
6/21/2016	IMG_0005	JPG

6/21/2016	IMG_0006	JPG
6/21/2016	IMG_0007	JPG
6/21/2016	IMG_0008	JPG
6/21/2016	IMG_0009	JPG
6/21/2016	IMG_0010	JPG
6/21/2016	IMG_0011	JPG
6/21/2016	IMG_0012	JPG
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6/21/2016	IMG_0015	JPG
6/21/2016	IMG_0016	JPG
6/21/2016	IMG_0017	JPG
6/21/2016	IMG_0018	JPG
6/21/2016	IMG_0019	JPG
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6/21/2016	IMG_0035	JPG
7/20/2016	Lt. Stevens IA Additional	docx

## Chain of Command History

Sent Dt	From	To	CC	Approved
6/16/2016	Internal Affairs	Internal Affairs	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> Please attach necessary photos/documents as needed.				
<b>Recipient's Comments/Response:</b> [Forwarded by Sergeant Michael Carr]				
6/21/2016	Sergeant Michael Carr	Lieutenant Barton Stevens	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> Photos attached as instructed.				
<b>Recipient's Comments/Response:</b> [Forwarded by Lieutenant Barton Stevens]				
6/29/2016	Lieutenant Barton Stevens	Captain Bradley Arleth	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> UOF - Ofc. Jones and Ofc. Kim				
<b>Recipient's Comments/Response:</b> Arrestee Heuer made statements to officers that he was not under arrest and would not comply. During the arrest process he was assaultive. Officer Jones' TASER application was reasonable and within policy guidelines. Ofc. Kim's use of a closed fist strike under the circumstances articulated was reasonable and within policy guidelines.				
6/30/2016	Captain Bradley Arleth	Chief Craig Meidl	(none)	<input checked="" type="checkbox"/>
<b>Sender's Instructions:</b> for review				
<b>Recipient's Comments/Response:</b> A closed fist strike to the head of a suspect is generally prohibited, hence it is considered an exceptional technique. In addition, the "fear" of being "spit on" or "bitten" does not justify a "pre-emptive" strike to the head with a closed fist. However, based on the video, it was very clear the suspect had extraordinary strength. Four officers were unable to control him without great effort; in fact the suspect was able to rotate to a seated position while four officers were attempting to restrain him. Though this tactic is and should continue to be discouraged except for the most unusual circumstances, I find				



it was justifiable under these circumstances based on the characteristics displayed by the suspect, including extraordinary strength, threats to the officers ("you better not touch me"), on-going violent resistance, no indication that the suspect was tiring, and the inability of the four officers to arrest him despite great effort. The TASER deployment was reasonable under these circumstances for the same reasons outlined above. Both uses of force within policy.

7/18/2016	Ms Michelle Reiner	Lieutenant Barton Stevens	(none)	<input checked="" type="checkbox"/>
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**Sender's Instructions:** Returning for additional type of force used correction.

**Recipient's Comments/Response:** Completion notes: Added use of level 1 LNR by Sgt. Reese. I attached an updated additional review titled "Lt. Stevens IA Additional", the original additional titled "Lt Stevens' Review" needs to be deleted. A/C Meidl should review again as his name is on the comments as having deemed the UOF within policy.

7/20/2016	Internal Affairs	Internal Affairs	(none)	<input checked="" type="checkbox"/>
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**Sender's Instructions:** Added Level 1 LNR info.

**Recipient's Comments/Response:** For your review.

7/20/2016	Sergeant Daniel Waters	Chief Craig Meidl	(none)	<input checked="" type="checkbox"/>
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**Sender's Instructions:** Resubmitted for your review.

**Recipient's Comments/Response:** Use of force compliant with policy. However I will direct Sgt Kendall to have a DT officer review the video and cover other techniques Ofc Kirn needs to consider using in the future other than a fist strike to control the subject.

7/26/2016	Ms Michelle Reiner	Sergeant Shawn Kendall	(none)	<input checked="" type="checkbox"/>
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**Sender's Instructions:** Please see A/C Meidl's directive. When complete, please make a final comment and send to the Internal Affairs group. Thank you.

**Recipient's Comments/Response:** Completion notes: I spoke with Chief Meidl on this incident. It has been found to be a reasonable application of force through the COC. The UOFRB will be looking into the incident to suggest other reasonable force options for the future. (Ref. Ofc. Kirn and Closed Fist Technique to head of citizen).

8/3/2016	Internal Affairs	Internal Affairs	Chief Craig Meidl	<input checked="" type="checkbox"/>
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**Sender's Instructions:** Chief Meidl and I spoke on this matter. he UOF by Ofc. Kirn was found to be reasonable through the COC. The UOFRB will evaluate this incident and recommend other Force Options under similar circumstances for the future.

**Recipient's Comments/Response:** [Forward to IAPro by Sergeant Michael Carr]

#### Assigned Investigator Signature Line

Sergeant Shawn Kendall

#### Chain of Command Signature Lines

Sergeant Michael Carr

Lieutenant Barton Stevens

Captain Bradley Arleth

Chief Craig Meidl

---

Sergeant Daniel Waters

---

Sergeant Shawn Kendall



## Spokane Police Department Internal Investigation



**CONFIDENTIAL**

### **Additional**

#### **Use of Force:**

Ofc. Jones – Drive Stun Taser Application (X2)

Ofc. Kirn – Closed Fist Strike (to head – exceptional technique)

Sgt. Reese – Level 1 LNR

I did not respond to the scene for this incident as I was not on duty at the time. The information I gathered was from incident reports and conversations with involved officers.

Officers contacted Nathan Heuer with SCSO Deputies to assist in an eviction process. Heuer was found to have misdemeanor warrants for his arrest, but was not arrested at that time. After the process, Heuer refused to leave, so the decision was made to arrest Heuer for his arrest warrants. After being told he was under arrest, Heuer flat out told the officers that he was not under arrest and made statements that alluded to the fact he would fight them in any arrest process. After sufficient officers arrived on scene to conduct the arrest, they took arm control and Heuer resisted arrest, kicked an officer, and force was used to take him into custody.

#### **Ofc. Jones:**

During the arrest process, Ofc. Jones applied two drive stun applications to the lower back of Heuer's person with his department issued taser. He decided to use the taser in the drive stun mode for the following reasons:

- Heuer resisted arrest by tensing up his arms and body, refusing to let officers place him in handcuffs.
- While resisting arrest, he exhibited assaultive behavior by kicking an officer on the leg.
- While on the ground on his back, Heuer refused, and physically resisted being turned over on his stomach as officers were physically attempting to turn him over to a prone cuffing position. He was resisting arrest violently to the point of him dislodging the body-worn cameras off of two officers' uniforms and on to the ground.

The use of the first drive stun by Ofc. Jones was within policy in this case, and was reasonable under the circumstances.

The use of the second drive stun by Ofc. Jones was also within policy and reasonable under the circumstances, as Heuer continued his assaultive behavior.

**Ofc. Kirn:**

When Ofc. Jones applied the first taser application, Ofc. Kirn was inadvertently affected and lost control of Heuer's legs. Heuer was then able to position himself onto his buttocks into a more stable position. As Ofc. Kirn re-established control of Heuer's legs, Heuer sat up quickly and unexpectedly, putting himself in a position to more easily assault officers (he had already assaulted another officer). This placed Ofc. Kirn in a position of close proximity to Heuer, rendering him susceptible to Heuer head-butting, spitting on, or biting Ofc. Kirn. In this position, Ofc. Kirn was not able to quickly or efficiently access equipment on his gun belt. He also knew he had to react quickly or expose himself to further risk of assault, so he utilized a closed fist strike to Heuer's face/head, which proved to be effective.

Ofc. Kirn's use of a closed fist technique to Heuer's head, while an exceptional technique, was a reasonable course of action under the circumstances.

**Sgt. Reese:**

While taking Heuer into custody, he and the officers all went to the ground. While Heuer was still flailing his body around, Sgt. Reese saw an opportunity to place Heuer into a neck restraint. He applied a level 1 LNR on Heuer and this greatly assisted in controlling Heuer's upper body. While the level 1 LNR was held, officers were able to take Heuer into custody.

Sgt. Reese's use of the level 1 LNR was withing policy and was reasonable under the circumstances.

06/08/16 12:24:41 PRINT REQUESTED BY TERMINAL PPTN04  
Incident History for: #SC160189769

Entered 05/27/16 10:22:26 BY SCC02 591188  
Dispatched 05/27/16 10:22:26 BY SCC02 591188  
Enroute 05/27/16 10:22:26  
Onscene 05/27/16 10:22:26  
Closed 05/27/16 14:53:30

Initial Type: EVICT Final Type: EVICT (EVICTION)  
Initial Priority: 2 Final Priority: 2  
Disposition: 8B Source: R Primary Unit: D161  
Police BLK: SPD8RS  
Group: P8 (S7 ) Beat: Map Page: 33  
Loc: 307 W 2ND AV #22 ,SPK -- TUSCANY APTS btwn S BERNARD ST & S WASHINGTON ST  
Name: Addr: Phone:

/102226 (591188) \$OUTSRV ,NO MORE INFORMATION  
/102226 DISPOS J535 #591254 PALMER, SAMSON  
/102230 ASSTOS J537 ,NO MORE INFORMATION  
[307 1/2 W 2ND #22]  
#591299 RICHEY, KEVIN  
/103122 (320 ) ASSTER N49 [307 1/2 W 2ND #22]  
#1053 JONES, CASEY  
/103132 CHANGE LOC: 307 1/2 W 2ND #22 --> 307 W 2ND AV #22 ,  
SPK,  
DGP: S7 --> P8,  
BLK: --> SPD8RS  
/103213 (591121) REMINQ J537 WANT,J537,,,,,,HEUER,NATHAN,T,1979,11,26,,,,,  
,,,,  
/103622 OK J537  
/103622 OK J535  
/103622 OK N49  
/103822 (1053 ) \*ONSCNE N49  
/110053 (591299) \*CLEAR J537 DSP: 1D  
/110154 (591254) \*CLEAR J535 ,POSTED, PAPERS, NATHAN FINALLY LEFT, LOCKS  
DSP: 1D --> 1D  
/110100? (320 ) CONTCT ASSTER D275 ,SERVED/POSTED/LOCKS/PAPERS/OCCUPIED/SUBJECT W  
AS NOT COOPERATIVE  
Contact Timer Canceled  
/111152 [307 W 2ND AV #22 ,SPK]  
#1262 AKINS, RYAN  
/111152 ASSTER C153 [307 W 2ND AV #22 ,SPK]  
#568 WATSON, PAUL A  
/111203 (1144 ) ASSTOS L207 [307 W 2ND AV #22 ,SPK]  
#1012 REESE, KURTIS  
/111227 (320 ) \$PREMPT C153  
/111227 \$ASSTER D161 #1135 KIRN, CHRIS  
/111227 PREDSP C153 D161  
/111231 (1144 ) REMINQ L207 WANT,L207,,,,,,HEUER,NATHAN,T,1979,11,26,,,,,  
,,,,  
/111506 CALLBK L207 T/PCC03  
/111524 (1262 ) \*ONSCNE D275 ,UN-ENTERED ON HEUER WAS SENT OVER TO JAIL ALR  
/111815 (1135 ) \*ONSCNE D161 EADY FOR J537  
/111948 (320 ) ASSTER C153 [307 W 2ND AV #22 ,SPK]  
#568 WATSON, PAUL A  
/111953 (929 ) \*ASSTER A244 [307 W 2ND AV #22 ,SPK]  
#929 LYONS, CORY

/111957	(492)	)	*ASSTER	C152	[307 W 2ND AV #22 ,SPK]
					#492 ZINKGRAF, DAVIDA
/112002	(978)	)	*ASSTER	A245	[307 W 2ND AV #22 ,SPK]
					#978 SPECHT, ERICK
					#989 WIDHALM, HOLTON
/112007	(436)	)	*ASSTER	P315	[307 W 2ND AV #22 ,SPK]
					#436 ADAMS, DAVE
/112035	(701)	)	*ASSTER	C154	[307 W 2ND AV #22 ,SPK]
					#701 STEWART, JAMES
/112043	(310)	)	*ASSTER	L104	[307 W 2ND AV #22 ,SPK]
					#310 ARLETH, BRAD
/112044	(844)	)	*ASSTER	A243	[307 W 2ND AV #22 ,SPK]
					#844 VANTASSEL, RONALD
					#250380 ROSENGRANT, TRAVIS
/112115	(929)	)	*ONSCNE	A244	
/112123	(844)	)	*ONSCNE	A243	
/112126	(701)	)	*PREMPT	C154	
/112127	(568)	)	*PREMPT	C153	
/112130	(492)	)	*PREMPT	C152	
/112140	(320)	)	PREMPT	A245	
/112214	(1160)	)	CALLBK	L207	T/PCC03
					,MEDICS ER. NON CODE UNLESS WE ADVISE
/112218	(436)	)	*ONSCNE	P315	
/112333	(320)	)	CALLBK		T/PCC05
					,WE'RE IN THE ALLEY FOR MEDICS
/112345	(1160)	)	CALLBK		T/PCC03
					,ADVISED
/112401	(310)	)	*ONSCNE	L104	
/112900	(635)	)	*ASSTER	L200	[307 W 2ND AV #22 ,SPK]
					#635 FERGUSON, MARK (JORDAN)
/113549	(1053)	)	*TRANS	N49	[JAIL] M/0
/113602	(635)	)	*ONSCNE	L200	
/113635	(844)	)	*CHGLOC	A243	[JAIL]
/113759	(929)	)	*CHGLOC	A244	[JAIL GET GEAR]
/113829	(436)	)	*CHGLOC	P315	[JAIL]
/114108	(1262)	)	*CHGLOC	D275	[JAIL]
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/114227	(929)	)	*ONSCNE	A244	
/114239	(844)	)	*ONSCNE	A243	
/114257	(1053)	)	*TRANSC	N49	[JAIL] M/2.6
/114320	(635)	)	*PREMPT	L200	
/114435	(436)	)	*ONSCNE	P315	
/114444	(310)	)	*CLEAR	L104	
/114529	(1135)	)	*REMINQ	D161	MVEH,ABA0599,,,,,,,,,,,,,,,,,,,,,
/114720	(1262)	)	*ONSCNE	D275	
/115243	(1135)	)	*ONSCNE	D161	
/120127	(676)	)	OK	A243	
/120127			OK	A244	
/120127			OK	D161	
/120127			OK	D275	
/120127			OK	L207	
/120127			OK	N49	
/120127			OK	P315	
/120158	(1262)	)	*CHGLOC	D275	[LOGAN PAPER ]
/120248	(844)	)	*CLEAR	A243	,PSTAT/ASST PSTAT/VIDY
/120822	(1262)	)	*ONSCNE	D275	
/121105			*ONSCNE	D275	
/121335	(1053)	)	*TRANSC	N49	[JAIL] M/2.6
/122340	(676)	)	OK	D275	
/122340			OK	N49	

/122507	(1012	)	*CLEAR	L207	,PSTAT/ASST PSTAT/RPT PSTAT/VIDY
/122556	(1262	)	*MISC	D275	,PSTAT/ASST PSTAT/VIDY PSTAT/RPT
/122624	(436	)	*MISC	P315	,PSTAT/ASST PSTAT/VIDY PHOTOS
/122628			*CLEAR	P315	
/123109	(1053	)	*CHGLOC	N49	[PAPER]
/123729	(929	)	*MISC	A244	,PSTAT/ASST PSTAT/RPT PSTAT/VIDY
/123733			*CLEAR	A244	
/131940	(1262	)	*CLEAR	D275	
/144556	(1053	)	*CLEAR	N49	DSP: 1D --> 1E
					,PSTAT/ASST PSTAT/WAR PSTAT/WAR PSTAT/FEL PSTA
					T/MISD PSTAT/RPT
/145330	(1135	)	*CLEAR	D161	DSP: 1E --> 8B
					,PSTAT/ASST PSTAT/RPT
/145330			CLOSE	D161	

# INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>16-189769</b>	
INCIDENT TYPE <b>Arrest, Information</b>		INCIDENT CLASSIFICATION #1 <b>WARRANT ARREST</b>		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #2 <b>RESISTING ARREST</b> <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3 <b>ASSAULT-SIMPLE</b>		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #4 <b></b> <input type="checkbox"/>	
RESPONDING TO (Officer Assault) <b>Other</b>				ASSIGNMENT (Officer Assault) <b>One Person in Vehicle, Assisted</b>	
REPORTED ON <b>Fri 05/27/2016 10:31</b>	DATE/TIME	OCCURRED ON <b>Fri 05/27/2016 10:31</b>	DATE/TIME	OCCURRED TO <b>Fri 05/27/2016 11:20</b>	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>05/27/2016</b>	REPORT TIME <b>13:28</b>	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE <b>9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)</b>					UCR/NIBRS CODE <b>/ 13A</b>
LOCATION OF INCIDENT <b>301 W 2nd Avenue #22, Spokane, WA</b>				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS <b>PC Affidavit Completed, Suspect Arrested, Useful Physical Evidence, Witness to Crime</b>					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS <b>R. Akins</b>					
<b>VICTIM/WITNESSES/OTHERS</b> <small>S-Suspect, V-Victim - Individual, A-Arrested Person, VB-Victim - Business, M-Missing, MIR-Person Mentioned, RO-Registered Owner, V-Deceased, PS-Passenger, PE-Pedestrian, PC-Pedestrian - Cyclist, O-Other, C-Complainant, IN-Institutional, G-Legal Guardian, D-Driver, W-Witness, CV-Complainant is Victim, CON-Contact, RU-Runaway, OW-Owner of Property</small>					
CODE <b>A-1</b>	NAME: LAST, FIRST, MIDDLE <b>Heuer, Nathan Tony</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>
HEIGHT <b>6'02"</b>	WEIGHT <b>165</b>	BUILD <b>Light</b>	HAIR <b>Brown</b>	EYES <b>HAZ - Hazel</b>	DATE OF BIRTH/AGE <b>11/26/1979 36</b>
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP <b>301 W 2nd Avenue #22, Spokane, WA 99201</b>			DESCRIPTORS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES <b>(Cell) (208) 352-2287, (Cell) (509) 599-1822</b>					
CHARGE LEVEL <b>Felony Class C</b>	DESCRIPTION <b>9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)</b>				UCR/NCIC CODE <b>/13A</b>
WARRANT #	BAIL	TYPE OF ARREST <b>On-View of Arrest</b>			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION #	DATE	TIME	BOOKED WHERE <b>Spokane County Jail</b>		DATE <b>05/27/2016</b>
			TIME <b>11:15</b>		
ARREST LOCATION <b>307 1/2 W 2nd Avenue, Spokane, WA</b>				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	NOTIFIED BY	DISPOSITION OF JUVENILE
DRIVER'S LICENSE <b>#4b</b>		<input type="checkbox"/> FAKE STATE	SOCIAL SECURITY NO.	<input type="checkbox"/> FAKE	OTHER ID

ID NO./NAME OF REPORTING OFFICER <b>#1053 - Jones, Casey A.</b>	DISTRIBUTION <b>Spokane Mental Health</b>
APPROVAL <b>#1012 - Reese, Kurtis</b>	DATE/TIME <b>06/15/2016 11:36</b>

Incident Report #1

06/15/2016 11:37:30,811



# INCIDENT REPORT CONTINUED

## Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION <b>WARRANT ARREST</b>		ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER <b>16-189769</b>	
CODE <b>V-1</b>	NAME- LAST, FIRST, MIDDLE <b>AKINS, RYAN P</b>			SEX <b>M</b>	RACE/ETHNICITY <b>W-White</b>
DATE OF BIRTH/AGE <b>#5b</b>					
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>		ADDRESS- STREET, CITY STATE ZIP <b>1100 W Mallon Avenue, Spokane, WA 99260</b>			RESIDENTIAL STATUS
PHONE					
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES <b>(Work) (509) 242-8400 x.21262</b>					
RELATIONSHIP TO SUSPECT		VICTIM OF Offns. # <b>9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)</b>			OFNDR. # <b>A-1</b>
<b>NARRATIVE</b>					

On 5/27/2016 at 1022 hours I responded to 307 1/2 W 2nd Ave to assist several Spokane County Deputies with an eviction of a tenant in apartment #22. It should be noted I was wearing the full uniform of the day and driving a fully marked Spokane Police Department patrol vehicle.

Upon arrival I contacted the deputies who advised me that the tenant being evicted, defendant Nathan T. Heuer, had mental issues and also that he had x2 Misdemeanor warrants. When I advised Nathan that he had two warrants he replied that he would not be arrested and that if we laid hands on him then we would have a lot more trouble than we thought. The defendant said he was going to go get a warrant recall and take care of his warrants.

The defendant grabbed his belongings and exited the apartment building. Sgt. Reese responded to the location and I advised him of the situation. Nathan kept trying to engage us in conversation but he was not making a whole lot of sense. He kept telling us that he was more powerful than us and that he would not be arrested. I requested dispatch send two more units because the defendant made it very clear that he would not be arrested by us.

As soon as officer Akins arrived on scene and the defendant saw him walking up to join us, the defendant stated "I'm the realist son of a bitch you're ever going to meet. How much more real do you want it to get? You know this aint going to work."

Sgt. Reese confirmed with dispatch that the warrants were valid and confirmed. He then advised Nathan that he was under arrest and for him to place his hands behind his back. Nathan refused to comply. The defendant then saw two individuals walking past us in the alleyway and he told them he needed to borrow their cell phone and began walking directly at them. At this time we decided to move in and take the defendant into custody. Officer Kirn was arriving on scene at this time as well.

As soon as Nathan walked past me and was approaching the two individuals myself and officer Akins grabbed ahold of the defendant's left arm and Sgt. Reese grabbed his right arm to gain arm control. Immediately Nathan tensed up his arms and began resisting, pulling away and trying to run away from us. I then observed the defendant to become assaultive and kick backwards at officer Akins, striking his leg. We took the defendant down to the ground at this time and attempted to gain enough control of the defendant in order to place him in handcuffs but were still unable to.

The defendant was wanted on several active arrest warrants and he had made numerous statements that led me to believe he would not go to jail willingly, or without a fight. The defendant

## INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION  
**WARRANT ARREST**

ATTEMPTED  
☐

INCIDENT NUMBER  
**16-189769**

stated that if we laid hands on him we would have a lot more trouble than we thought. When we were inside the defendant's apartment I observed him digging through his backpack and I observed syringes inside it. The defendant's erratic and unstable behavior led me to believe he was under the influence of methamphetamine. Due to these facts, Two more officers were requested to aid us in taking him into custody for his safety and for ours. We talked to the defendant for quite a while trying to reason with him but he would not change his mind. He kept making statements to the effect that he was extremely powerful. After the defendant was told that his warrants were confirmed, that he was under arrest and for him to place his hands behind his back, he still refused to comply. After we took hold of the defendant's arms in order to gain arm control, he began tensing his arms up, pulling away, and resisting arrest. The defendant then assaulted officer Akins by kicking his leg. He was an immediate threat to four officers that were attempting to lawfully take him into custody for his active warrants. After taking the defendant to the ground we were still unable to gain enough control of him in order to place him into handcuffs. The defendant was fighting and resisting by trying to yank both his arms free from our grasp, he was trying to squirm and get away from us and almost did at one point. In addition to this, he had already assaulted officer Akins by kicking him.

Based on these facts and circumstances it was at this time that I warned the defendant several times that he would be tased and told him to turn over onto his stomach while the other officers attempted to roll him over. The defendant still refused to comply and continued to thrash about and fight with us. Due to this fact, I attempted to deliver a single taser application to the defendant's lower back area (drive stun with no probes) but the defendant felt it and was immediately able to break contact from it and roll his body away from the taser. The defendant continued to fight with us and still would not comply. Due to the defendant's continued resistance and assaultive behavior towards us, and due to the first taser application not successfully being applied, I then delivered a second taser application (stun mode w/ no probes) to the defendant's lower back area and this application proved successful. After the second taser application to the defendant's lower back area, we were finally able to place the defendant into handcuffs (DL). The defendant continued to struggle and fight even after being placed in handcuffs and was placed in leg restraints. He continued to fight in the booking area at jail as well. It should be noted that the defendant was fighting and struggling so violently that both my body camera and Sgt. Reese' body camera were knocked off of our uniforms in the struggle to safely take control of and place the defendant into handcuffs.

The defendant was advised he was now under arrest for 3rd Degree Assault. There is also probable cause for Resisting Arrest. Cpl Adams responded to the scene and jail for photographs. Myself and the other officer suffered minor scrapes and abrasions from the struggle with the defendant. Please see other officer's reports for additional details. I completed a probable cause affidavit and witness list.

C. Jones

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

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

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INCIDENT CLASSIFICATION <b>WARRANT ARREST</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-189769</b>
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DURING THIS INCIDENT,

# SUPPLEMENTAL REPORT

**Spokane Police/Spokane County Sheriff**

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER	INCIDENT NUMBER <b>16-189769</b>	
REPORT PURPOSE		REPORTED ON DATE <b>Fri 05/27/2016</b>	TIME <b>10:22</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>ASSAULT-SIMPLE</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <b>WARRANT ARREST</b>		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>05/27/2016</b>	REPORT TIME <b>19:44</b>
PRIMARY CHARGE				UCR/NIBRS CODE
<b>NARRATIVE</b>				

On 052716 at approximately 1121 hours, I responded to 307 W. 2nd regarding a step it up, which was Officers asking for back up at a code response.

Upon arrival I could see that Officer's had Nathan Heuer on the ground in handcuffs. Officers stood Nathan up and he began to struggle and push against the Officer's with his feet. Officer's pushed Nathan against a patrol vehicle and he grabbed the spotlight with his right hand. I pried Nathan's grip from the spotlight and assisted Officer's in taking Nathan to the ground in the prone handcuffing position.

Once on the ground I placed Nathan into leg restraints and we rolled him onto his side.

Officer's picked Nathan up with a blanket and I assisted by pulling him into the back seat. I again made sure that Nathan was on his side.

C. Lyons #929

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.

ID NO./NAME OF REPORTING OFFICER <b>#929 - Lyons, Cory</b>		DISTRIBUTION
APPROVAL <b>#646 - Woodyard, Amy</b>	DATE/TIME <b>05/27/2016 20:28</b>	

# SUPPLEMENTAL REPORT

**Spokane Police/Spokane County Sheriff**

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>16-189769</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Fri 05/27/2016</b>	TIME <b>10:22</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>ASSAULT-SIMPLE</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <b>WARRANT ARREST</b>		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3 <b>RESISTING ARREST</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>05/27/2016</b>		REPORT TIME <b>17:17</b>
PRIMARY CHARGE					UCR/NIBRS CODE
<b>NARRATIVE</b>					

On 05/27/16 at 11:11 hours, I had been dispatched to 307 W 2<sup>nd</sup>, in the alley, to assist officers on an eviction call. Officers' on scene were out with, Nathan Heuer, who had some outstanding warrants.

When I arrived on scene, Ofc. Jones and Sgt Reese had been with Nathan in the alley behind 307 W 2<sup>nd</sup> ave. Nathan had been standing behind a green colored garbage dumpster. The dumpster came up to chest level with Nathan. Ofc. Jones had been standing to the right of Nathan and Sgt. Reese had been on the left.

Sgt. Reese had been speaking with Nathan while waiting for the warrants to be confirmed. Nathan had been making statements that had no meaning to what had been going on. Nathan stated something similar to, my perception of reality is so distorted. When Nathan had been told about his warrants, Nathan said, "I am fine to sit right here, I don't even know why you guys are here." Nathan said something similar to, we have a greater agenda and are being influenced by a higher power, to officers' and myself on scene. Nathan continued to say something similar to, we are being coerced and threatened to be here.

Sgt. Reese told Nathan the warrants were confirmed and he was under arrest for the warrants. Nathan responded with something similar to, no I'm definitely not and if you would like to try, go ahead. Sgt. Reese continued to try and talk with Nathan to try and get Nathan to comply. Sgt. Reese had told Nathan multiple times he was under arrest for the warrants. Nathan continued on to say something similar to, he is not under arrest and this had been a falsification. The entire time Sgt. Reese had been speaking with Nathan, Sgt. Reese had been calm and had been talking to Nathan in a respectful tone.

It had been apparent to me that based on Nathan's statements, he was not going to comply with officers.

As two individuals not related to call passed down the alley, Nathan had asked to use one of their phones. Nathan had begun to walk towards the two individuals in the alley. I then went towards Nathan and assisted Ofc. Jones in taking arm control of Nathan's left arm. Sgt. Reese had taken control of Nathan's right arm. As soon as I grabbed Nathan's left arm, I could feel Nathan's muscles tense up and Nathan attempted to pull away. While Nathan had been trying to get out of the arm control, he kicked backwards with his right leg and struck my right leg below the knee cap.

While maintaining left arm control, I had been able to assist other officers pull Nathan backyards to the ground. Once on the ground, Nathan had been on his back and still continuing to pull away from officers and had been kicking with his legs. I saw both Sgt. Reese and Ofc. Jones remove their tasers. Nathan had been told again he was under arrest and if he did not stop resisting, he would be tased.

Nathan continued to try and pull away and fight with officers as officers' attempted to restrain Nathan. I had

ID NO./NAME OF REPORTING OFFICER <b>#1262 - Akins, Ryan P</b>		DISTRIBUTION	
APPROVAL <b>#604 - Cowles, Matthew</b>	DATE/TIME <b>05/27/2016 20:23</b>		

## SUPPLEMENTAL REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

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INCIDENT CLASSIFICATION <b>ASSAULT-SIMPLE</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-189769</b>
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been able to maintain a hold on Nathan's left arm during the struggle. Officers' had been able to get Nathan on his stomach as I continued to maintain my hold on Nathan's left arm. Nathan had been screaming and yelling for officers' to let go of him. I assisted in handcuffing Nathan in two pairs of handcuffs.

Officers' and myself stood Nathan up and started to escort him to a patrol vehicle. Nathan continued to try and pull away and would not cooperate. Nathan would not walk forward and used his weight to try and stay in one spot. As Nathan had been placed against a patrol vehicle to gain more control, Nathan grabbed the spotlight. Officers placed Nathan on the ground and I assisted with leg control at that time. Ofc. Lyons placed the leg restraints on Nathan. I assisted officers' in placing Nathan on a blanket and placing Nathan in the back of a patrol vehicle.

I transported Nathan's belongings up the jail and gave the property to jail staff. I did not sustain any injuries from when Nathan had kicked me.

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

Ofc. Akins #1262  
05/27/16

# SUPPLEMENTAL REPORT

**Spokane Police/Spokane County Sheriff**

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AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER	INCIDENT NUMBER <b>16-189769</b>	
REPORT PURPOSE		REPORTED ON DATE <b>Fri 05/27/2016</b>	TIME <b>10:22</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>ASSAULT-SIMPLE</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>05/27/2016</b>	REPORT TIME <b>15:18</b>
PRIMARY CHARGE				UCR/NIBRS CODE

## NARRATIVE

I was working downtown on May 27, 2016 at 1022 hours. I was in the uniform of the day displaying a badge. I was driving my issued unmarked Ford Crown Victoria police car. I heard Officer Jones get dispatched to back a county unit with an eviction at 307 W 2nd Ave #22. I needed to talk to Officer Jones about some events downtown this weekend, so I headed that way. I waited until they were done with their contact and I walked into the parking lot behind the location. I told Officer Jones what we needed for this weekend. The two deputies and Nathan Heuer were also standing in the parking lot.

Officer Jones explained to me that Nathan had two misdemeanor warrants, but that we were going to let him get those settled out because he had just gotten evicted. Jones told me, that when he told Nathan about the warrants, there were some statements and vague threats to the effect that Nathan would not be taken into custody without a fight. Officer Jones was planning on letting Nathan have an opportunity to clear up his warrants and to try and get things figured out for the night.

Nathan was repeatedly told to get his things and be on his way. After a little bit of him not leaving, the two deputies left. Officer Jones and I walked over by my police car to continue our conversation about police events downtown this weekend. Nathan started to walk off to the east. After a few minutes of us talking, Nathan returned and was now standing by the dumpster engaging us in conversation. We again explained what was going on and that he needed to leave.

Spokane County Deputies conducted the eviction and we were there only to assist. A short while later, Melissa Daily came out onto the stairs. She is the owner and apartment manager. I walked over and asked her if she wanted Nathan to leave her parking lot and she said she did. I walked back over and told Nathan that Melissa wanted him to leave and that he needed to get his things and go. I suggested that Nathan go to the House of Charity. Nathan refused and kept talking. I again told Nathan he needed to leave and he would not listen. I got ahold of dispatch and had them confirm the misdemeanor warrants on Nathan.

Nathan was clearly having some mental issues. He was delusional and was all over the place with his questions, answers and his line of thinking. He made some very strange comments and said that his warrant doesn't exist because he doesn't exist. Nathan then started talking about Matthew and someone raping Matthew. Every time I would ask about these things, he would not answer my

ID NO./NAME OF REPORTING OFFICER <b>#1012 - Reese, Kurtis</b>		DISTRIBUTION
APPROVAL <b>#1012 - Reese, Kurtis</b>	DATE/TIME <b>05/27/2016 22:53</b>	

## SUPPLEMENTAL REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

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INCIDENT CLASSIFICATION <b>ASSAULT-SIMPLE</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-189769</b>
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questions and go on to the next thing. Nathan said that he is quite possibly the most brilliant man that has ever lived.

It is hard to describe all of the conversation and the way in which Nathan was talking. He would say things like "I know it is not your person that does this to you, you are merely being used as ploys, similar to a chess game." He had vague comments throughout our conversations that we were being controlled by a greater power and that he was standing up to that power. I immediately recognized that Nathan was suffering from some mental health issues.

The purpose of my questions and conversation with Nathan was to try and find some commonality with him so that he would listen to me. I was trying to find something to de-escalate the incident because this had every indication that this was going to be a fight as soon as we went to arrest him. I tried every angle I could think of and could not get him to stay focused on what I was talking about. At one point Nathan said, "You know this ain't going to work. I am ready for you."

I had Officer Jones start two more officers to assist us in the arrest of Nathan. I could tell that he was not going to cooperate and go willingly. While we had the time, I wanted to get more resources there so that if this incident turned violent, we could quickly and safely get Nathan into custody without anyone getting hurt. I was also hoping that the more officers that were there, the less Nathan would want to fight.

Once dispatch confirmed the warrants, I explained to Nathan that the warrants were confirmed. I asked Nathan what the warrants were for and he said probably you guys raping people. He then said something about us being made to be here and do this. I then told him that they were confirmed warrants and that he was under arrest. Nathan replied, "oh, I definitely am not." This was another indicator that he was not going to comply with my commands and that he was going to fight. He then said that I am not an officer.

I asked Nathan what we could do to get him to go along with this because he was under arrest. He said he wanted his life back and something about Matthew. I was still trying to find some way to get him to comply. I then told Nathan that he was under arrest and asked him to please turn around and place his hands behind his back. Nathan said, "absolutely not. I am not under arrest." I then asked Nathan if he could see me and everyone else in uniform. I then again identified myself with the Spokane Police Department. I again told Nathan that he was under arrest.

At that time, two people in the alley came walking by. Nathan asked them to use a phone and I asked them to keep moving along. Nathan then started walking towards them and walking towards Officer Jones. We had been talking to Nathan for around 10 minutes and had explained everything to him multiple times. I had told him at least three times that he was under arrest and gave him verbal commands, which he refused. Nathan was walking towards Officer Jones and this was our time to take him into custody.



## SUPPLEMENTAL REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

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INCIDENT CLASSIFICATION <b>ASSAULT-SIMPLE</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-189769</b>
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I quickly closed the distance on Nathan and grabbed his right arm while Officer Jones grabbed his left arm. I kept saying no, no, no to Nathan because as soon as I grabbed him, he tensed up and pulled his arms into the center of his body. Nathan was standing at this time and Officer Akins was coming up behind him to help get Nathan into custody. I saw Nathan intentionally kick backwards and kick Officer Akins as he approached us. It was at this point that Nathan went from active resister to assaultive in his behavior. I was trying to get control of Nathan and get his backpack off at the same time. The backpack was adding to the difficulty in Handcuffing Nathan with his hands behind his back. After Nathan kicked Officer Akins, we all ended up on the ground. I don't remember how that all took place because Nathan was pulling, kicking and struggling the whole time. It was hard to keep my footing with everyone in such a close proximity.

Nathan ended up on the ground on his back. His hands were still in the center of his body. I again told him he was under arrest and he replied with oh no I am not. My body camera got knocked off during the struggle. We were giving him commands to roll on his stomach and that he would be TAZED if he did not comply. Nathan was kicking and we were having trouble controlling him with four officers. I pulled out my TAZER and I was going to use it to gain control of Nathan and take him into custody without anyone getting hurt. I heard Officer Jones say something about a TAZER. I looked and he had his out. I put my TAZER away and told Nathan to turn over onto his stomach or he would be TAZED. Nathan was still not complying and had his fists clinched and his arms to the center of his body. Officer Jones TAZED Nathan and we were able to roll him over onto his stomach.

After the TAZER was used, Nathan screamed out a profanity and said now I am pissed. He was on his stomach and his head and neck were off the ground. I noticed that there was blood above his left eye. Nathan's neck was exposed and his body was still flailing around. I decided to go to a LNR level 1 to control Nathan and give the other officers a chance to get him into handcuffs. As soon as I put the LNR level 1 on him, I could feel that I had way more control of his upper body. I could not see the other officers, but I could hear what sounded like them getting control of Nathan based on their conversations.

Because of where I was on Nathan's back, I don't think I could have went to a level 2 LNR and been successful. I held the level 1 LNR and told the other officers to let me know when he was in cuffs so I could get off of him. Once they told me, I let go of the level 1 and turned Nathan on his side. I know that he did not go unconscious because he was talking the entire time I had him in the level 1 LNR. I could also see his eyes and was watching him look around.

Once on his side and in handcuffs, Nathan seemed to calm down a little bit. I decided after a few minutes to stand him up, search him and then let medics check him. He appeared to be calming down and he was now in custody. I stood him up and we started to walk him to a nearby patrol car. More officers had shown up by now after hearing the radio traffic. Once at the patrol car, Nathan again tried to fight and he was thrashing around. He had two handcuffs on him, so he had way more

## SUPPLEMENTAL REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

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INCIDENT CLASSIFICATION <b>ASSAULT-SIMPLE</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-189769</b>
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movement and freedom as opposed to one pair of handcuffs. He was still able to reach his hands all the way around him and in his pockets, which had not been searched yet.

After trying and not being able to get Nathan under control while standing, I told the officers to take him to the ground so that we could leg restrain him. As we were taking him to the ground, I was giving directions on what I wanted so we could coordinate a soft landing since Nathan was in handcuffs. As he was going down, I advised officers to watch his head and to make sure it didn't hit the ground. Once on the ground, we put Nathan in leg restraints. We then switched him to one set of handcuffs, instead of two. I also kept asking Nathan if he could breathe to make sure he was not having a medical emergency.

Medics had already been called and arrived on scene. We rolled Nathan up on his side and he was checked out by fire. He did not need stitches and was cleared to go to jail. We used a blanket to put Nathan into the patrol car and a second back seat to support him so he didn't get hurt in the back of the patrol car. I checked on Nathan and made sure he was ok and could breathe. Two officers transported Nathan to jail.

Corporal Adams responded and took pictures of Nathan's injuries along with injuries to officers. I scraped my knees and elbow and had a small cut on my forehead. Captain Arleth responded for the use of force since I was involved in the incident.

Nathan was transported and booked for his warrants, 3rd degree assault and resisting arrest. See related reports for further. Also see the body camera footage for the exact conversations and events.

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.

K. Reese #1012  
L207

# SUPPLEMENTAL REPORT

**Spokane Police/Spokane County Sheriff**

Page 1

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER	INCIDENT NUMBER <b>16-189769</b>	
REPORT PURPOSE <b>Document Uof F</b>		REPORTED ON DATE <b>Fri 05/27/2016</b>	TIME <b>10:22</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>WARRANT ARREST</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>05/27/2016</b>	REPORT TIME <b>13:47</b>
PRIMARY CHARGE				UCR/NIBRS CODE
<b>NARRATIVE</b>				

I was dispatched to the listed location in reference to a request for assistance on evicting a potentially uncooperative subject, later identified as Nathan Huer.

On arrival I approached the location from the east and was met with two citizens who advised "that your friends are over there" and pointed to the west.

I then heard over the radio that units on scene were requesting units to "step it up" which means that officers needed help. I then ran to the occurred and observed Sgt K. Reese and Ofc C. Jones actively struggling with Nathan in the ally.

As I came up to Nathan who was on the ground, I heard officers repeatedly telling Nathan to stop resisting and that he was under arrest. By this time Nathan was on his stomach kicking his legs and flailing around thwarting all efforts to take him into lawful custody. I assisted by grabbing Nathans legs to prevent him from striking us.

Nathan was proving very difficult to control as he was continually fighting us by bracing his arms and kicking his legs. To control Nathan's legs, I placed my body over his legs to use my weight to pin them down.

Because Nathan continued to kick and thrash Ofc Jones went to apply the TASER and inadvertently hit me on the left leg causing significant pain. This forced me to move off of Nathans legs. With his legs and lower body now free he was able to flip over onto his buttocks and get in a more stable position.

I then reengaged Nathan, and grabbed onto his knee/shin area to prevent him from getting up and further assaulting us or to prevent him from escaping.

At this time I knew Nathan to have confirmed warrants for his arrest, was resisting arrest, and committed 3rd degree assault on responding officers.

Nathan was bracing and tensing his arms and kicking his legs out to assault myself, Sgt Reese and Ofc Jones. Nathan continued to fight against us by not allowing us to place handcuffs on him even

ID NO./NAME OF REPORTING OFFICER <b>#1135 - Kirn, Christopher</b>		DISTRIBUTION	
APPROVAL <b>#507 - Blessing, Erin</b>	DATE/TIME <b>06/07/2016 15:55</b>		

## SUPPLEMENTAL REPORT CONTINUED

**Spokane Police/Spokane County Sheriff**

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INCIDENT CLASSIFICATION <b>WARRANT ARREST</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>16-189769</b>
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though he was told to stop resisting and that he was under arrest multiple times.

With this information known to me at the time, Nathan sat up into a seated position very quickly and unexpectedly and I found myself in fear of being head butted, spit on or possibly even bit. Because of the rapidly evolving event of Nathan fighting us, I did not have time to access my intermediate weapons because I felt that if went to draw my equipment I would lose the tactical advantage. I then utilized a right handed closed fist strike to Nathans head. The strike proved effective and we were able to get Nathan down on his stomach and eventually place handcuffs on him.

Even handcuffed, Nathan continue to thrash and kick his legs which forced other responding officers to place him in leg restraints.

Once leg restrained, Nathan was inspected by EMS and cleared to go to jail.

Because of the struggle, I suffered minor abrasions to my right leg which was photographed by CPL. Adams. I also lost my body cam which was not activated during this event.

This ends my involvement in the case.

Ofc C. Kirn #1135

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

RECEIVED  
SPOKANE POLICE RECORDS

2016 MAY 28 AM 11 32

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

DATE: 5/27/2016

REPORT NUMBER: 16-189769

CHARGES REQUESTED: 3<sup>rd</sup> Degree Assault WA RCW 9A.36.031

---

DEFENDANT: Heuer, Nathan T. W/M 11/26/79  
STATUS: In Custody

---

VICTIM(S): Officer Ryan Akins #1262  
DATE/TIME OF CRIME: 5/27/2016 1115 HRS  
LOCATION OF CRIME: 307 ½ W 2<sup>nd</sup> Ave  
INVESTIGATOR: Casey Jones #1053  
APPROVED BY: *TL*

---

WITNESSES	ADDRESS	PHONE #
Cpl. Dave Adams #436	1100 W Mallon Ave	(509)242-8400 ext: 20436
Sgt. Kurt Reese #1012	1100 W Mallon Ave	(509)242-8400 ext: 21012
Officer Chris Kirn #1135	1100 W Mallon Ave	(509)242-8400 ext: 21135
Officer Ryan Akins #1262	1100 W Mallon Ave	(509)242-8400 ext: 21262
Officer Casey Jones #1053	1100 W. Mallon Ave	(509)242-8400 ext: 21053

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EVIDENCE CONSISTS OF: Body Camera Footage

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SUBMITTED TO PROSECUTORS OFFICE

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

**STATEMENT OF INVESTIGATING OFFICER  
AFFIDAVIT OF FACTS**

STATE OF WASHINGTON  
COUNTY OF SPOKANE

REPORT NUMBER:16-189769

DEFENDANT: Heuer, Nathan T. W/M 11/26/79

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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:

**Corporal Dave Adams #436** can testify to the following:

- On 5/27/2016 at 1120 hours responding to 307 ½ W 2<sup>nd</sup> Ave and later jail to take photographs as evidence.

**Sgt. Kurt Reese #1012** can testify to the following:

- On 5/27/2016 at 1115 hours being a police officer with the Spokane Police Department and wearing the full uniform of the day.
- Responding to 307 ½ W 2<sup>nd</sup> Ave to assist officer Jones.
- Confirming with dispatch that defendant had x2 active Misdemeanor warrants.
- Telling the defendant he had x2 active warrants and that he was under arrest.
- Telling defendant to turn around and to place his hands behind his back and the defendant refusing.
- Attempting to take the defendant into custody and the defendant to begin violently resisting arrest.
- Observing the defendant to intentionally kick Officer Akins.
- The defendant to keep pulling his arms into the center part of his body.

**Officer Chris Kirn #1135** can testify to the following:

- Being a duly sworn enforcement officer for the Spokane Police Department for 4.5 years with an overall experience as a law enforcement officer of 19 years and working in that capacity on 5/27/16.
- Receiving a dispatched call to 307 W. 2<sup>nd</sup> avenue to assist officers with an eviction.
- On arrival observing SGT Reese and Ofc. Casey Jones to be actively engaged in an altercation with the defendant Nathan Heuer.
- Assisting aforementioned officers in the lawful arrest of Heuer for outstanding warrants.
- Having difficulty arresting defendant due to his combative and noncompliance with our lawful orders "of stop resisting" and that he "was under arrest".
- Struggling with defendant on the ground in an attempt to gain control of him.
- Defendant actively resisting our lawful authority and kicking out at Sgt Reese and Ofc Jones.
- Getting control of defendant and placing him in handcuffs and later leg restraints because of his continued bracing/tensing of his legs and arms.
- Receiving minor abrasions on my right knee from the struggle

**Officer Ryan Akins #1262** can testify to the following:

- On 05/27/16 at 11:11 hours, he had been dispatched to assist Ofc. Jones and Sgt. Reese behind the apartment building located at 307 W 2<sup>nd</sup> Ave.
- While enroute, he heard dispatch say they would confirm the warrants on the defendant.
- Upon arrival, he saw the defendant standing behind a green city garbage dumpster speaking with Ofc. Jones and Sgt. Reese.
- He heard Sgt. Reese tell the defendant that the warrants had been confirmed and tell the defendant that the defendant was under arrest.
- He heard the defendant make statement similar to: he was not under arrest, told officers on scene that they were not officers and told officers' that we could try and arrest him.
- That the defendant started to walk away from the dumpster towards other individuals in the ally that have been walking by.
- That he grabbed the defendant's left arm in an attempt to gain arm control of the defendant in order to place handcuffs on the defendant. That he could feel the defendant tense his arm muscles and attempt to try and pull away from the arm control.
- While still in the standing position and attempting to gain control of the defendant, the defendant kicked him in his right leg below his knee cap.
- He did not sustain any injuries to his right leg.

**Officer Casey Jones #1053** can testify to the following:

- On 5/27/2016 working as a Spokane Police Officer, wearing the full uniform of the day and driving a fully marked Spokane Police Department patrol vehicle. He was equipped with a body camera that recorded the incident.
- On this date at 1031 hours responding to 307 ½ W 2<sup>nd</sup> Ave #22 to assist x2 Spokane County Deputies with evicting defendant Nathan Heuer from the listed location.
- Sgt. Reese arriving on scene and confirming with dispatch that the defendant had x2 active Misdemeanor warrants for his arrest.
- Requesting x2 more patrol units to respond to our location to make the arrest due to the defendant making statements that he would not be arrested and if we laid hands on him we would have a lot more trouble than we thought. Immediately upon the third officer (Akins) arriving the defendant stating "I'm the realist son of a bitch you're ever going to meet. How much more real do you want it to get? You know this aint gonna work."
- Hearing Sgt. Reese repeatedly tell the defendant that he had x2 warrants and that he was under arrest. The defendant replied "I'm definitely not. You're not even officers.."
- The defendant to begin walking towards two individuals walking in the alley and telling them to let him use their cell phone.
- Attempting to take the defendant into custody and the defendant to immediately tense up both his arms and begin fighting with us.
- Observing the defendant to intentionally kick officer Akins.
- Taking the defendant to the ground with the other officers and still not being able to adequately gain control of the defendant in order to place him into handcuffs.
- Warning the defendant several times that he would be tased. Attempting to roll the defendant onto his stomach and repeatedly telling him to do so but the defendant refusing and continuing to thrash about and fight with us.
- Hearing Sgt. Reese repeatedly telling defendant he was under arrest and the defendant replying back "No I'm not. No I'm not."
- Delivering two taser applications to the defendant's lower back area x2 times (drive stun w/ no probes) and then placing the defendant into handcuffs. Advising the defendant he was now under arrest for 3<sup>rd</sup> Degree Assault. It should be noted there is also probable cause for resisting arrest.
- Transporting the defendant to the Spokane County Jail where he was booked in on his two warrants, and 3<sup>rd</sup> degree assault.
- Completing a probable cause affidavit and witness list.

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.



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: 5-27-16 PLACE: SPOKANE, WASHINGTON SIGNATURE:  #1053



#### TASER Information

**Dept.** SPOKANE CITY POLICE DEPARTMENT  
**Serial** X12000NAT  
**Model** TASER X26P  
**Firmware Version** Rev. 03.041  
**Device Name** X12000NAT  
**Health** Major Error

#### Report Generated by

**NAME** Reese, Kurtis  
**Badge ID** 1012  
**Local Timezone** Pacific Standard Time (UTC -0700)  
**Generated On** 27 May 2016 15:07:12

#### 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 09:11:01	Power Magazine Change	Manufacturing S/N: XXXXX6 Battery capacity: 66%		
2	21 Nov 2013 09:11:01	Firmware Update	FW Bundle, Rev. 03.041, 4/15/2013		
3	21 Nov 2013 09:11:01	Firmware Update	MC, Rev. 03.041, 4/15/2013		
4	21 Nov 2013 09:11:01	Firmware Update	LDR, Rev. 03.041, 4/15/2013		
5	21 Nov 2013 09:11:01	Firmware Update	CAM, Rev. 01.020, 3/14/2013		
6	21 Nov 2013 09:11:01	Armed		29	66
7	21 Nov 2013 09:11:53	Power Magazine Change	0xE8 S/N: Battery capacity: 255%		
8	21 Nov 2013 09:11:53	Armed		30	
9	21 Nov 2013 09:11:57	Power Magazine Change	Standard S/N: 092968 Battery capacity: 82%		
10	21 Nov 2013 09:11:57	Armed		30	82
11	21 Nov 2013 10:06:13	Power Magazine Change	Manufacturing S/N: DPM000 Battery capacity: 71%		
12	21 Nov 2013 10:06:13	Armed		28	71
13	21 Nov 2013 10:06:32	Trigger	5		71
14	21 Nov 2013 10:06:38	Trigger	5		71
15	21 Nov 2013 10:06:44	Trigger	5		71
16	21 Nov 2013 10:06:50	Trigger	5		71
17	21 Nov 2013 10:06:56	Trigger	5		71
18	21 Nov 2013 10:07:02	Trigger	5		71
19	21 Nov 2013 10:07:08	Trigger	19		71

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
20	21 Nov 2013 10:07:29	Trigger	5		71
21	21 Nov 2013 10:07:35	Trigger	5		71
22	21 Nov 2013 10:07:41	Safe	88	36	71
23	21 Nov 2013 10:08:58	Armed		33	96
24	21 Nov 2013 10:08:59	Trigger	5		96
25	21 Nov 2013 10:09:05	Safe	7	33	96
26	21 Nov 2013 10:09:11	Armed		34	96
27	21 Nov 2013 10:09:12	Trigger	5		96
28	21 Nov 2013 10:09:19	Safe	8	33	96
29	21 Nov 2013 10:11:15	USB Connected			
30	21 Nov 2013 10:11:28	Firmware Update	MC, Rev. 03.041, 4/15/2013		
31	21 Nov 2013 10:11:28	Firmware Update	LDR, Rev. 03.041, 4/15/2013		
32	21 Nov 2013 10:11:28	Firmware Update	CAM, Rev. 01.020, 3/14/2013		
33	21 Nov 2013 10:11:30	Time Sync	21 Nov 2013 10:11:29 to 21 Nov 2013 10:11:30		
34	22 Jan 2014 15:06:18	Power Magazine Change	Standard S/N: 145470 Battery capacity: 100%		
35	22 Jan 2014 15:06:18	Armed		27	100
36	22 Jan 2014 15:06:33	Safe	15	28	99
37	22 Jan 2014 15:06:40	Armed		28	99
38	22 Jan 2014 15:06:42	Trigger	5		99
39	22 Jan 2014 15:07:12	Safe	32	30	99
40	22 Jan 2014 15:08:38	Armed		29	99
41	22 Jan 2014 15:09:09	Safe	31	30	99
42	22 Jan 2014 15:09:51	Configuration Exit			
43	22 Jan 2014 15:09:51	Armed		32	99
44	22 Jan 2014 15:09:52	Safe	1	32	99
45	22 Jan 2014 15:10:20	Armed		32	99
46	22 Jan 2014 15:10:32	Safe	12	32	99
47	22 Jan 2014 16:16:31	Armed		25	99
48	22 Jan 2014 16:16:31	Trigger	7		99
49	22 Jan 2014 16:16:40	Safe	9	27	99

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
50	22 Jan 2014 16:19:42	Armed		26	99
51	22 Jan 2014 16:19:50	Trigger	5		99
52	22 Jan 2014 16:19:58	Safe	16	28	99
53	22 Jan 2014 16:20:31	Armed		27	99
54	22 Jan 2014 16:20:32	Trigger	5		99
55	22 Jan 2014 16:20:38	Safe	7	28	99
56	22 Jan 2014 16:21:26	Armed		27	99
57	22 Jan 2014 16:21:27	Trigger	1		99
58	22 Jan 2014 16:21:28	Safe	2	28	98
59	22 Jan 2014 16:21:33	Armed		27	98
60	22 Jan 2014 16:21:34	Trigger	2		98
61	22 Jan 2014 16:21:36	Safe	3	28	98
62	22 Jan 2014 16:21:58	Armed		27	98
63	22 Jan 2014 16:21:59	Trigger	2		98
64	22 Jan 2014 16:22:01	Safe	3	28	98
65	22 Jan 2014 16:22:05	Armed		28	98
66	22 Jan 2014 16:22:06	Trigger	5		98
67	22 Jan 2014 16:22:12	Safe	7	28	98
68	22 Jan 2014 16:29:23	Armed		27	98
69	22 Jan 2014 16:29:24	Trigger	5		98
70	22 Jan 2014 16:29:36	Safe	13	28	98
71	22 Jan 2014 16:37:41	Armed		28	98
72	22 Jan 2014 16:37:42	Trigger	5		98
73	22 Jan 2014 16:37:52	Safe	11	28	98
74	29 Jan 2014 13:49:07	Armed		27	98
75	29 Jan 2014 13:49:08	Trigger	2		98
76	29 Jan 2014 13:49:10	Safe	3	27	98
77	01 Feb 2014 16:53:05	Armed		26	98
78	01 Feb 2014 16:53:07	Trigger	3		98
79	01 Feb 2014 16:53:10	Safe	5	27	98

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
80	05 Feb 2014 13:45:01	Armed		27	98
81	05 Feb 2014 13:45:04	Trigger	2		98
82	05 Feb 2014 13:45:06	Safe	5	28	98
83	05 Feb 2014 13:45:09	Armed		27	98
84	05 Feb 2014 13:45:14	Safe	5	28	98
85	06 Feb 2014 20:25:30	Armed		26	98
86	06 Feb 2014 20:45:37	PowerSave	20 Min Weapon Timer		
87	06 Feb 2014 22:04:37	PowerSave Exit			
88	14 Feb 2014 16:46:13	Armed		26	93
89	14 Feb 2014 16:46:16	Trigger	1		93
90	14 Feb 2014 16:46:16	Safe	3	27	93
91	28 Feb 2014 09:58:02	Armed		29	93
92	28 Feb 2014 09:58:03	Trigger	2		93
93	28 Feb 2014 09:58:05	Safe	3	28	93
94	19 Mar 2014 16:06:12	USB Connected			
95	19 Mar 2014 16:14:18	Time Sync	19 Mar 2014 16:08:49 to 19 Mar 2014 16:14:18		
96	19 Mar 2014 16:17:37	Time Sync	19 Mar 2014 16:17:37 to 19 Mar 2014 16:17:37		
97	19 Mar 2014 16:46:40	Time Sync	19 Mar 2014 16:46:39 to 19 Mar 2014 16:46:40		
98	19 Mar 2014 16:53:40	Time Sync	19 Mar 2014 16:53:41 to 19 Mar 2014 16:53:40		
99	19 Mar 2014 20:53:50	Power Magazine Change	Standard S/N: 145508 Battery capacity: 95%		
100	19 Mar 2014 20:53:50	Armed		24	95
101	19 Mar 2014 21:13:57	PowerSave	20 Min Weapon Timer		
102	19 Mar 2014 22:25:57	PowerSave Exit			
103	19 Mar 2014 22:26:39	Armed		30	91
104	19 Mar 2014 22:26:40	Safe	1	30	91
105	26 Mar 2014 17:00:57	Armed		27	91
106	26 Mar 2014 17:21:04	PowerSave	20 Min Weapon Timer		
107	26 Mar 2014 18:38:04	PowerSave Exit			
108	27 Mar 2014 17:08:17	Armed		24	87
109	27 Mar 2014 17:08:26	Safe	9	24	87

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
110	29 Mar 2014 18:39:55	Armed		24	87
111	29 Mar 2014 18:40:02	Safe	7	25	87
112	02 Apr 2014 20:43:39	Armed		28	87
113	02 Apr 2014 20:43:42	Safe	3	28	87
114	02 Apr 2014 20:44:07	Armed		28	87
115	02 Apr 2014 20:44:28	Safe	21	29	87
116	17 Apr 2014 19:18:05	Armed		23	87
117	17 Apr 2014 19:18:22	Safe	17	23	87
118	09 May 2014 00:37:22	Armed		25	87
119	09 May 2014 00:57:29	PowerSave	20 Min Weapon Timer		
120	09 May 2014 20:22:29	PowerSave Exit			
121	10 May 2014 00:51:58	Armed		23	74
122	10 May 2014 01:12:05	PowerSave	20 Min Weapon Timer		
123	11 May 2014 03:10:05	PowerSave Exit			
124	11 May 2014 03:20:38	Armed		26	59
125	11 May 2014 03:20:40	Safe	2	26	59
126	14 May 2014 17:24:18	Armed		31	59
127	14 May 2014 17:44:24	PowerSave	20 Min Weapon Timer		
128	14 May 2014 17:47:24	PowerSave Exit			
129	14 May 2014 18:00:29	Armed		35	55
130	14 May 2014 18:20:35	PowerSave	20 Min Weapon Timer		
131	14 May 2014 19:01:35	PowerSave Exit			
132	15 May 2014 00:07:02	Armed		28	51
133	15 May 2014 00:07:03	Safe	1	27	51
134	21 May 2014 18:56:53	Armed		31	51
135	21 May 2014 19:17:00	PowerSave	20 Min Weapon Timer		
136	21 May 2014 20:52:00	PowerSave Exit			
137	21 May 2014 20:52:58	Armed		27	47
138	21 May 2014 20:52:59	Safe	1	27	47
139	22 May 2014 17:07:23	Armed		31	47

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
140	22 May 2014 17:22:32	Safe	909	44	44
141	23 May 2014 02:01:30	Armed		30	44
142	23 May 2014 02:02:56	Safe	86	34	44
143	23 May 2014 02:02:59	Armed		33	44
144	23 May 2014 02:03:01	Safe	2	33	44
145	12 Jun 2014 19:11:22	Armed		31	44
146	12 Jun 2014 19:11:24	Safe	2	31	44
147	14 Jun 2014 11:25:24	Armed		26	44
148	14 Jun 2014 11:25:25	Trigger	1		44
149	14 Jun 2014 11:25:25	Safe	1	26	44
150	14 Jun 2014 18:42:27	Armed		26	44
151	14 Jun 2014 18:51:51	Safe	564	39	42
152	14 Jun 2014 21:13:55	Armed		25	42
153	14 Jun 2014 21:16:48	Safe	173	32	42
154	14 Jun 2014 22:12:17	Armed		27	42
155	14 Jun 2014 22:12:24	Trigger	3		42
156	14 Jun 2014 22:12:27	Safe	10	29	41
157	15 Jun 2014 03:12:40	Armed		26	41
158	15 Jun 2014 03:12:41	Safe	1	26	41
159	18 Jun 2014 13:01:52	Armed		26	41
160	18 Jun 2014 13:01:53	Trigger	1		41
161	18 Jun 2014 13:01:54	Safe	2	26	41
162	19 Jun 2014 00:05:27	Armed		27	41
163	19 Jun 2014 00:08:43	Safe	196	34	41
164	19 Jun 2014 00:08:44	Armed		33	41
165	19 Jun 2014 00:08:46	Safe	2	34	41
166	19 Jun 2014 13:44:20	Armed		30	41
167	19 Jun 2014 14:04:27	PowerSave	20 Min Weapon Timer		
168	19 Jun 2014 14:26:27	PowerSave Exit			
169	02 Jul 2014 19:37:07	Armed		35	37

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
170	02 Jul 2014 19:37:08	Safe	1	36	37
171	19 Jul 2014 15:59:14	Armed		29	37
172	19 Jul 2014 15:59:18	Trigger	5		37
173	19 Jul 2014 15:59:24	Safe	10	29	37
174	27 Aug 2014 19:56:27	Armed		31	37
175	27 Aug 2014 19:56:29	Safe	2	31	37
176	20 Sep 2014 15:45:25	Armed		30	37
177	20 Sep 2014 15:45:27	Trigger	5		37
178	20 Sep 2014 15:45:33	Safe	8	30	37
179	21 Dec 2014 16:54:11	Armed		27	37
180	21 Dec 2014 16:54:12	Safe	1	27	37
181	21 Dec 2014 23:58:31	Armed		23	37
182	21 Dec 2014 23:58:32	Trigger	3		37
183	21 Dec 2014 23:58:36	Safe	5	24	36
184	16 Jan 2015 13:49:06	Armed		14	36
185	16 Jan 2015 13:49:10	Trigger	2		36
186	16 Jan 2015 13:49:12	Safe	6	15	36
187	21 Jan 2015 15:36:01	Armed		24	36
188	21 Jan 2015 15:56:08	PowerSave	20 Min Weapon Timer		
189	21 Jan 2015 16:49:08	PowerSave Exit			
190	21 Jan 2015 21:02:14	Armed		22	32
191	21 Jan 2015 21:22:21	PowerSave	20 Min Weapon Timer		
192	21 Jan 2015 23:05:21	PowerSave Exit			
193	22 Jan 2015 16:45:59	Armed		23	28
194	22 Jan 2015 17:06:06	PowerSave	20 Min Weapon Timer		
195	22 Jan 2015 17:08:06	PowerSave Exit			
196	23 Jan 2015 21:04:44	Armed		25	24
197	23 Jan 2015 21:24:50	PowerSave	20 Min Weapon Timer		
198	23 Jan 2015 21:54:50	PowerSave Exit			
199	28 Jan 2015 23:16:10	Armed		23	20



Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
200	28 Jan 2015 23:36:16	PowerSave	20 Min Weapon Timer		
201	29 Jan 2015 00:32:16	PowerSave Exit			
202	29 Jan 2015 00:32:39	Armed		27	16
203	29 Jan 2015 00:32:43	Safe	4	27	16
204	01 Feb 2015 02:40:17	Armed		24	16
205	01 Feb 2015 02:47:58	Safe	461	32	15
206	01 Feb 2015 02:48:00	Armed		32	15
207	01 Feb 2015 02:48:01	Safe	1	32	15
208	01 Feb 2015 02:48:03	Armed		32	15
209	01 Feb 2015 02:48:04	Safe	1	32	15
210	04 Feb 2015 20:15:37	Armed		23	15
211	04 Feb 2015 20:35:44	PowerSave	20 Min Weapon Timer		
212	04 Feb 2015 20:39:44	PowerSave Exit			
213	11 Feb 2015 17:36:47	Armed		25	11
214	11 Feb 2015 17:36:48	Reset	Low Battery Reset		
215	12 Feb 2015 17:47:27	Armed		28	11
216	12 Feb 2015 17:47:30	Reset	Low Battery Reset		
217	13 Feb 2015 23:43:24	Armed		25	11
218	13 Feb 2015 23:43:26	Reset	Low Battery Reset		
219	14 Feb 2015 00:48:51	Armed		20	11
220	14 Feb 2015 00:48:54	Reset	Low Battery Reset		
221	19 Feb 2015 01:48:32	Armed		27	11
222	19 Feb 2015 01:48:40	Reset	Low Battery Reset		
223	19 Feb 2015 19:53:03	Armed		23	11
224	19 Feb 2015 19:53:05	Safe	2	24	11
225	20 Feb 2015 18:47:13	Power Magazine Change	Standard S/N: 135411 Battery capacity: 94%		
226	20 Feb 2015 18:47:13	Armed		24	94
227	20 Feb 2015 19:07:20	PowerSave	20 Min Weapon Timer		
228	20 Feb 2015 19:14:20	PowerSave Exit			
229	20 Feb 2015 22:22:51	Armed		24	91

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
230	20 Feb 2015 22:41:33	Safe	1122	38	87
231	20 Feb 2015 23:05:55	Armed		24	87
232	20 Feb 2015 23:06:09	Safe	14	24	87
233	21 Feb 2015 02:53:25	Armed		22	87
234	21 Feb 2015 02:53:27	Safe	2	21	87
235	22 Feb 2015 02:50:07	Armed		22	87
236	22 Feb 2015 02:50:09	Safe	2	23	87
237	25 Feb 2015 21:55:54	Armed		24	87
238	25 Feb 2015 21:55:55	Safe	1	23	87
239	04 Mar 2015 16:19:35	Armed		25	87
240	04 Mar 2015 16:39:42	PowerSave	20 Min Weapon Timer		
241	04 Mar 2015 17:00:42	PowerSave Exit			
242	04 Mar 2015 18:38:49	Armed		27	83
243	04 Mar 2015 18:38:50	Trigger	5		83
244	04 Mar 2015 18:38:57	Safe	8	27	83
245	04 Mar 2015 18:40:03	Armed		27	83
246	04 Mar 2015 18:40:03	Safe	0	27	83
247	04 Mar 2015 18:41:46	Armed		27	83
248	04 Mar 2015 18:41:47	Trigger	5		83
249	04 Mar 2015 18:41:55	Safe	9	28	83
250	04 Mar 2015 18:42:09	Armed		28	83
251	04 Mar 2015 18:42:09	Safe	0	28	83
252	04 Mar 2015 18:46:15	Armed		27	83
253	04 Mar 2015 18:46:17	Trigger	5		83
254	04 Mar 2015 18:46:21	Safe	6	28	82
255	04 Mar 2015 18:47:04	Armed		27	82
256	04 Mar 2015 18:47:04	Safe	0	28	82
257	04 Mar 2015 18:48:21	Armed		27	82
258	04 Mar 2015 18:48:22	Trigger	5		82
259	04 Mar 2015 18:48:30	Safe	9	28	82

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
260	04 Mar 2015 18:51:45	Armed		27	82
261	04 Mar 2015 18:51:46	Trigger	5		82
262	04 Mar 2015 18:51:59	Trigger	5		82
263	04 Mar 2015 18:52:09	Safe	24	29	82
264	04 Mar 2015 18:52:45	Armed		28	82
265	04 Mar 2015 18:52:45	Trigger	2		82
266	04 Mar 2015 18:52:47	Safe	2	28	82
267	04 Mar 2015 18:52:51	Armed		29	82
268	04 Mar 2015 18:52:51	Trigger	5		82
269	04 Mar 2015 18:52:57	Safe	6	29	82
270	04 Mar 2015 18:53:17	Armed		28	82
271	04 Mar 2015 18:53:18	Trigger	3		82
272	04 Mar 2015 18:53:21	Safe	4	29	81
273	04 Mar 2015 18:53:24	Armed		29	81
274	04 Mar 2015 18:53:25	Trigger	5		81
275	04 Mar 2015 18:53:31	Safe	7	30	81
276	06 Mar 2015 22:39:20	Armed		26	81
277	06 Mar 2015 22:59:27	PowerSave	20 Min Weapon Timer		
278	06 Mar 2015 23:15:27	PowerSave Exit			
279	07 Mar 2015 02:51:45	Armed		24	77
280	07 Mar 2015 02:51:46	Safe	1	24	77
281	12 Mar 2015 19:22:49	Armed		25	77
282	12 Mar 2015 19:42:55	PowerSave	20 Min Weapon Timer		
283	12 Mar 2015 20:04:55	PowerSave Exit			
284	12 Mar 2015 20:05:10	Armed		28	73
285	12 Mar 2015 20:05:11	Safe	1	29	73
286	18 Mar 2015 17:44:02	Armed		27	73
287	18 Mar 2015 17:44:04	Safe	2	27	73
288	18 Mar 2015 18:58:43	Armed		28	73
289	18 Mar 2015 18:58:51	Trigger	4		73

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
290	18 Mar 2015 18:58:55	Safe	12	29	73
291	19 Mar 2015 01:03:45	Armed		23	73
292	19 Mar 2015 01:16:38	Safe	773	34	71
293	21 Mar 2015 16:58:26	Armed		25	71
294	21 Mar 2015 17:18:33	PowerSave	20 Min Weapon Timer		
295	21 Mar 2015 17:18:33	PowerSave Exit			
296	10 May 2015 18:27:47	Armed		29	67
297	10 May 2015 18:30:57	Safe	190	36	67
298	10 May 2015 18:30:59	Armed		37	67
299	10 May 2015 18:31:00	Safe	1	36	67
300	01 Jan 1 04:00:00	Armed		26	67
301	01 Jan 1 04:00:00	Safe	0	26	67
302	01 Jan 1 04:00:00	Armed		31	67
303	01 Jan 1 04:00:00	Safe	0	32	67
304	01 Jan 1 04:00:00	Armed		32	67
305	01 Jan 1 04:00:00	Safe	0	31	67
306	01 Jan 1 04:00:00	Armed		32	67
307	01 Jan 1 04:00:00	Safe	0	32	67
308	01 Jan 1 04:00:00	Armed		32	67
309	01 Jan 1 04:00:00	Safe	0	32	67
310	01 Jan 1 04:00:00	Armed		33	67
311	01 Jan 1 04:00:00	Safe	0	37	66
312	01 Jan 1 04:00:00	Armed		29	66
313	01 Jan 1 04:00:00	Safe	0	37	66
314	01 Jan 1 04:00:00	Armed		26	66
315	01 Jan 1 04:00:00	Trigger	2		66
316	01 Jan 1 04:00:00	Safe	0	26	66
317	01 Jan 1 04:00:00	Armed		31	66
318	01 Jan 1 04:00:00	Safe	0	32	66
319	01 Jan 1 04:00:00	Armed		32	66

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
320	01 Jan 1 04:00:00	Safe	0	31	66
321	01 Jan 1 04:00:00	Armed		32	66
322	01 Jan 1 04:00:00	Trigger	5		66
323	01 Jan 1 04:00:00	Safe	0	33	65
324	01 Jan 1 04:00:00	Armed		26	65
325	01 Jan 1 04:00:00	Safe	0	26	65
326	01 Jan 1 04:00:00	Armed		29	65
327	01 Jan 1 04:00:00	Safe	0	30	65
328	19 Nov 2015 14:19:24	Time Sync	01 Jan 1 04:00:00 to 19 Nov 2015 14:19:24		
329	19 Nov 2015 14:20:04	Firmware Update	CAM, Rev. 01.025, 8/4/2015		
330	19 Nov 2015 14:20:17	Time Sync	19 Nov 2015 14:20:17 to 19 Nov 2015 14:20:17		
331	01 Jan 1 04:00:00	Firmware Update	FW Bundle, Rev. 03.041, 4/15/2013		
332	01 Jan 1 04:00:00	Firmware Update	LDR, Rev. 04.013, 12/16/2014		
333	01 Jan 1 04:00:00	Armed		26	65
334	01 Jan 1 04:00:00	Safe	0	25	65
335	01 Jan 1 04:00:00	Armed		26	65
336	01 Jan 1 04:00:00	Safe	0	26	65
337	01 Jan 1 04:00:00	Armed		26	65
338	01 Jan 1 04:00:00	Safe	0	27	65
339	01 Jan 1 04:00:00	Armed		26	65
340	01 Jan 1 04:00:00	Safe	0	26	65
341	01 Jan 1 04:00:00	Armed		26	65
342	01 Jan 1 04:00:00	Trigger	4		65
343	01 Jan 1 04:00:00	Safe	0	27	65
344	01 Jan 1 04:00:00	Armed		26	65
345	01 Jan 1 04:00:00	Trigger	5		65
346	01 Jan 1 04:00:00	Safe	0	28	65
347	01 Jan 1 04:00:00	Armed		28	65
348	01 Jan 1 04:00:00	Trigger	5		65
349	01 Jan 1 04:00:00	Safe	0	28	65

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
350	01 Jan 1 04:00:00	Armed		28	65
351	01 Jan 1 04:00:00	Trigger	3		65
352	01 Jan 1 04:00:00	Safe	0	28	65
353	01 Jan 1 04:00:00	Armed		28	65
354	01 Jan 1 04:00:00	Trigger	5		65
355	01 Jan 1 04:00:00	Safe	0	29	64
356	01 Jan 1 04:00:00	Armed		28	64
357	01 Jan 1 04:00:00	Trigger	3		64
358	01 Jan 1 04:00:00	Safe	0	28	64
359	01 Jan 1 04:00:00	Armed		28	64
360	01 Jan 1 04:00:00	Trigger	2		64
361	01 Jan 1 04:00:00	Safe	0	28	64
362	01 Jan 1 04:00:00	Armed		27	64
363	01 Jan 1 04:00:00	Trigger	5		64
364	01 Jan 1 04:00:00	Safe	0	27	64
365	01 Jan 1 04:00:00	Armed		27	64
366	01 Jan 1 04:00:00	Trigger	5		64
367	01 Jan 1 04:00:00	Safe	0	28	64
368	01 Jan 1 04:00:00	Armed		25	64
369	01 Jan 1 04:00:00	Safe	0	27	64
370	01 Jan 1 04:00:00	Armed		25	64
371	01 Jan 1 04:00:00	Safe	0	35	62
372	01 Jan 1 04:00:00	Armed		34	62
373	01 Jan 1 04:00:00	Safe	0	35	62
374	01 Jan 1 04:00:00	Armed		30	62
375	01 Jan 1 04:00:00	Safe	0	31	62
376	01 Jan 1 04:00:00	Armed		29	62
377	01 Jan 1 04:00:00	Safe	0	29	62
378	01 Jan 1 04:00:00	Armed		29	62
379	01 Jan 1 04:00:00	PowerSave	20 Min Weapon Timer		

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
380	31 Dec 2000 19:01:00	PowerSave Exit			
381	01 Jan 1 04:00:00	Armed		30	57
382	01 Jan 1 04:00:00	Safe	0	30	57
383	01 Jan 1 04:00:00	Armed		29	57
384	01 Jan 1 04:00:00	Safe	0	35	57
385	01 Jan 1 04:00:00	Armed		24	57
386	01 Jan 1 04:00:00	Trigger	5		57
387	01 Jan 1 04:00:00	Trigger	8		56
388	01 Jan 1 04:00:00	Safe	0	28	56
389	27 May 2016 15:02:24	Time Sync	01 Jan 1 04:00:00 to 27 May 2016 15:02:24		
390	27 May 2016 15:05:24	Time Sync	27 May 2016 15:05:21 to 27 May 2016 15:05:24		

