



SPOKANE POLICE DEPARTMENT



Internal Affairs Exemption Log

Number	Material Withheld	Brief Explanation of Why Material Withheld	Legal / Statutory Basis
Witness Exemptions			
#1a	<u>Name / Identity</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1b	<u>Date of birth</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1c	<u>Personal home, work or cell phone number</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1d	<u>Residential address</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1e	<u>E-mail address</u> of witness who fears for his/her safety and wishes his/her identity not be disclosed	A witness has requested the protection of his or her identity and disclosure would endanger any person's life, physical safety, or property.	RCW 42.56.240(2) (Investigative, law enforcement, and crime victims)
#1f	Confidential information elicited pursuant to police Domestic Violence Protocol.	Disclosure of this information is protected under chapter 10.99 RCW. Release of this information could endanger the lives of victims or witnesses.	RCW 10.99.030(5) and 10.99.010
Juvenile Information			
#2a	Names of Juveniles who are in the Juvenile court system	Redacted to protect the personal information of a juvenile in the court system. May not be released to the public except by court order.	RCW 13.50.050 (Juvenile Courts and Juvenile Offenders) and RCW 13.50.100 (4) (a) and (b) (Keeping and Release of Records by Juvenile Justice or Care Agencies). <i>Deer v. DSHS</i> , 122 Wn.App. 84, 94 (2004)

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

#3f	Information from WACIC/NCIC (ACCESS): <u>Gun information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3g	Information from WACIC/NCIC (ACCESS): <u>DOL Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3h	Information from WACIC/NCIC (ACCESS): <u>Stolen Vehicle Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3i	Information from WACIC/NCIC (ACCESS): <u>Missing Persons Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3j	Information from WACIC/NCIC (ACCESS): <u>Runaways or endangered persons</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
#3k	WACIC/NCIC (ACCESS): <u>DOC Information</u>	WACIC/NCIC/III - information from ACCESS restricted to law enforcement use pursuant to federal law. May not be disseminated except to criminal justice agencies; audited by the FBI and the WSP.	28 USC § 534 For criminal justice purposes only. 28 CFR 20.38 Access to FBI systems subject to cancellation for failure to comply with use provisions of part C.
Personal Identifiers and Financial Info			
#4a	Social Security Number	This information constitutes personal identifying information unique to the holder and which, if obtained by the public could be abused or lead to identity theft.	RCW 42.56.050 (Invasion of privacy), RCW 42.56.230 (Personal information), 42.56.250(3)(8) (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt), 42 USC § 405(c)(2)(viii)(I) (Limits on Use and Disclosure of Social Security Numbers)

#4b	Driver's License or Identity Card	This information constitutes personal identifying information unique to the holder and which, if obtained by the public could be abused or lead to identity theft.	18 USC § 2721 (Prohibition On Release And Use Of Certain Personal Information From State Motor Vehicle Records); RCW 42.56.050 (Invasion of privacy), RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#4c	Credit/Debit Card Numbers	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4d	Electronic Check/Check Numbers	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4e	Card Expiration Dates	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4f	Bank Account Number	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
#4g	Financial Institution Account Number	Could be subject to identity theft. Disclosure has no legitimate public value and violates the individual's right to privacy.	RCW 42.56.230(5) (Personal Information), RCW 42.56.060 (Invasion of privacy)
Employees Files			
#5a	Photos of Spokane Police Department or other criminal justice employees	Photographs in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030 are protected from disclosure for their safety and privacy.	RCW 42.56.250(8) (Employment and licensing)
#5b	Birthdates of criminal justice employees	Birthdates in the personnel files of employees and workers of criminal justice agencies as defined in RCW 10.97.030 are protected from disclosure for their safety and privacy.	RCW 42.56.250(8) (Employment and licensing)
#5c	Personal Information in employee files	Personal information in files maintained for employees, appointees, or elected officials of any public agency is protected to the extent that disclosure would violate their right to privacy.	RCW 42.56.230(3) (Personal information), RCW 42.56.250(3) (Employment and licensing)
Criminal History			
#6a	Criminal history <u>not</u> from ACCESS- Non-Conviction Data	Criminal history which has not led to a conviction or other adverse disposition is protected by state law and only released to Criminal Justice Agencies for law enforcement purposes.	RCW 10.97 (Criminal Procedure)

Officer Safety or Intelligence			
#7a	Intelligence, sensitive security, or tactical information	Record includes sensitive intelligence, security or tactical information the non-disclosure of which is essential to effective law enforcement.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7b	Undercover Officer identification	Contains information which could reveal the identity of an undercover officer, who undertakes ongoing dangerous / confidential undertakings to effect law enforcement purposes. Protected to preserve the life and personal safety of officer and family.	RCW 42.56.240(1) Specific intelligence information the nondisclosure of which is essential to effective law enforcement.
#7c	ID Records revealing covert law enforcement activity	Any record pertaining to a vehicle license plate, driver's license, or identification card revealing the identity of an individual performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigative activity.	RCW 42.56.230(7)(c) (Personal Information)
#7d	Law Enforcement Information Sheet	Contains confidential data used for law enforcement purposes. Disclosure has no legitimate value to the public and can endanger an individual's safety. Contains specific intelligence information the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims)
#7e	Confidential Informant information	Contains identifying information which could reveal the identity of a confidential informant. Considered intelligence information, used in a confidential manner for law enforcement purposes, protected to preserve the life and personal safety of the informant and family. Specific intelligence information compiled by law enforcement, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.	RCW 42.56.240(1) (Investigative, law enforcement, and crime victims). <i>Ashley v. Public Disclosure Comm'n, 16 Wn.App. 830, 836 (1977).</i>
Photos			
#8a	Photos showing a deceased person	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)

#8b	Photos showing highly sensitive material	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#8c	Photo Montages	Disclosure would violate a person's right to privacy, and be highly offensive to a reasonable person.	RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
Protected by Law			
#9	Medical Records	Medical records consist of confidential and privileged information highly personal and restricted. The disclosure of medical records is regulated by state and federal law and not public information. Right to Privacy: Disclosure would be highly offensive to a reasonable person.	RCW 42.56.360 (Health care), 70.02.005 (Findings) and HIPPA (45 CFR 164.502). RCW 42.56.050 (Invasion of privacy) RCW 42.56.230 (Personal information), 42.56.250 (Employment and licensing), 42.56.210(1) (Certain personal and other records exempt)
#10a	Jail records	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as this information is only available to criminal justice agencies as defined in RCW 43.43.705.	RCW 70.48.100 (Jail register)
#10b	Jail booking photos	This redaction contains the records of a person confined in jail and is being protected pursuant to state law, as this information is only available to criminal justice agencies as defined in RCW 43.43.705.	RCW 70.48.100 (Jail register)
#11	Autopsies, postmortems	Reports and records of autopsies or postmortems are confidential and exempt from public disclosure, but certain officials with authority to examine and obtain copies of such reports may access.	RCW 68.50.105 (Autopsies, postmortems – Reports and records confidential)
#12	Confidential Attorney Client Communications	This redaction protects confidential communications between an attorney and his/her client.	RCW 5.60.060(2)(a) (Privileged communications) <i>Hangartner v. Seattle</i> , 151 Wn.2d 439 (2004).

#13a	<u>Name/Identity</u> of accused police officers	This redaction protects the identities of officers/employee accused of sexual misconduct in Internal Affairs Investigations and Inquiries, if the findings are not Sustained. Police officers/employees have a right to privacy in their identities in connection with unsubstantiated allegations of sexual misconduct.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011). <i>Bellevue John Does</i> , 164 Wash 2d at 212, 189 P.3d 139.
#13b	<u>Date of birth</u> of accused police officers/employee.	This redaction protects the identities of accused officers/employees in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13c	<u>Personal work, home, or cell phone number</u> of accused police officers/employee.	This redaction protects the identities of accused officers/employee in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13d	<u>Residential address</u> of accused police officers/employee.	This redaction protects the identities of accused officers/employee in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#13e	<u>E-mail address</u> of accused police officers/employee.	This redaction protects the identities of accused officers/employee in Internal Affairs Investigations and Inquiries, if the findings are not Sustained.	<i>Bainbridge Island Police Guild v. City of Puyallup</i> , 172 Wash.2d 398 (2011)
#14	Information concerning Mental Health Services	This redaction contains confidential information concerning services to either voluntary or involuntary recipients of mental health services. Such information, if disclosed, would invade an individual's privacy and possibly cause unintended consequences for that individual.	RCW 71.05.390 (Confidential information and records)



Spokane Police Department Use Of Force Report

Incident Entered By: Sergeant Richard Meyer

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
7/22/2016	7/7/2016	18:20
Record ID #	Incident No	IA No
9371	16-248155	F16-065
Date/Time Entered		
7/22/2016 00:55		

Incident Summary

Ofcs. Harvey and S. Lesser deployed 3 T-16 pepper spray canisters into a vehicle to take a armed subject into custody.

See IA additional for further details.

In compliance with policy per Major King 08/19/16.

Incident Location

- 1910 Bridge ST, Direction: W, Spokane, WA 99201 - : Northwest

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Assaulting Citizen	Call for Service	
Weather Condition	Lighting Condition	Distance to Citizen
Clear	Daylight	c-7-12 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
No	No	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Medium	5'10" to 6'0"	
Officer Assessment of Citizen Condition During Incident		
Mental Health Issues + Drugs/Alcohol		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Reporting/Involved Citizen Information

Jeremy J Nelson

DOB: 6/21/1982 Race: White Gender: Male

Address

- 1224 Trent ST, Direction: E, Spokane, WA 99207

Phone

- (360) 450-0239

Types of Resistance Citizen Used Against Officer(s)

- Active Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
No injuries noted or visible		

Charges against this citizen

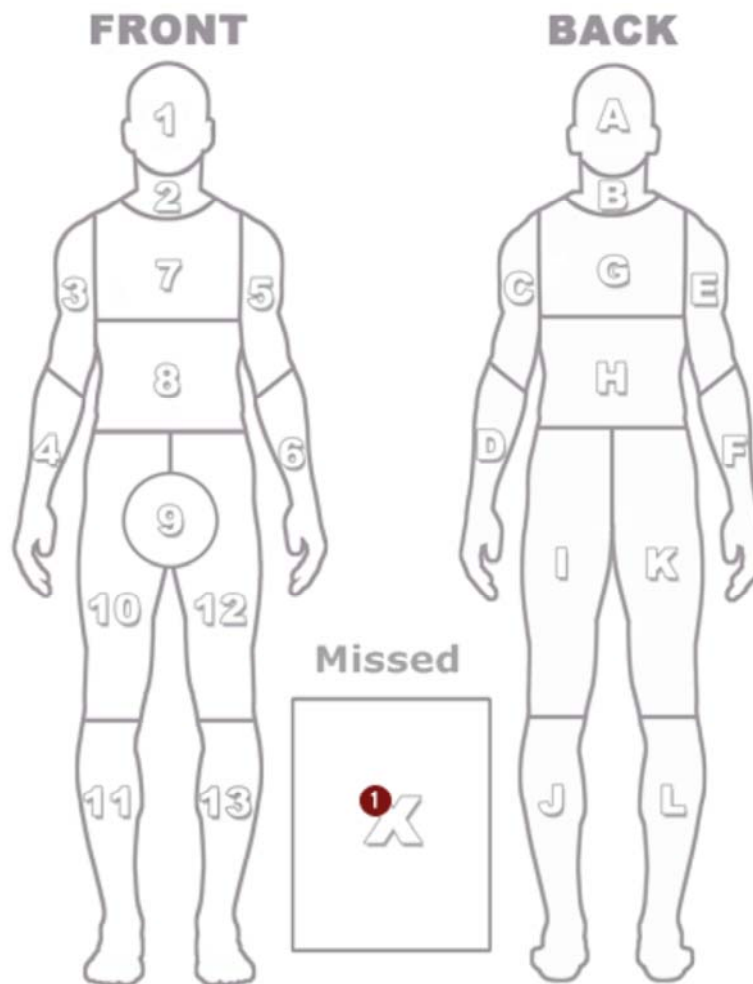
- Misdemeanor - Person Crime
- Resisting Arrest

Involved Officers

Officer Dale Harvey - Payroll Number: 16845**Force used by this officer against the citizen**

- OC-Other - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
OC-Other	Yes	X	1



Injuries sustained by this officer

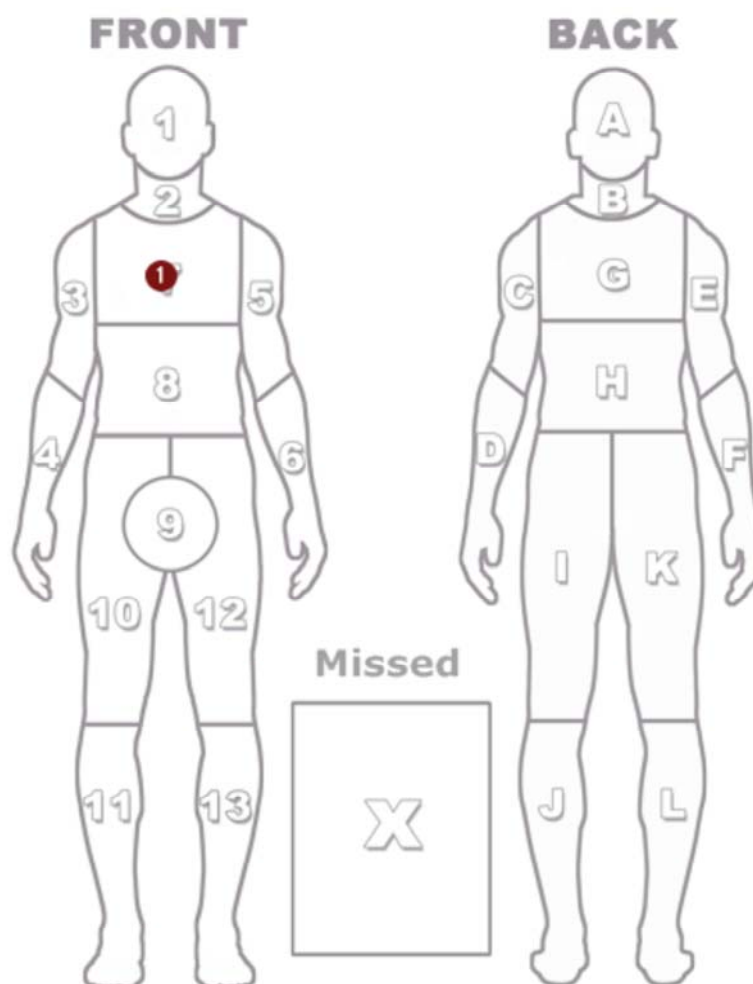
Injury	Regions	Injury Locations
No injuries noted or visible		

Officer Robert Lesser - Payroll Number: 15659

Force used by this officer against the citizen

- OC-Other - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
OC-Other	Yes	7	1



Injuries sustained by this officer

Injury	Regions	Injury Locations
No injuries noted or visible		

Officer Witnesses

Officer Christopher Brasch - Payroll Number: 14372

Officer Todd Brownlee - Payroll Number: 11606

Officer Aaron Childress - Payroll Number: 21067

Officer Aaron Kirby - Payroll Number: 15279

Officer Chris Lesser - Payroll Number: 20895

Attachments

Date Attached	Attachment Description	Attachment Type
7/22/2016	Cad Print out	pdf
7/22/2016	Brownlee Report	pdf
7/22/2016	Jensen Report	pdf
7/22/2016	Harvey Report	pdf
7/22/2016	Lesser Report	pdf

7/22/2016	BWC Brownlee	
8/9/2016	Updated photolog	pdf
8/19/2016	IA Additional	doc

Chain of Command History

Sent Dt	From	To	CC	Approved
7/22/2016	Sergeant Richard Meyer	Lieutenant Barton Stevens	Sergeant Michael Carr, Lieutenant David Staben, Sergeant Daniel Waters	<input type="checkbox"/>
Sender's Instructions: Lt. Please find the attached UOF for your review. There was 2 Officers that deployed T16 OC canister. Harvey used it first so I listed him as primary. If you want it to go elsewhere for review please let me know and i'll reroute. Thanks Rich				
Recipient's Comments/Response: Need photolog under appropriate incident # added to report. See email I sent you.				
8/1/2016	Lieutenant Barton Stevens	Sergeant Richard Meyer	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: See email I sent you reference this UOF				
Recipient's Comments/Response: [Forwarded by Sergeant Richard Meyer]				
8/9/2016	Sergeant Richard Meyer	Lieutenant Barton Stevens	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Lt., I recieved your Email and added the corrected document. Thanks Rich				
Recipient's Comments/Response: I concur with Sgt. Meyer that the use of pepper spray in this incident was reasonable under the circumstances and within policy and training guidelines.				
8/11/2016	Lieutenant Barton Stevens	Captain Bradley Arleth	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Use of Force - Pepper Spray (T-16)				
Recipient's Comments/Response: Use of T-16 OC was within policy and guidelines.				
8/17/2016	Captain Bradley Arleth	Major Kevin King	(none)	<input type="checkbox"/>
Sender's Instructions: for review.				
Recipient's Comments/Response: Sgt. Meyer, Please correct the terminology error in your IA additional: assaultive instead of active. Once complete, then return to me.				
8/18/2016	Major Kevin King	Sergeant Richard Meyer	Sergeant Michael Carr, Lieutenant David Staben, Sergeant Daniel Waters	<input checked="" type="checkbox"/>
Sender's Instructions: See comments				
Recipient's Comments/Response: [Forwarded by Sergeant Richard Meyer]				
8/19/2016	Sergeant Richard Meyer	Major Kevin King	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: IA additional updated				
Recipient's Comments/Response: This use of force was within policy and state and federal laws.				

Entering Officer Signature Line

Sergeant Richard Meyer

Chain of Command Signature Lines

Lieutenant Barton Stevens

Sergeant Richard Meyer

Captain Bradley Arleth

Major Kevin King



Spokane Police Department
Internal Affairs



Use of Force
Additional

Incident #: 16-248155

Date: 07/07/16

**Involved Officer(s) BWC Y/N: Ofc D. Harvey #1136 (Y)
Ofc. S. Lesser #1067**

Reviewing Supervisor: R. Meyer #607/ L288

Incident Summary: Ofc Brownlee developed PC to arrest Jeremy J Nelson for Assault. He had barricaded himself in a motor home parked on the street in the Kendal Yards neighborhood. At one point he was armed with a knife and "Freaking out" concerned for the citizens in the vicinity I authorized the deployment of 3 T-16's by Ofc. D Harvey (2 canisters) and Ofc S. Lesser (1 canister). Nelson was taken into custody after the deployment of the canisters inside of the motor home.

Officer Interview Summary: Ofc. Harvey stated that he was unable to get both canisters into the motorhome through an open window on the drives side and most of the peper spray came out without being dispersed in the vehicle.

Ofc. Lesser stated that his was a successful deployment in through an open vent on the top of the vehicle.

Subject Interview Summary: Refused to give me a statement about why he refused to comply with several verbal warnings and advisements that he was being placed under arrest.

Witness Interview Summary: Watts and Mains feared for their safety due to Nelson's out of control behavior.

Witness Officer Interview Summary BWC Y/N: Ofc.'s Brownlee, Brasch, Childress Kirby C. Lesser were all on scene and observed the deployment of the T-16 canisters and were part of the hands team and taking Nelson into custody. All were wearing Body cameras except PACT team members.

Any Relevant Clarifying Information and Observations: There were several less lethal options on scene to include K9, Taser and a quick reaction hands team on scene. Medics were also staged prior to making contact.

Sergeant Findings:

Based on the officers and witness statements and the available physical evidence, all indicators are that the suspect was actively resisting arrest and at one point was armed with a knife. The application of pepper spray to an individual that is assaultive is an objectively reasonable application of force and is consistent with department training and practices.

R.Meyer /S/ #607/ L288

Incident History for: #SP160248670 Xref: #SP160248155

Entered 07/07/16 16:30:44 BY 91117 911243
Dispatched 07/07/16 16:31:15 BY PCC01 676
Enroute 07/07/16 16:31:15
Onscene 07/07/16 16:31:15
Closed 07/07/16 20:10:59

Initial Type: PERW Final Type: PERW (PERSON WITH A WEAPON)
Initial Priority: 2 Final Priority: 2
Disposition: 1E Source: A Primary Unit: F32
Police BLK: SPA2WC
Group: P2 Beat: Map Page: 26
Loc: 1910 W BRIDGE AV ,SPK btwn N ELM ST & N CANNON ST <600> (V)
Name: MAINS, BURTON T JR Addr: 062183, SAME Phone: 3212054159

/163044 (911243) ENTRY MALE HAS A KNIFE IN AN RV AND WAS BANGING IT A
GAINST THE DASHBOARD. WAS YELLING AT COMP. NO
ASLT. MALE POSS HIGH/INOX.
/163102 (676) CROSS #SP160248155
/163108 CROSS #SP160248518
/163115 DISPOS RADIO1 #RADIO1 RADIO
/163140 (911243) SUPP TXT: MALE: WM, 30'S, WEARING: DRESS IS INSIDE
RV: TAN WITH ONG/BRO STRIPES LIC : 962JEP/SASQ
UACHEWAN
/163233 CHANGE NAM: BURTON --> MAINS, BURTON T JR,
ADR: SAME --> 062183, SAME,
TXT: ###
/164334 (676) PREMPT RADIO1
/164353 HOLD
/164438 HOLDU B231
/165051 (478) *DISPER B231 #478 BROWNLEE, TODD
/165056 (320) *ASSTER A318 #1207 BERROW, SETH
/165138 (1015) *ASSTER A311 [1910 W BRIDGE AV ,SPK]
#1015 KIRBY, AARON
/165401 *ONSCNE A311
/165536 (1207) *ONSCNE A318
/165824 (1204) *ASSTER B237 [1910 W BRIDGE AV ,SPK]
#1204 CHILDRESS, AARON
/165854 (478) *ONSCNE B231
/165920 (1204) *ONSCNE B237
/170321 (320) *ASSTER L288 [1910 W BRIDGE AV ,SPK]
#607 MEYER, RICHARD
/170504 (1181) *ASSTER A315 [1910 W BRIDGE AV ,SPK]
#1181 LESSER, CHRISTOPHER
/170544 *ONSCNE A315
/173455 (320) CALLBK L288 T/PCC05
WHICH K9 IS COMING IN TONIGHT? WOULD LIKE HIM
TO COME IN EARLY & CONTACT L288
/173744 (456) CALLBK T/PCC01
K9 PAGE SENT
/173824 (1136) *ASSTER N48 [1910 W BRIDGE AV ,SPK]
#1136 HARVEY, DALE
/173826 *ONSCNE N48
/174039 (1144) *ASSTER K16 [1910 W BRIDGE AV ,SPK]
#702 JENSEN, JAKE
/174833 (952) *ASSTER F31 [1910 W BRIDGE AV ,SPK]
#952 BRASCH, CHRISTOPHER
/174918 (320) REMINQ L288 WANT, L288, , , , , NELSON, JEREMY, J, 1982, 06, 21, M, ,
/ , , , , ,

[illegible]


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/184944 (1177 ) *MISC A314
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/185047 *ONSCNE F32
/185102 (1177 ) *CLEAR A314
/185202 (607 ) *CHGLOC L288
/185204 *ONSCNE L288
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/185535 (478 ) *REMINQ B231

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/185644 (1141 ) CALLBK B237

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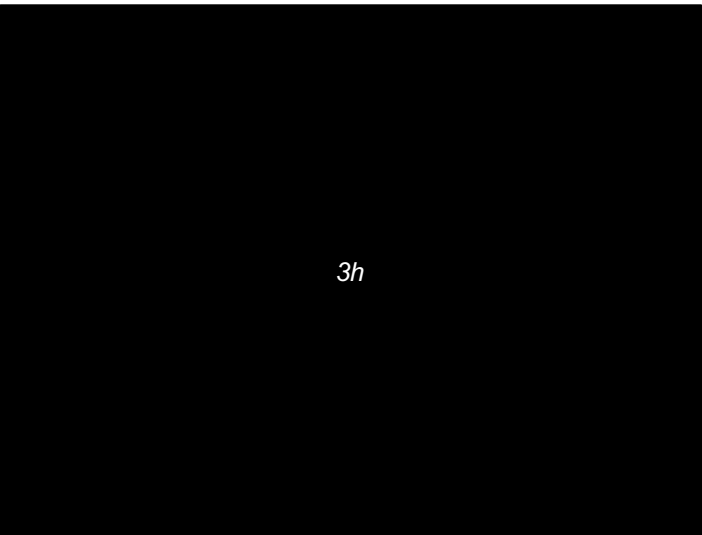
/185719 (1069) CALLBK B237

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/185937 (952 ) *REMINQ F31
/190146 (560 ) *ASSTER P323

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/190206	(952))	\$PREMPT	F31
/190621	(560))	*ONSCNE	P323
/190640			\$PREMPT	P323
/190703	(1141))	MISC	B237
/191705	(1204))	*CHGLOC	B237
/191834			*ONSCNE	B237
/192741	(478))	*CHGLOC	B231
/193355	(607))	*CLEAR	L288
/194119	(478))	*ONSCNE	B231
/195435			*CHGLOC	B231
/200031			*MISC	B231



3h

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,PSTAT/ASST PSTAT/RPT 1B ON ADDITIONAL REPORT
,PSTAT/ASST PSTAT/VIDY
T/PCC01
,ARTISTIC TOWIN ER, DANNY IS DRIVER
,PSTAT/ASST PSTAT/VIDY
[JAIL] M/0.6

,PSTAT/ASST PSTAT/VIDY
MVEH,487YIV,,,,,,,,,,,,,,,,,,,,,
,PSTAT/ASST PSTAT/VIDN
[LOGAN]

[1]

,PSTAT/ASST PSTAT/RPT PSTAT/VIDY
MWANT,,,,,,,,NELSON,JEREMYJ,1982,06,21,,,,,,,,,
,,,,,7
,PSTAT/ASST PSTAT/RPT PSTAT/VIDN CALLED OUT, F
OROGOT TO BRING
T/PCC02
,CALL OVER TO JAIL FOR P323-RESPOND BACK OVER
HERE COUPLE MORE PICS
T/PCC01
,NO ANSWER
MVEH,076ZKD,,,,,,,,,,,,,,,,,,,,,
[1910 W BRIDGE AV ,SPK]
#560 SPIERING, NATHAN J

,TOW HERE
[JAIL]

[PROP]

[S1]
,BOOKING EXCEPTION FORM COMPLETED, AS WELL AS
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A PATIENT EVAL FORM FOR MHP

/200316 *ONSCNE B231
/200524 *CLEAR B231

DSP: 1E

/201030 (1204) *CLEAR B237
/201059 (1067) \$PREMPT F32
/201059 CLOSE F32

,PSTAT/MISD PSTAT/MISD PSTAT/CFS
,PSTAT/ASST PSTAT/VIDY PSTAT/RPT

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-248155	
INCIDENT TYPE Arrest		INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #2 RESISTING ARREST		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>	
RESPONDING TO (Officer Assault)				ASSIGNMENT (Officer Assault)	
REPORTED ON Thu 07/07/2016 10:32	DATE/TIME	OCURRED ON Thu 07/07/2016 10:30	DATE/TIME	OCURRED TO Thu 07/07/2016 10:30	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 07/07/2016	REPORT TIME 20:17	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE M-10.11.010 CITY ASSAULT					UCR/NIBRS CODE / 13B
ADDITIONAL CHARGES M-10.07.034 RESISTING ARREST					
LOCATION OF INCIDENT 1910 W Bridge, Spokane, WA 99205				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS Suspect Arrested, Witness to Crime					
RELATED INCIDENT NUMBERS					INCIDENT XREF 16-248670
ADDITIONAL REPORTING OFFICERS Ofc. Childress, Ofc. Jensen					
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim, I-Individual, A-Arrested Person, VB-Victim - Business, M-Missing, MIP-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's Victim, COV-Contact, RU-Roadway, OW-Owner of Property</small>					
CODE A-1	NAME: LAST, FIRST, MIDDLE Nelson, Jeremy J			SEX M	RACE/ETHNICITY W-White
HEIGHT 6'00"	WEIGHT 180	BUILD	HAIR Brown	EYES BLU - Blue	DATE OF BIRTH/AGE 06/21/1982 34
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1224 E Trent Avenue, Spokane, WA 99202			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (360) 450-0239					
CHARGE LEVEL Gross Misdemeanor		DESCRIPTION M-10.11.010 CITY ASSAULT			UCR/NCIC CODE /13B
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Gross Misdemeanor		DESCRIPTION M-10.07.034 RESISTING ARREST			UCR/NCIC CODE
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION # 620740522	DATE 07/07/2016	TIME 19:00	BOOKED WHERE Spokane County Jail		DATE 07/07/2016
					TIME 19:00
ARREST LOCATION 1910 W Bridge, Spokane, WA 99205				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

ID NO./NAME OF REPORTING OFFICER #478 - Brownlee, Todd	DISTRIBUTION	
APPROVAL #649 - Eckersley, Brian	DATE/TIME 07/07/2016 23:22	

Incident Report #1

07/11/2016 15:13:45.068

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-SIMPLE				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 16-248155	
CODE V-1	NAME: LAST, FIRST, MIDDLE Watts, Randy T				SEX M	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE 12/29/1983 32
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1910 W Bridge, Spokane, WA 99205				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (619) 578-4582							
HATE BIAS				CIRCUMSTANCES			
REALTIONSHIP TO SUSPECT			VICTIM OF Offns. # M-10.11.010 CITY ASSAULT			OFNDR. # A-1	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES					TYPE OF VICTIM Individual		MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO
HOSPITAL TAKEN TO		TAKEN BY		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN	SUICIDE NOTE FOUND? <input type="checkbox"/>	HOLD PLACED BY
CODE W-1	NAME: LAST, FIRST, MIDDLE Mains, Burton T				SEX M	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE 06/21/1983 33
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 3287 Deer Ridge Rd, Cantonment, FL 32533				RESIDENTIAL STATUS		PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES (Cell) (321) 205-4159							
NARRATIVE							

On 07-07-16, at 1045 hrs., I was dispatched to 1910 W. Bridge on a report of a disorderly person. Randy Watts was involved and called to report the incident. I arrived on scene, assisted by Ofc. Childress.

Watts owns the residence, which is divided into two separate living spaces. Watts rents the upper level out as a "B&B". Watts had guests arriving this morning and was outside on the sidewalk, greeting them. Just west of the residence was a motorhome parked on the street. The man occupying that motorhome was later identified as Jeremy Nelson.

Watts told me that Nelson was outside the motorhome as his guests arrived. Nelson was in a dress, talking to himself, pulling branches off a tree and throwing them into the street. Watts also happens to be a Spokane County Deputy and felt he needed to contact Nelson to see if he was okay. Watts was also concerned for the safety of his guests. Watts said that when he walked down and asked Nelson if he was okay, Nelson assaulted him, charging at Watts and grabbing onto him. Watts

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION

ASSAULT-SIMPLE

ATTEMPTED



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pushed Nelson backward and went back to his residence. A short time later, Watts was standing outside his residence with his guest, Burton Mains. Nelson began walking down the sidewalk toward Watts and Mains. Nelson was holding a metal object, that both men thought was a knife at first. As Nelson got closer, they could see that it was not a knife, but instead a round piece of metal, about the diameter of a pencil and about 10-11 inches long. Nelson was mumbling and coming toward them as if he planned to attack them. Mains told me that it looked like they would have to fight with Nelson. They yelled at Nelson and he stopped, threw the piece of metal down and went back to his motorhome. Watts called police.

When I arrived on scene, Nelson was sitting on the lawn, next to his motorhome. Nelson saw me as I was talking with Watts and ran inside. I saw that he was wearing an orange dress as Watts had described. I interviewed Watts and Mains, then attempted to contact Nelson. Nelson refused to come out of the motorhome or even talk to me through the window. I could see and hear that he was moving around inside, but he would not respond to me in any way. He was identified through registration checks on his motorhome and his DOL photo. Checks showed a previous recent contact, listing an address on Trent. Checks showed a nearby residence on Broadway as well. Watts advised that the motorhome had not been in the area previously. Watts gave me the piece of metal that Nelson had been holding. I later placed it on property as evidence.

Watts and Mains were both concerned about Nelson being in the area and acting so erratically. They feared that Nelson might come out of the motorhome again and attempt to assault them. Both were very concerned about the safety of their children and other neighbors in the area. Ofc. Childress and I continued trying to talk with Nelson, but he refused. We decided to sit off and watch the motorhome, hoping that Nelson would come out on his own, or drive away. He did neither. Eventually, it was decided that we would clear the area. I asked Mains to call police if Nelson came out or if there were any further problems.

At 1630 hrs., Burton Mains called police, reporting that Nelson was inside his motorhome with a knife, banging it against the dashboard. Mains said that Nelson was yelling at him and he believed Nelson to possibly be "high or intoxicated". I responded back to the area, along with Ofc. Childress and other officers. I requested that Sgt. Meyer also respond.

I arrived on scene and contacted Mains and Watts. Both remained very concerned for their families, fearing that Nelson would attack them, this time armed with a knife. Both told me that Nelson had come back out of his motorhome, throwing items into the street. The items included tree branches, to the extent that traffic was stopping and backing up in the street. Nelson was yelling and talking to himself, but they couldn't understand anything he was saying. Again they checked on him, seeing Nelson inside the motorhome, yelling and pounding a large knife / cleaver on the dashboard. Watts identified himself as a deputy, showing Nelson his badge. Nelson remained in his motorhome and Mains called police.

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED
☐

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I conferred with officers on scene, including Sgt. Meyer. Again we made numerous attempts to contact Nelson inside his motorhome, but he would not communicate with us at all. We determined that Nelson could not be left alone. His erratic behavior during the previous and latest incident showed that he probably suffered from some type of mental illness and/or was under the influence of a drug. Nelson had already demonstrated his willingness to confront others and potential for violent behavior. Nelson also possessed weapons during both incidents. It was clear that we had to take steps to ensure the safety of Watts, Mains and their families. We also had the responsibility to maintain the safety of the other neighborhood residents, as well as Nelson's well being and safety. It was determined that we would contact Nelson and he would be arrested and taken into custody for the earlier assault on Watts. In doing so, we would also be able to get Nelson help through MHP.

Attempts to get Nelson to come out of the motorhome, or even come to the window continued. He refused to do so. At one point Nelson closed a window that I was talking through. All windows were covered, making it very difficult to see inside. I could see what looked like a large knife on the dashboard. The motorhome was very cluttered inside and smelled strongly of feces. Other officers arrived on scene to assist, including Ofc. S. Lesser, Ofc. D. Harvey and K9 Officer Jensen. We advised Nelson that he was under arrest for Assault, that we were not going away and that he needed to come out. Nelson did not.

Nelson's motorhome had not been at that location for an extended period of time. It was not hooked up to any type of utility and was parked on a city street. Nelson showed other locations as his residence, one during a relatively recent contact. It was determined that the motorhome was therefore being utilized as a vehicle and not considered a residence. We had no further information to show otherwise.

After countless pleas for Nelson to come out, a plan for entry into the motorhome was made. Through the use of announcements, prying the door to the motorhome open and pepper spray, Nelson came out and I took him into custody without further incident. Nelson was cooperative and not injured in any way. (See additional reports for details of tactics used).

I transported Nelson to the Spokane County Jail, where he was booked for City Assault and Resisting Arrest. It was apparent that Nelson was suffering from some sort of mental illness, so I contacted the jail nurse and completed a patient eval form for MHP to evaluate him. Nelson refused to answer any questions about the incident. When he did talk, he said random things and made little sense.

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.

Ofc. T. Brownlee #478

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-248155	
REPORT PURPOSE		REPORTED ON DATE Thu 07/07/2016	TIME 10:36	INCIDENT XREF 16-248670
INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 RESISTING ARREST	ATTEMPTED <input type="checkbox"/>	
INCIDENT CLASSIFICATION #3 PERSONS-MENTAL	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	ATTEMPTED <input type="checkbox"/>	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 07/08/2016	REPORT TIME 06:44
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 070716 at about 1738 hours I was paged at home to respond with my K9 partner, Cruz, to the area of 1910 W Bridge to assist other officers in arresting an assault suspect who was refusing to come out of a motor home which was parked on the street. I was called out by Sgt. Meyer.

I arrived on scene at about 1808 hours and contacted Ofc. Brownlee who told me the following. Ofc. Brownlee advised earlier in the day at around 1045 hours he had responded to the area of 1910 W Bridge where he developed probable cause to arrest Jeremy Nelson. Ofc. Brownlee said at this time he was unable to arrest Nelson because Nelson had went inside a motor home parked on the street and refused to come out to police. Ofc. Brownlee said Nelson had assaulted an off duty Spokane Sheriff's Deputy when the deputy had approached Nelson about his bazaar behavior. Ofc. Brownlee said he had decided earlier in the day to leave because Nelson had not displayed any behavior which led him to believe there would be a continued threat to the community.

Ofc. Brownlee said at about 1650 hours he was called back to the same location for the same suspect, Nelson, who was now reportedly banging a large knife against the dash of the motor home. Ofc. Brownlee said when he arrived this time he learned from multiple neighbors in the area that Nelson had been yelling at citizens while holding the knife, but the yelling was incoherent indicating Nelson might be suffering from a mental crisis. Ofc. Brownlee advised me the neighbors were legitimately concerned that if we did not arrest Nelson, the situation would escalate into someone being hurt or even killed due to the knife being displayed. Ofc. Brownlee said he did not have PC for felony harassment due to there being no direct verbal threats towards the neighbors.

I had been called from home by Sgt. Meyer and he wanted to attempt a "bark out" on the motor home to see if Nelson would surrender. A "bark out" involves making announcements for the suspect to surrender followed by the dog barking. This de-escalation technique is often successful in getting suspects to surrender without anyone being harmed. Sgt. Meyer also advised me Nelson was currently inside the motor home and was refusing to come out to other officers commands. Sgt. Meyer said if Nelson did not give up to the "bark out" he wanted us to breach the motor home door and potentially use the K9 to locate Nelson within. I was hesitant to use the K9 on a suspect who had been seen holding a large knife because I did not want my K9 partner to get stabbed. However I told Sgt. Meyer if we got to the point where officers were going to enter the motor home, I would use K9 Cruz to lead the way to protect the officers. I asked Sgt. Meyer if we needed a search warrant for the motor home and he advised that we did not because the location was not Nelson's

ID NO./NAME OF REPORTING OFFICER #702 - Jensen, Jake D.		DISTRIBUTION
APPROVAL #649 - Eckersley, Brian	DATE/TIME 07/08/2016 22:43	

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Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION
ASSAULT-SIMPLE

ATTEMPTED
☐

INCIDENT NUMBER
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residence due to it being an abandoned vehicle on a city street.

I attempted a "bark out" with K9 Cruz in which I told Nelson he was under arrest for city assault on multiple occasions. I also advised Nelson multiple times that we were the police, that he needed to come out, that a police dog could be used to find him and he could be bitten. I did not hear any response from any of the warnings I gave Nelson. I also warned Nelson that we were not going away and that if he did not come out, force would be used against him. I advised Nelson we were not leaving because of his threatening behavior toward the neighboring citizens. Again, there was no response from Nelson.

At this time, I became concerned about the initial plan of breaching the door to the motor home, because that would put officers within close proximity of Nelson. If Nelson decided to confront officers with his knife at the door when it was opened then the result would not be good for Nelson or officers. I did not feel this would be the best approach for both the safety of officers and the suspect. I talked with other officers on scene and learned that we had OC flameless cannisters present. These cannisters can be deployed to force a suspect to come out to police when they barricade themselves inside locations such as a motor home. The cannisters contain OC in a powder form and are similar to the use of pepper spray on a typical law enforcement use of force continuum. I felt by using these cannisters, officers could keep their safe distance which would allow the use of less lethal options if the suspect was to exit with a knife. This option presented a greater chance for the situation to resolve safely for both the officers and the suspect.

A plan was devised to deploy OC flameless cannisters within the motor home for the following reasons:

Crime:

There was PC to arrest Nelson for city assault. There was also PC to arrest Nelson for resisting arrest based upon his direct disregard to police commands to give up after he had been told he was under arrest multiple times.

Threats:

Nelson had assaulted an off duty Sheriff's Deputy earlier in the day showing that he has the capability of harming unknown people. Nelson had displayed a large knife to neighbors and was yelling towards them, making them feel threatened that if the police did not arrest Nelson, he could further harm them in a more serious manner. Nelson was disregarding police commands to give up from the interior of a motor home and it was unknown whether he was still armed with the knife as no one could see him within the motor home. I was very concerned that if officers attempted to pry the motor home door open, we could be confronted by the armed suspect in close proximity which elevated the threats to both officers and suspect. Nelson was also displaying signs of suffering from

SUPPLEMENTAL REPORT CONTINUED

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Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION
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a mental crisis which made him unpredictable, thereby making the importance of distance between the suspect and officers more critical to increase the likelihood of a safe outcome for all.

Resistance:

Nelson was evading arrest by refusing to come out to police from within the motor home after multiple commands.

Initially a team of 2 officers moved up and deployed 1 OC cannister within a window on the driver's side of the motor home. After the cannister was deployed, the officers moved back. I was giving more verbal commands to Nelson to come out with his hands up. At this time I could hear movement in the back of the motor home. I could also hear Nelson coughing. After waiting until the cannister of OC had dissipated, Nelson had not come out so another OC cannister was deployed in the same window. Again, Nelson did not exit after given more verbal direction to exit the motor home. Based on the continued movement in the rear of the motor home and the suspect not being fully affected by the OC, we thought he might be in a separate room, blocking the OC from having its full effect. We decided to deploy one more OC cannister into a roof vent over the back area of the motor home. Prior to doing this though we decided to move up to breach the door to ensure there was a separate room.

I moved up with a team of officers and the side door to the motor home was pried open and eyes were placed inside confirming that there was a separate bathroom in the rear of the motor home. The door to the bathroom was shut. While giving more verbal orders to Nelson to give up and him not complying, an officer climbed onto the motor home and deployed an OC cannister into the bathroom's roof vent. Shortly after this cannister was deployed, Nelson exited the bathroom and walked out of the motor home where he was detained without further incident.

I assisted other officers in clearing the motor home to ensure no one else was inside. I then cleared the scene. See other officer's reports for further information. It should be noted that I did not have my body camera for this incident due to me hastily leaving my house after being called out and forgetting it.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT ALL STATEMENTS MADE HEREIN ARE TRUE AND ACCURATE AND THAT I AM ENTERING MY AUTHORIZED USER ID AND PASSWORD TO AUTHENTICATE IT.

OFFICER: Jensen
NUMBER: 702
DATE: 070816
PLACE: Spokane, WA

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-248155	
REPORT PURPOSE			REPORTED ON DATE Thu 07/07/2016	TIME 16:31	INCIDENT XREF
INCIDENT CLASSIFICATION #1 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 PERSONS-MENTAL		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 07/07/2016	REPORT TIME 19:18
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 7-7-16 at approximately 17:38 hours, I (Ofc. Harvey) responded to 1910 W Bridge Ave, to assist other officers with a suspect who was barricaded in his RV.

Upon my arrival, I met with other officers and Sgt. Meyer. I was advised there was probable cause to arrest the suspect for City Assault, and because of his hostile and unusual behavior they deemed him a threat to the community. The suspect was identified as, Jeremy J. Nelson (6-21-82). Officers had already been on scene for approximately 45 minutes. They had tried to gain compliancy with Jeremy by verbally communicating with him. Jeremy was seen walking around inside, but he refused to communicate with us. I was also advised that not only did Jeremy assault someone but he had armed himself with a large knife while he was inside the RV.

Sgt. Meyer advised me that we would continue to verbally communicate with Jeremy while a K9 was en route. If Jeremy continued to refuse with commands and comply, then we would breach the door and get Jeremy out.

Ofc. Jensen and his K9 arrived on scene. Verbal commands were continued however Jeremy refused to exit the RV. We then attempted to get Jeremy to exit by giving Jeremy commands to exit or we would send a K9 inside. After several K9 announcements Jeremy still refused to exit.

Ofc. Jensen, Sgt. Meyer, and other officers made the plan to deploy two OC canister(Oleoresin Capsicum) into the RV, through an open window. The canister is referred to as a T-16 canister and it emits a short burst of OC spray. OC is a food based agent made from peppers and affects some people by causing sneezing, burning, and or coughing.

I approached the RV on the drivers side where there was an open window near the driver door. I had to breach through the screen prior to deploying two canisters of OC. When I deployed the first canister I heard Jeremy inside make a quick scream and then he ran towards the back of the RV.

While waiting for the OC to take affect we continued to give Jeremy announcements to exit the RV. After waiting several minutes we realized Jeremy was not coming out.

With Sgt. Meyer's approval we made a plan to force the main door open so we could either make contact with Jeremy or see if he barricaded himself in a separate room inside the RV. We

ID NO./NAME OF REPORTING OFFICER #1136 - Harvey, Dale		DISTRIBUTION	
APPROVAL #994 - Bode, Christopher	DATE/TIME 07/07/2016 21:04		

SUPPLEMENTAL REPORT CONTINUED

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Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION

ASSAULT-SIMPLE

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proceeded with the plan. I used a halligan tool to pry the door open. Once the door opened we noticed that Jeremy was barricaded inside the back bathroom and the door was closed.

We continued with announcements and commands for Jeremy to exit and he continued to refuse.

I continued to hold my position at the main door while other officers deployed more OC canisters into the bathroom. About a minute later Jeremy quickly exited the bathroom. He then exited the RV where he was handcuffed and taken into custody.

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

Officer D. Harvey #1136

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-248155	
REPORT PURPOSE		REPORTED ON DATE Thu 07/07/2016	TIME 16:30	INCIDENT XREF
INCIDENT CLASSIFICATION #1 PERSONS-MENTAL	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 ASSAULT-SIMPLE		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 07/07/2016	REPORT TIME 20:13
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 07/07/2016 at approximately 1730 hours I responded to 1910 W. Bridge in Spokane, WA reference a disorderly subject. Several calls came into dispatch during the day reference the subject who was later identified as Jeremy Nelson (06/21/82). An off duty law enforcement officer called in the morning and advised Nelson was trying to assault people and that he was chasing kids in the neighborhood and trying to assault them. He requested immediate assistance due to his concerns of an impending assault. Officers arrived but Nelson retreated to the inside of the trailer and refused to come out, see their reports.

Another call came in at approximately 1630 hours reference Nelson being armed with a knife and banging it on the dash and yelling and threatening people.

I arrived on scene and was advised there was PC to charge and arrest Nelson for City Assault. They were also concerned for his well being due to his behavior and the dirty living conditions within the trailer. Officers gave continual verbals for Nelson to come out and advised him that force would be used if he did not cooperate. The verbals were loud and clear but Nelson never gave any type of response.

I was positioned behind a patrol car with a ballistic shield providing lethal cover. I provided cover for officers at the car and kept control of the shield to use as an object to keep between patrol officers and Nelson should he choose to come running out of the trailer. Next to me I had Ofc. Brasch who was equipped with a Bean Bag shotgun and other officers were equipped with tasers. I provided lethal cover for these officers should Nelson run from the trailer while armed with the knife. It often occurs that less lethal options do not work on subjects who are intoxicated or who are very motivated.

I provided cover with the shield as we moved up and breached the door. I provided cover at the front door as it was breached and then moved back with the team to our cover vehicle. Two T-16 OC cannister were placed in the south side of the motorhome prior to breaching the door.

We later again moved up to the door with the shield to clear out all the debris just inside the door of the motorhome (side entry door). I could see there was a back bedroom in the RV which had a separate door which was closed. We were able to hear Nelson in the back room coughing a couple times but still refusing to come out, refusing all verbal commands to comply.

ID NO./NAME OF REPORTING OFFICER #1067 - Lesser, Scott		DISTRIBUTION
APPROVAL #994 - Bode, Christopher	DATE/TIME 07/07/2016 21:03	

SUPPLEMENTAL REPORT CONTINUED

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Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION
PERSONS-MENTAL

ATTEMPTED
☐

INCIDENT NUMBER
16-248155

I climbed up the ladder on the back of the motorhome and could see there was a vent that opened and went directly into the secured bedroom where Nelson was. I deployed one OC (Oleoresin Capsicum) hand held canister into the RV, through the open vent into the back bedroom where Nelson was. The cannister is referred to as a T-16 canister and emits a short burst of OC spray. Oleoresin Capsicum is a food based agent made from peppers and affects some people by causing sneezing, burning or coughing.

Shortly after I placed the T-16 Canister in the vent I could hear more coughing from Nelson. Nelson quickly exited the trailer and exited through the side door where he was taken into custody without further incident.

See also Ofc. Brasch's additional reports.

S. Lesser/#1067/F32

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT ALL STATEMENTS MADE HEREIN ARE TRUE AND ACCURATE AND THAT I AM ENTERING MY AUTHORIZED USER ID AND PASSWORD TO AUTHENTICATE IT.

DEPUTY: S. Lesser

NUMBER: #1067

DATE: 07/07/16

PLACE: Spokane County, WA

1950

DATA