



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, 122 Wn.App. 84, 94 (2004)</i>

#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, 122 Wn.App. 84, 94 (2004)</i>
#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 Charles Reynolds

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
8/14/2016	8/6/2016	22:33
Record ID #	Incident No	IA No
9399	16-291346	F16-070
Date/Time Entered		
8/14/2016 23:30		

Incident Summary

Ofc. Buchmann and his K9 partner "Talon" were called to locate an Assault 2nd degree and Harassment (Threat to Kill) suspect, Trevino. He refused to comply with Officers and was hiding near or in a garage. Ofc. Buchmann used "Talon" as an effective searching and apprehension tool to locate Trevino hiding from Police and had a gun during the initial confrontation.

In compliance with policy per Major King 09/06/16.

Incident Location

- 2112 Gardner AV, 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	Exterior Lighting	d-12-21 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	Yes	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Large	5'10" to 6'0"	
Officer Assessment of Citizen Condition During Incident		
Alcohol and/or Drugs		
Officer(s) Injured	Officer(s) Taken to Hospital	
Yes	No	

Reporting/Involved Citizen Information

Francis A Trevino

DOB: 7/16/1967 Race: Native Ameri Gender: Male

Address

- 1908 Gardner, Suite/Apt: 1, Direction: W, Spokane, WA 99201

Phone

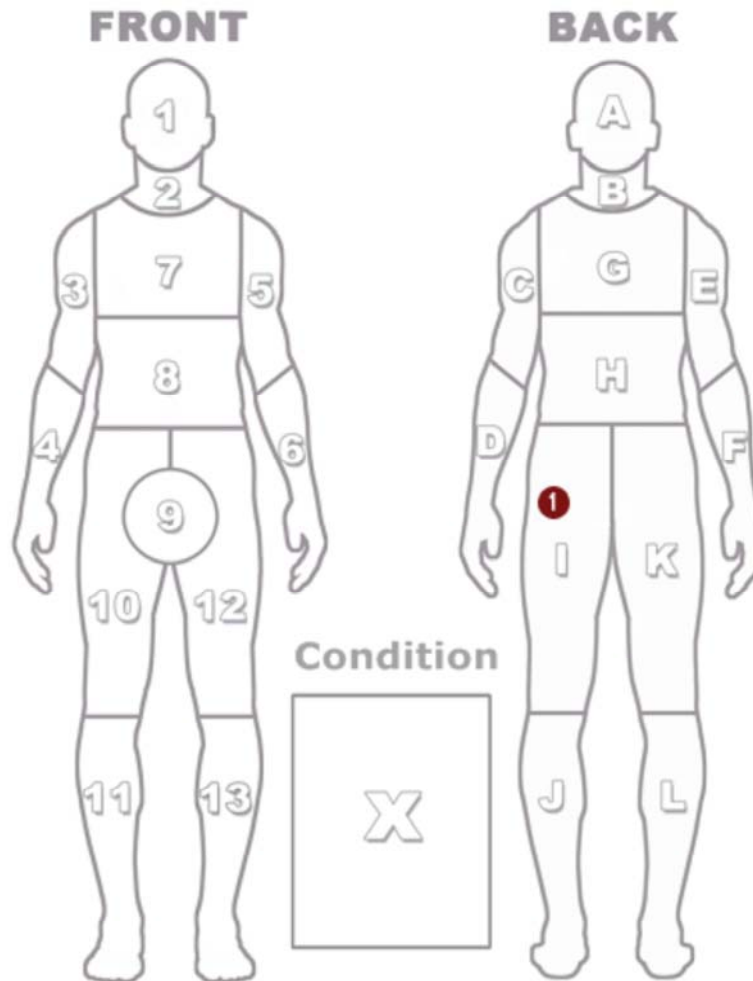
- (509) 251-0446

Types of Resistance Citizen Used Against Officer(s)

- Active Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
d-Injury Requiring ER	I	1



Charges against this citizen

- Felony - Person Crime
- Felony - Property Crime

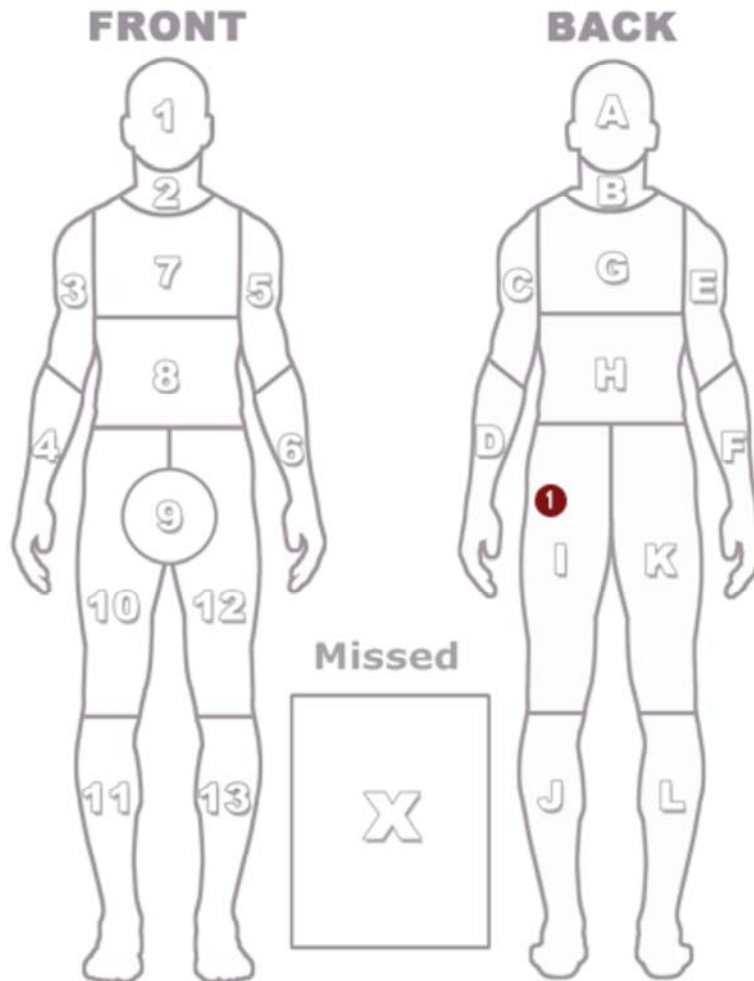
Involved Officers

Officer Paul Buchmann - Payroll Number: 12286

Force used by this officer against the citizen

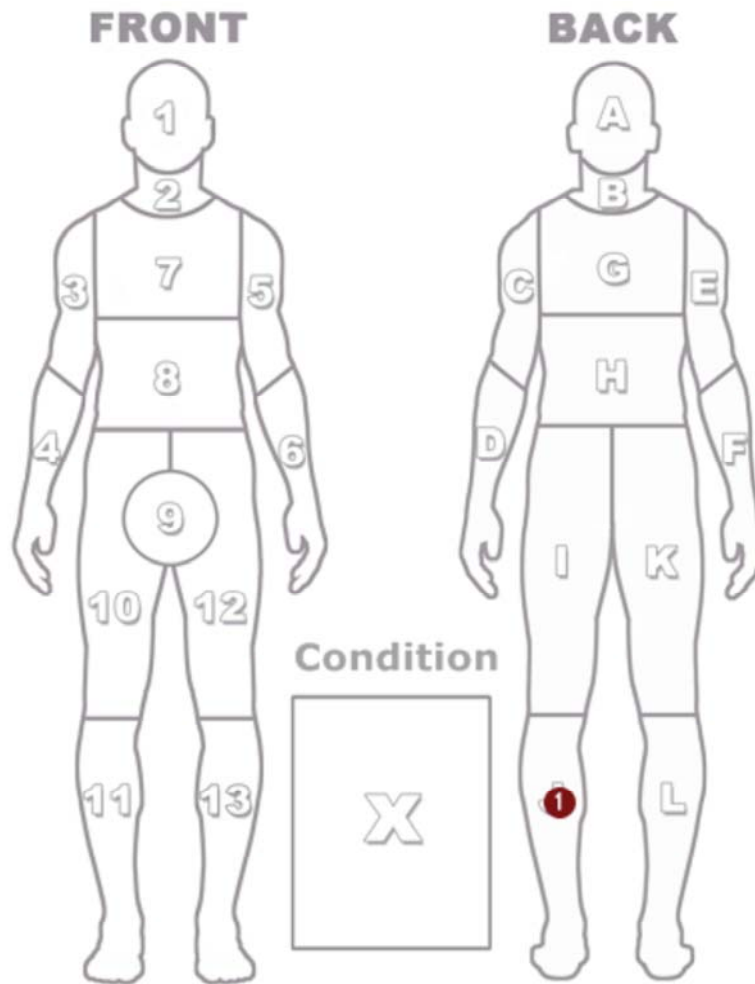
- K9 Application - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
K9 Application	Yes	I	1



Injuries sustained by this officer

Injury	Regions	Injury Locations
a-Minor Injury	J	1



Officer Witnesses

Corporal Christopher Bode - Payroll Number: 14906
Corporal Nathan Spiering - Payroll Number: 11757

Attachments

Date Attached	Attachment Description	Attachment Type
8/14/2016	Spiering video w/ marker	
8/14/2016	Bode video w/ marker	
8/14/2016	CAD	pdf
8/14/2016	Officer reports 1	pdf
8/14/2016	Officer reports 2	pdf
8/14/2016	Buchmann report	pdf
8/14/2016	Kanine UOF	pdf
8/14/2016	Kanine deployment	pdf
8/15/2016	IA additional	doc
8/17/2016	DSC_0001	JPG
8/17/2016	DSC_0002	JPG
8/17/2016	DSC_0003	JPG
8/17/2016	DSC_0004	JPG
8/17/2016	DSC_0005	JPG

8/17/2016	DSC_0006	JPG
8/17/2016	DSC_0007	JPG
8/17/2016	DSC_0008	JPG
8/17/2016	DSC_0009	JPG
8/17/2016	IMG_0001	JPG
8/17/2016	IMG_0002	JPG
8/17/2016	IMG_0003	JPG
8/17/2016	IMG_0004	JPG
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8/17/2016	IMG_0032	JPG
8/17/2016	IMG_0033	JPG
8/17/2016	IMG_0034	JPG
8/17/2016	IMG_0035	JPG
8/17/2016	IMG_0036	JPG

Chain of Command History

Sent Dt	From	To	CC	Approved
8/15/2016	Internal Affairs	Internal Affairs	Lieutenant David Overhoff	<input checked="" type="checkbox"/>
Sender's Instructions: For your review.				
Recipient's Comments/Response: Photos attached				
8/17/2016	Sergeant Michael Carr	Lieutenant David Overhoff	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: For your review				
Recipient's Comments/Response: This K9 use was reasonable and within both State and Federal law. I concur with Sergeant Reynolds that this deployment was within department policy and training.				
8/17/2016	Lieutenant David Overhoff	Captain Keith Cummings	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Captain please review and send up chain of command				

Recipient's Comments/Response: Appropriate use of force				
8/25/2016	Captain Keith Cummings	Major Kevin King	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Appropriate use of force				
Recipient's Comments/Response: This use of force was within policy and state and federal laws.				

Entering Officer Signature Line

Sergeant Charles Reynolds

Chain of Command Signature Lines

Sergeant Michael Carr

Lieutenant David Overhoff

Captain Keith Cummings

Major Kevin King



Spokane Police Department
Internal Affairs



Use of Force
Additional

Incident #: 16-291346

Date: 08-06-16

Involved Officer(s) BWC Y/N: N

Reviewing Supervisor: Reynolds #558

INSTRUCTIONS: *Include any information below that is not already adequately covered in the Incident Report. For information already reported refer the reader to the applicable report.*

Incident Summary:

Ofc. Buchmann and his K9 partner "Talon" were called to locate an Assault 2nd degree and Harassment (Threats to Kill) suspect, Trevino. He refused to comply with Officers and was hiding in or near a garage. Ofc. Buchmann used "Talon" as an effective searching and apprehension tool to locate Trevino hiding. The victim of the original crime had wrestled a gun away from Trevino and it was unknown if he had other weapons.

Officer Interview Summary:

Subject Interview Summary:

Witness Interview Summary:

Witness Officer Interview Summary BWC Y/N:

Any Relevant Clarifying Information and Observations:

Sergeant Findings:

After reading the attached documentation and debriefing Ofc. Buchmann I find that Ofc. Buchmann's deployment of K-9 "Talon" as a searching and apprehension tool was reasonable, within State and Federal Law, within Department Policy and met Department expectations.

It was within Department Policy because at the time Ofc. Buchmann deployed his K-9 he believed the suspect, Trevino, had committed the crime of Assault 2nd degree (felony) and Harassment (Threats to Kill) (felony). Ofc. Buchmann had information that the suspect had been armed with a handgun. He also believed this was the safest and most efficient way to take Trevino into custody for Trevino, other Officers, and himself. Trevino was actively resisting by hiding from Police and refusing to comply with Officers commands. Because of this Ofc. Buchmann believe the use of his K-9 "Talon" appeared necessary to overcome his resistance.

It should be noted that Ofc. Buchmann did not have his body camera on. It was in his vehicle downloading previous videos and he was not able to have it with him. Corporals Bode and Spiering were with him and both had their body cameras on. Both videos are attached to the Blue Team with markers at the contact.

It should also be noted that reports indicated that Cpl. Bode took photographs of the suspect's injuries and previous injuries. I was unable to locate the photo log.

Sgt. Reynolds #558

Spokane Police Department

Ref. # U-PA168622110

K-9 DEPLOYMENT REPORT

GENERAL	Date/Time Reported	Date/Time Arrived	Date/Time Cleared	Agency #
	8/6/2016 10:11:00 PM	8/6/2016 10:11:00 PM	8/7/2016 12:20:00 AM	16-291346
	Session Activity Type		Handler	K-9
	Assault		Paul Buchmann	Talon
Event Summary Information	Track of a person with a weapon. Subject located and contacted in the back yard of a nearby home.			

MISC	Consent Type	Warrant by K-9	Warrant #	# Arrests	Highest Charge
	N/A		N/A	1	N/A

REQ	Requesting Agency	Requesting Officer/Party
	Spd	Radio
	Services Requested	Request Method
	Track	Radio

WEATH	Ground Condition	Weather Condition 1	Weather Condition 2	
	Dry	Clear	Warm Temp	
	Temperature	Wind Speed	Wind Direction	Humidity
	56	2	SSE	56%

DEPLOYMENT ACTIVITIES

Amt	Activities Performed/ Loc. Info	Action Perf./ Value	Proficiency	Time/ District
1	Track	Suspect	Located Person Successfully	
Residential Area - Bong's Grocery - 2040 W. Boone Ave. - Spokane - WA				
Person Located		Dist.100.00 Yd	Age: 12 minutes. Turns:2	
Scent Item:				
Subject threatened another male in the parking lot of Bong's, pointing a gun at him. The victim disarmed the suspect and the suspect fled on foot. I initiated a K9 track and the subject was located nearby. Talon made contact when the male did not comply with commands and put his hand in his pocket.				

SUSPECT INFORMATION

Name/ Address	DOB/ Phone	SSN	Incarcerated at
* Trevino, Francis Anthony	7/16/1967		Spokane County Jail
TRANSIENT Spokane WA 99201			

On 08-06-16 at about 2211 hours, I responded to the area of Bong's Grocery at 2040 W. Boone to assist on a Person With a Weapon call. Callers reported that a male pointed a gun at another male. The victim male disarmed the suspect and the suspect fled on foot.

I responded with K9 Talon. We are a WAC certified police patrol dog team. We are also accredited with the

Washington State Police Canine Association (WSPCA). Talon and I are in our third year as a team. We responded in a fully marked "Spokane Police K9" car and parked in the front of the address. I was wearing the uniform of the day (jumpsuit), which clearly identified me as a Police Officer. Talon was wearing a harness with "POLICE" marked along both shoulders and a Spokane Police patch on the left side of his chest. We were clearly identifiable as Spokane Police.

When I arrived, I contacted Cpl. Spiering and other Officer in the parking lot of Bong's. He informed me that the suspect reportedly walked up to a pickup in the parking lot and pointed a handgun at a male in the vehicle. He also threatened to kill the male. The male was able to take the gun away from the suspect and the suspect eventually fled on foot. Cpl. Spiering advised that they recovered the firearm and it was in fact a loaded 9MM handgun.

The suspect was described as a Native American or Hispanic male, wearing an orange shirt with white stripes and tan shorts.

Due to the severity of the crime and the danger to the public, I decided to deploy Talon to attempt a track of the suspect.

A witness last placed the suspect on the southwest corner of Chestnut and Boone, running south along the west sidewalk. She lost sight of him just to the south of Boone. I made a K9 announcement, and heard multiple announcements in the area being made by patrol Officers on the perimeter. The announcements were loud and clear.

I took Talon to the south west corner of Chestnut and Boone and directed him to track. He quickly assumed a good tracking profile (nose to ground, body low and pulling at the leash), indicating to me that he was working fresh human scent.

We worked to the south on Chestnut to the first alley south of Boone. Talon then tracked to the west in the alley. As we entered the alley, I could hear a male talking loudly to our west. I could see someone sitting in a lawn chair in the back yard of the second house west of Chestnut (2112 W. Gardner). The male sounded intoxicated (loud, slurred speech) and I was unable to understand what he was saying. It did not appear that he was talking to anyone.

As we tracked, I continued to hear Officers on perimeter making PA announcements of the K9 warning.

Talon turned west in the alley and continued tracking to the west. Talon tracked to the back gate of 2112 W. Gardner, where the male was sitting. Due to the dark lighting and the chair that the male was sitting in, I was unable to see his clothing or get a better visual of him. I continued to let Talon work and he worked back and forth along the fence line behind the residence and back to the gate. I tried to push him to continue to the west, but Talon did not show any interest in continuing past 2112 W. Gardner. I had the other Officers that were with me try to get a better view of the male to see if he matched the suspect description. Talon again went back to the gate and his activity level was steadily increasing.

About that time, a female inside the residence looked out the back glass door and then ran to the front of the house. I then heard a female yelling at the front of the house that there was someone on her back porch. The male, who was later identified as Francis A. Trevino, stood up and walked down off of the porch. Officers who were with me turned on their flashlights and focused their lights on him. I could see that he was wearing an orange polo shirt with white stripes on the shoulders and sleeves, tan cargo style shorts, black knee pads at his ankles and blue shoes. He appeared to be a Native American male. He perfectly matched the suspect description relayed to me.

Officers identified us as Police and ordered Trevino to raise his hands. He raised his hands, but began moving them around, lowering them and moving them quickly. Repeated commands were made to keep his hands up and to turn around and face away from us.

The area where we were standing in was a narrow passage between a garage and parked vehicle. Trevino was about 20 feet in front of us and we did not have any positions of cover. We were not able to spread out as there was privacy fencing extending above the chain link fencing, blocking our view of Trevino if we moved to the east. The garage was to the west of us.

Despite our commands to keep his hands raised, Trevino shoved his left hand quickly down and into his left front pocket. I feared that he was attempting to access a weapon from his pants. At that time, I deployed Talon to apprehend Trevino for the following reasons:

Crime: Trevino matched the suspect description of a suspect wanted for 2nd degree assault with a firearm and felony harassment-threats to kill. Both crimes being violent felonies, and committed with a firearm.

Threat factors: Trevino had been armed with a loaded 9MM handgun before it was taken away by the victim. He had not been searched and it was unknown if he had additional weapons on his person. He had initiated the confrontation with complete strangers with no provocation. He then fled on foot into a very dimly lit area, and then in the fenced backyard of a residence where he had no permission to be. This further endangered additional citizens in the area. Then, despite repeated commands, Trevino moved his hands around and then quickly put his hand in his pocket. Trevino appeared to be intoxicated.

Resistance: Trevino fled from the scene on foot. Once confronted on the porch of the residence, he did not follow Officers commands to put his hands up and face away from us. He then quickly put his hand in his pants pocket.

Fearing that Trevino was trying to access a weapon from his pants, I deployed Talon to apprehend him. Talon quickly approached and contacted Trevino on his left hip/buttocks area. Talon bit and held Trevino and they went down to the ground. I saw Trevino trying to push Talon away and then wrapped his arms around Talon's Neck, trying to pull him off. It appeared that he was trying to choke Talon, but Talon remained on the bite and did not release even with Trevino pulling on him. I told him to stop fighting with the dog, but he continued to do so.

When Trevino's hands were visible, we approached him. I outed Talon and he immediately released on command and returned to me. Trevino was detained and handcuffed by the other Officers. I stood by about 10 feet away with Talon on leash and at a heel. Trevino was searched and on his ankle was a GPS ankle monitor. Once he was searched, I walked Talon back to my vehicle and secured him.

Trevino was approximately 15 feet in front of us when I deployed him for the apprehension. The duration of the K9 contact was about 15 seconds.

Based on the circumstances, I believed that the individual committed or threatened to commit a criminal offense. I also had reasonable belief the individual posed an imminent threat of violence or serious harm to the public, officers, and myself. The individual was physically resisting arrest and the use of a canine reasonably appeared to be necessary to overcome such resistance. Other searching and locating tactics were unlikely to be successful.

I notified Sgt. Teigen of the use of force.

Corporal Bode photographed the conditions of the alley and yard where Trevino had been.

Trevino was transported to Deaconess Hospital for evaluation and treatment of the K9 contact. I met Officer C. Lesser at Deaconess. When I arrived, Trevino was being belligerent to staff and not cooperating. While we were waiting to get a room, Trevino was sitting in the waiting room. He made repeated comments about fighting and assaulting us. He refused to speak to me or make a statement regarding the incident.

Once a room was available, Officer C. Lesser and I were escorting Trevino back to the room. As we were in the hallway walking, Trevino kicked me in the back of my left leg with his right leg. This momentarily knocked me off my step and caused minor transient pain. We continued to escort him to the room and placed him on the examination bed.

Dr. Carlton Heine examined Trevino. We exposed Trevino's left hip and buttocks area to examine the injuries. I observed abrasions and scrapes consistent with canine teeth injuries. There were multiple superficial scrapes, with the largest being about 1 inch long. There was also some bruising that was starting to become visible. None of the injuries required medical treatment. Dr. Heine prescribed antibiotic medication and discharged Trevino, clearing him to be booked into jail.

I examined Trevino for additional injuries. No other fresh marks or injuries were located. Trevino did have multiple old injuries that had already scabbed over on his left calf and knees. Cpl. Bode photographed the injuries. He also photographed the condition and clothing of Trevino.

Once Trevino was discharged, I assisted in escorting him to the patrol car and Officer C. Lesser transported and booked him. Trevino was booked for Unlawful Possession of a Firearm, Assault 2nd, Felony Harassment (threats to kill) and 3rd degree Assault - Law Enforcement, for kicking me.

See reports by other Officers for additional information.

It should be noted that I was not wearing my body camera at the time of this incident. Previous video footage was still being uploaded onto my computer and I was not able to disconnect it before the incident unfolded. However, all of the other Officers on the track were equipped with cameras.

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

P. Buchmann #735
Spokane Police - K10

Officer's Signature		Approved By	
		Date	08/07/16 03:05



Spokane Police Department

K9 Use of Force Report

General Use of Force Information

Case # **16-291346** Report Type **Apprehension**
Location **2112 W. Gardner Ave (Back yard)** Handler **Paul Buchmann**
Date Occurred **8/6/2016** K-9 **Talon**
Date of Report **8/7/2016 3:09:00 AM** Imm. Supervisor **Sgt. Reynolds**
Reviewed By
Review Date

Subject Information

Subject's Name **Trevino, Francis Anthony**
DOB **7/16/1967** Age **49**
SSN
Gender **M**
Address **TRANSIENT**
City **Spokane** Zip Code **99201**
State **WA**
Phone #

Medical Information

Visible Injuries present? **Yes** Subject refuse treatment? **No**
Treatment Required? **Yes** Exam/ Treatment Location **Deaconess Hospital**
Examined by Doctor? **Yes** Examining Doctor **Dr. Carlton Heine**
Explanation of Treatment **Evaluation of injuries and antibiotics prescribed.**
Time of Exam **10:50 PM**

K-9 Specific Information

Verbal warning given prior to engagement? **Yes** Number of bites or engagements **1**
Subjects actions leading to the Use of Force **Trevino committed multiple felonies and was armed with a handgun. On contact, he did not cooperate and put his hand in his pocket.**
Reason no Verbal warning given?
Off leash apprehension made? **No**
On leash contact made? **Yes**

K-9 obeyed handler's commands? **Yes**

K-9 Assaulted? **Yes**

K-9 Injured? **No**

List K-9's Injuries **none**

K-9 Treatment costs

Examining Veterinarian

Report Narrative

On 08-06-16 at about 2211 hours, I responded to the area of Bong's Grocery at 2040 W. Boone to assist on a Person With a Weapon call. Callers reported that a male pointed a gun at another male. The victim male disarmed the suspect and the suspect fled on foot.

I responded with K9 Talon. We are a WAC certified police patrol dog team. We are also accredited with the Washington State Police Canine Association (WSPCA). Talon and I are in our third year as a team.

We responded in a fully marked "Spokane Police K9" car and parked in the front of the address. I was wearing the uniform of the day (jumpsuit), which clearly identified me as a Police Officer. Talon was wearing a harness with "POLICE" marked along both shoulders and a Spokane Police patch on the left side of his chest. We were clearly identifiable as Spokane Police.

When I arrived, I contacted Cpl. Spiering and other Officer in the parking lot of Bong's. He informed me that the suspect reportedly walked up to a pickup in the parking lot and pointed a handgun at a male in the vehicle. He also threatened to kill the male. The male was able to take the gun away from the suspect and the suspect eventually fled on foot. Cpl. Spiering advised that they recovered the firearm and it was in fact a loaded 9MM handgun.

The suspect was described as a Native American or Hispanic male, wearing an orange shirt with white stripes and tan shorts.

Due to the severity of the crime and the danger to the public, I decided to deploy Talon to attempt a track of the suspect.

A witness last placed the suspect on the southwest corner of Chestnut and Boone, running south along the west sidewalk. She lost sight of him just to the south of Boone. I made a K9 announcement, and heard multiple announcements in the area being made by patrol Officers on the perimeter. The announcements were loud and clear.

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P. Buchmann #735
Spokane Police - K10

Handler's Signature (X)

Incident History for: #SP160291346

Received 08/06/16 22:06:19 BY 91117 911267
 Entered 08/06/16 22:07:55 BY 91117 911267
 Dispatched 08/06/16 22:08:26 BY PCC01 1210
 Enroute 08/06/16 22:08:26
 Onscene 08/06/16 22:09:24

Initial Type: PERW Final Type: PERW (PERSON WITH A WEAPON)
 Initial Priority: 2 Final Priority: 2
 Disposition: 8D Source: 9 Primary Unit: A319
 Police BLK: SPA2WC
 Group: P2 Beat: Map Page: 25
 Loc: 2040 W BOONE AV ,SPK -- BONGS GROCERY btwn N BELT ST & N NETTLETON ST (V)
 Name: FEMALE Addr: SAME Phone: [REDACTED] 1c

/220755 (911267) ENTRY 1 AGO, MALE POINTED GUN AT COMP'S HUSB. HUSB H AS GUN NOW.

/220807 (911254) SUPP NAM: [REDACTED] 1a
 PHO: [REDACTED] 1c
 TXT: MALE HAS A GUN. INSIDE OF LOC.

/220823 SUPP TXT: WM, LONG HAIR, GRY TANK TOP, JEANS
 /220826 (1210) DISPER A319 #1222 HOWARD, CALEB
 /220826 ASSTER A317 #1294 HENDERSON, KRISTOFER
 #1185 MATT, JOSEPH
 /220826 ASSTER A315 #1181 LESSER, CHRISTOPHER

/220835 (911254) SUPP TXT: TOLD EVERYONE IN STORE TO GET BACK
 /220853 (093) *ASSTER L183 #093 SPRAGUE, DEAN
 /220853 (994) *ASSTER P308 [2040 W BOONE AV ,SPK]
 #994 BODE, CHRISTOPHER

/220853 (911254) SUPP TXT: WAS TALKING TO FEMALE, MY COMP LEFT
 /220854 (1283) *ASSTER A314 [2040 W BOONE AV ,SPK]
 #1283 WALKER, TREVOR
 #1177 BRIGGS, NICK

/220924 (1294) *ONSCNE A317
 /220926 (911254) SUPP TXT: DIDNT HEAR ANY ARGUE WITH FEMALE. LAST SE EN GOING INTO STORE WHEN COMP DR OVE AWAY 2 AG O.
 #560 SPIERING, NATHAN J

/220931 (1210) ASSTER P323
 /220947 ONSCNE A315
 /220947 ONSCNE P323
 /220947 ONSCNE A319
 /220952 (1293) *ASSTER A311 [2040 W BOONE AV ,SPK]
 #1293 SCHWERING, TIM
 #1015 KIRBY, AARON
 ,RESTRICTED

/220956 (1210) MISC
 /221005 (911267) SUPP TXT: MALE IS INTOX. MALE BROKE HUSB THEM. MEDI CS NEEDED. HUSB MANAGED TO RIP T HE GUN OUT OF MALES HAND. MEDICS NEEDED, FIRE ADV

/221027 (911254) SUPP NAM: [REDACTED] 1a
 TXT: LAST HEARD MALE TELLING AN EMPL TO GET IN SIDE THE STORE. ###
 ,A319 TOOK OFF SB CHESTNUT OR WB BOONE ,M A319, ** GUN HAS BEEN RECOVERED, WB BOONE

/221028 (1210) MISC
 /221050 MISC
 /221050 (1154) *ASSTER C353 [2040 W BOONE AV ,SPK]
 #1154 YRIGOLLEN, KYLE
 #1010 WILLARD, JACOB

/221059 (093) *ONSCNE L183
 /221059 (911267) SUPP TXT: COMP DISCONNECTED AFTER FIRE. ATTEMPTING CB

/221119 (566) *ASSTER B430 [2040 W BOONE AV ,SPK]
 #566 VAUGHN, KEVIN L
 #750 ANDERSON, JERRY C
 /221123 (1210) MISC , I/M OR H/M 508 MED BLD WEARING ORG SHIRT WHI
 STRIPES TAN SHORTS
 /221132 (1290) *ASSTER B432 [2040 W BOONE AV ,SPK]
 #1290 LEQUIRE, CHRIS
 /221135 (911221) SUPP NAM: MALE,
 ADR: [REDACTED] 1d ,
 PHO: [REDACTED] 1c ,
 TXT: OCC'D 1 AGO. VEH WAS COMING OUT OF THE PL
 OT AND SOMEONE FROM THE VEH NOT TO GO INSIDE B
 ECAUSE SOMEONE HAD A GUN.
 /221149 (1186) *ASSTER B437 [2040 W BOONE AV ,SPK]
 #1186 BROWN, JORDAN
 /221149 (1234) ASSTER K10 #735 BUCHMANN, PAUL
 /221149 (911267) SUPP TXT: ***TO CLARIFY, MALE BROKE COMP'S HUSB THU
 MB.***
 /221150 (1210) MISC ,WHI VISOR? COMP ADV ATTEMPTED ROB
 /221206 (1293) *ONSCNE A311
 /221209 (911267) SUPP TXT: EMPLOYEE SAID LE IS AT LOC, DISCONNECTED
 ###
 /221212 (1210) NEWLOC P308 [TRACK]
 /221213 (1280) *ASSTER B438 [2040 W BOONE AV ,SPK]
 #1280 CARRELL, REID
 #1190 BROOKS, WINSTON
 /221216 (329) *ASSTER L211 [2040 W BOONE AV ,SPK]
 #329 TEIGEN, TROY
 /221225 (911221) SUPP TXT: VEH HEADED EB ON BOONE. VEH: BLU OR RED,
 4DR. UNK WHO HAD THE GUN.
 /221233 (1210) MISC ,P323, 2ND ASLT FELONY HARASS
 /221240 CHGLOC A311 [LINDEKE/SINTO]
 /221247 CHGLOC A315 [MALLON/LIND]
 /221258 (783) *ASSTER D470 [2040 W BOONE AV ,SPK]
 #783 BRANNON, BEAU
 /221301 (1282) *ASSTER A312 [LINDEKE/SINTO]
 #1282 YUNIN, DENIS
 #1207 BERROW, SETH
 /221307 (911221) SUPP TXT: 2 W/M'S AND 1 W/F INSIDE THE VEH. FEMALE
 AND MALE WERE IN BACKSEAT AND M ALE WAS DRIVIN
 G.
 /221326 (1210) CHGLOC A311 [COCHRAN/GARDNER]
 /221340 CHGLOC A314 [COCHRAN/BOONE]
 /221341 (911221) SUPP TXT: MY COMP: [REDACTED] 1a [REDACTED] 1b . ###
 /221343 (1210) ONSCNE A311
 /221343 ONSCNE A314
 /221354 (1154) *CHGLOC C353 [AREA]
 /221355 *ONSCNE C353
 /221408 (1210) CHGLOC A312 [COCHRAN/SINTO]
 /221419 CHGLOC B430 [COCHRAN/MALLON]
 /221436 CHGLOC A315 [2202 W GARDNER]
 , ON FOOT
 /221436 CHGLOC A317 [2202 W GARDNER]
 , ON FOOT
 /221450 (1154) *CHGLOC C353 [COCHRAN/DEAN]
 /221455 *ONSCNE C353
 /221515 (1188) *ASSTER D471 [2202 W GARDNER]
 #1188 MOHONDRO, CORRIGAN
 /221519 (1210) CHGLOC B432 [SHARP/COCHRAN]
 /221526 (1290) *NEWLOC B432 [COCHRAN/MALLON]

/221552	(1210	)	MISC		, P308 VIC CAN ID
/221554	(1293	)	*MISC	A311	, ANNOUNCEMENT MADE AS WELL AS LOCATION GARDNER AND COCHRAN. [CHESTNUT/SINTO]
/221602	(1210	)	CHGLOC	B437	
/221609	(1282	)	*ONSCNE	A312	
/221618	(1210	)	CHGLOC	B438	[CHESTNUT/GARDNER]
/221634			CHGLOC	D470	[CHESTNUT/MALLON]
/221642	(783	)	*ONSCNE	D470	
/221713	(1282	)	*MISC	A312	, ANNOUNCMET GIVEN
/221726	(1283	)	*MISC	A314	, ANNOUNCE MADE COCHRAN/BOONE
/221727	(783	)	*NEWLOC	D470	[TRACK]
/221736	(1234	)	REMINQ	L183	GUN, L183, TET4793, , , , , , , , , ,
/221737	(1210	)	CHGLOC	D471	[SINTO/CANNON]
/221745	(1234	)	MISC	L183	, SMITH WESSON MOD 6904
/221751	(1290	)	*MISC	B432	, K9 MADE COCHRAN/MALLON
/221753	(566	)	*NEWLOC	B430	[COCHRAN/SHARP]
/221828	(1210	)	CHGLOC	D471	[MOBILE]
/221833	(1154	)	*MISC	C353	, ANNOUNCE MADE COCHRAN/DEAN
/221836	(1210	)	NEWLOC	A319	[TRACK]
/221844			ONSCNE	A315	
/221844			ONSCNE	A317	
/221848	(1186	)	*ONSCNE	B437	
/221858	(1280	)	*ONSCNE	B438	
/221912	(1210	)	MISC	A315	, LAST SPOT KNOW CHESTNUT/BOONE
/221921			ONSCNE	K10	
/221938	(614	)	*ASSTER	B431	[CHESTNUT/GARDNER] #614 ARREDONDO, JOHN
/221940			*ONSCNE	B431	
/221944	(1186	)	*MISC	B437	, ANNOUNCEMENT MADE SINTO/CHESTNUT
/222006	(566	)	*MISC	B430	, ANNC MADE
/222013	(1280	)	*MISC	B438	, ANNOUNCEMENT MADE CHESTNUT/GARDNER
/222015	(329	)	*ONSCNE	L211	
/222022	(1188	)	*ONSCNE	D471	
/222049	(329	)	*CHGLOC	L211	[AREA]
/222050			*ONSCNE	L211	
/222127	(1210	)	MISC		, L183 BOONE/? FIST FIGHT? DISREGARD, PILLOWS
/222202			MISC		, D470 STARTING TRACK
/222223			NEWLOC	D471	[CHESTNUT/MALLON]
/222230	(1282	)	*MISC	A312	, ANOTHER ANNOUNCMET MADE
/222257	(702	)	*ASSTER	K16	[2040 W BOONE AV ,SPK] #702 JENSEN, JAKE
/222402	(1210	)	MISC		, A319 GOOD WITN MALE RAN WEST, BACKTRACKED EB, THEN TOOK OFF SB CHESTNUT
/222419			NEWLOC	A319	[BONGS]
/222520			NEWLOC	B431	[BROADWAY/COCHRAN JEO]
/222635			MISC		, D470 MOVE SOUTH PERM TO BROADWAY
/222642			CHGLOC	A312	[COCHRAN/BROADWAY]
/222648			CHGLOC	B437	[CHEST/BRDWY]
/222817			MISC	B431	, OUT W/MALE IN WHI TANK, BUT A B/M. DOESN'T MA TCH DES
/222925	(702	)	*ONSCNE	K16	
/223001	(1188	)	*MISC	D471	, ANN MADE
/223024	(614	)	*REMINQ	B431	MWANT, , , , , 1a, 1b, , , , , , , , , ,
/223029	(1282	)	*ONSCNE	A312	
/223030			*MISC	A312	, ANNOUNCMET MADE
/223150	(1188	)	*MISC	D471	, ANN MADE
/223218	(1210	)	MISC		, A311 WHI RABBIT CONV PICKED SOMEONE UP AROUND LINDEKE HEADED NB - BOONE
/223224			CHGLOC	B431	[LINDEKE/BOONE]

/223235	(702)	*REMINQ	K16	MWANT,,,,,,,,, [REDACTED] 2d ,,,,,,,,,
/223343	(1210)	MISC	D470	, TAKING ONE INTO CUSTODY S ALLEY CHESTNUT/BOON E
/223401		NEWLOC	D470	[S ALLEY CHESTNUT/BOONE]
/223401		NEWLOC	K10	[S ALLEY CHESTNUT/BOONE]
/223401		NEWLOC	P308	[S ALLEY CHESTNUT/BOONE]
/223422		MISC	D470	, C4 W/UNITS HERE
/223431	(566)	*MISC	B430	, PSTAT/ASST
/223441		\$PREMPT	B430	
/223443	(1210)	MISC	L183	, NEED A CAR AT BONGS FOR TRANSP/SHOW UP
/223450		CHGLOC	A317	[BONGS/SHOW UP]
/223509		NEWLOC	D471	[BONGS]
/223524	(1293)	*REMINQ	A311	MVEH, AZA6345, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
/223531	(1210)	MISC	D470	, ** PERIM CAN SECURE, UNRESTRICT
/223550		MISC	D470	, VIC WITN GO TO SOUTH ALLEY CHESTNUT/BOONE
/223728		TRANS	D471	[S ALLEY CHEST/BOONE] , SHOW UP
/223741	(1234)	MISC	B438	, [REDACTED] 1a
/223805	(1188)	*TRANSC	D471	
/223808	(1210)	TRANSC	D471	[STATION]
/223813		TRANSC	D471	[S ALLEY CHEST/BOONE] , SHOW UP
/223818		MISC	D471	, ***** 100 5
/223822		MISC	D471	, ***** 100 %
/223826	(1283)	*CLEAR	A314	, PSTAT/ASST
/223844	(1234)	\$PREMPT	B438	
/223850		\$PREMPT	B437	
/223856	(1210)	REMINQ	A315	WANT, A315, ,,,,,, , TREVINO, FRANCIS, A, 1967, 07, 16, , , ,,,,,, 5
/223910	(1293)	*CLEAR	A311	
/223920	(1282)	*CLEAR	A312	, PSTAT/ASST
/224054	(1210)	TRANS	B432	[S ALLEY CHESTNUT/BOONE]
/224118		NEWLOC	P323	[2112 W GARDNER/BACK ALLEY] , ***** WHERE SUSP WAS TAKEN INTO CUSTODY , *** 100 %
/224125		MISC	B432	
/224127	(614)	*ONSCNE	B431	
/224127	(1210)	TRANSC	B432	
/224145		NEWLOC	B432	[2112 W GARDNER/BACK ALLEY]
/224145		NEWLOC	D471	[2112 W GARDNER/BACK ALLEY]
/224145		NEWLOC	K10	[2112 W GARDNER/BACK ALLEY]
/224145		NEWLOC	D470	[2112 W GARDNER/BACK ALLEY]
/224145		NEWLOC	A317	[2112 W GARDNER/BACK ALLEY]
/224152		MISC	A317	, *** 100 %
/224204	(1154)	\$PREMPT	C353	
/224249	(1188)	*CLEAR	D471	, PSTAT/ASST PSTAT/VIDN
/224307	(1181)	*CHGLOC	A315	[DEAC]
/224737	(1290)	*CLEAR	B432	, PSTAT/ASST PSTAT/RPT
/224740	(702)	\$PREMPT	K16	
/224755	(735)	*CHGLOC	K10	[DEACONESS]
/225033	(1181)	*ONSCNE	A315	
/225109	(783)	*CLEAR	D470	, PSTAT/ASST PSTAT/VIDN PSTAT/RPT, . . 1B
/225213	(329)	*CLEAR	L211	, PSTAT/ASST
/225214	(093)	*CLEAR	L183	DSP: 8D , PSTAT/ASST
/225514	(735)	*ONSCNE	K10	
/225559	(1294)	*REMINQ	A317	MWANT, ,,,,,, [REDACTED] 1a [REDACTED] 1b ,,,,,,,,,
/225606	(1253)	REMINQ	A315	CHRI, A315, C, CLESSER, WOFF, 160291346, ,,,,,,,,,, , ,,,,, 996019FA

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/225624 (1294 ) *REMINQ A317 MWANT,,,,,,,,, 1a 1b ,,,,,,,,,,
/225830 (735 ) *REMINQ K10 MWANT,,,,,,,,,TREVINO,FRANCISANTHONY,1967,07,16,
/230114 (614 ) *MISC B431 ,PSTAT/CFS PSTAT/RPT
/230120 *CLEAR B431
/230517 (1294 ) *REMINQ A317 MWANT,,,,,,,,, 1a 1b ,,,,,,,,,,
/230549 (994 ) *CHGLOC P308 [DEAC]
/230730 (560 ) *NEWLOC P323 [A315]
/230848 (1294 ) *REMINQ A317 MWANT,,,,,,,,, 1a 1b ,,,,,,,,,,
/230916 (994 ) *ONSCNE P308 ,9
/231400 (1210 ) $PREMPT A317
/231704 (560 ) *CHGLOC P323 [PROP]
/232147 (1222 ) *CHGLOC A319 [NW]
/232321 (560 ) *ONSCNE P323
/233037 (1222 ) *ONSCNE A319
/235802 (1234 ) OK A315
/235804 OK A319
/235806 OK K10
/235809 OK P308
/235811 OK P323
*** New Date: 08/07/16 ***
/000311 (560 ) *CHGLOC P323 [WC]
/001156 (1234 ) CALLBK A315 T/PCC02
,08/07/16 00:11:41 MESSAGE TO: PCC01 FROM: A31
5 WILL YOU LET JAIL KNOW ENRT WITH AN UNCOOP
/001201 (1181 ) *TRANS A315 [JAIL] M/10420
,1 MALE
/001337 (1253 ) CALLBK A315 T/PCC01
,JAIL ADV
/001556 (560 ) *ONSCNE P323
/001642 (1234 ) OK P323
/001922 (1181 ) *TRANSC A315 M/10422
/001939 (1234 ) OK A315
/002036 (735 ) *CLEAR K10 ,PSTAT/ASST PSTAT/RPT PSTAT/VIDN *TRACK, CAPTU
RE
/002818 (994 ) *REMINQ P308 MVEH,AOT4656,,,,,,,,,
/003426 (1181 ) *MISC A315 ,FRANCIS BOOKED FOR 2ND ASSAULT, UPF 1ST, FELO
NY HARASSMENT, AND 3RD ASSAULT
/003857 (994 ) *CHGLOC P308 [LOGAN]
/004309 *ONSCNE P308
/004420 (1234 ) OK P308

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INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-291346	
INCIDENT TYPE Arrest, Gun Involved, Information		INCIDENT CLASSIFICATION #1 ASSAULT-WEAPON		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #2 WPN-UNLAW POSS <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3 HARASSMENT		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #4 <input type="checkbox"/>	
		RESPONDING TO (Officer Assault) ASSAULT w/ Deadly WEAPON		ASSIGNMENT (Officer Assault) OFFICER-ATROL	
REPORTED ON Sat 08/06/2016 22:07	DATE/TIME	OCURRED ON Sat 08/06/2016 22:07	DATE/TIME	OCURRED TO Sat 08/06/2016 22:40	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 08/07/2016	REPORT TIME 02:51	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE 9A.36.021(1)(C) ASSAULT-2D(DEADLY WEAPON)					UCR/NCIC CODE /13A
ADDITIONAL CHARGES 9A.46.020(2)(B)(II) HARASSMENT(THREAT TO KILL), 9.41.040(1)(A) UNLW POS FRARM-1D(PRV FEL CONV),					
LOCATION OF INCIDENT 2040 W Boone Avenue, Spokane, WA 99201				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS PC Affidavit Completed, Suspect Arrested, Useful Physical Evidence, Witness to Crime					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS N. Spiering, P. Buchmann, C. LeQuire, K. Henderson, C. Mohondro					
VICTIM/WITNESSES/OTHERS					
CODE A-1	NAME: LAST, FIRST, MIDDLE Trevino, Francis A			SEX M	RACE/ETHNICITY I-American Indian or
				DATE OF BIRTH/AGE 07/16/1967 49	
HEIGHT 6'00"	WEIGHT 205	BUILD Medium	HAIR Black	EYES BRO - Brown	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1908 W Gardner #1, Spokane, WA 99201			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL ADDRESSES					ADDRESS TYPE
ADDITIONAL PHONES (Cell) (509) 251-0446					
CHARGE LEVEL Felony Class B	DESCRIPTION 9A.36.021(1)(C) ASSAULT-2D(DEADLY WEAPON)			UCR/NCIC CODE /13A	
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CHARGE LEVEL Felony Class C	DESCRIPTION 9A.46.020(2)(B)(II) HARASSMENT(THREAT TO KILL)			UCR/NCIC CODE 90Z/90Z	
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CHARGE LEVEL Felony Class C	DESCRIPTION 9.41.040(1)(A) UNLW POS FRARM-1D(PRV FEL CONV)			UCR/NCIC CODE /520	
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	

ID NO /NAME OF REPORTING OFFICER #1222 - Howard, Caleb	DISTRIBUTION	
APPROVAL #093 - Sprague, Dean	DATE/TIME 08/07/2016 04:37	

Incident Report #1

08/07/2016 04:43:25 226

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-WEAPON		ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346		
CHARGE LEVEL Felony Class C	DESCRIPTION 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)		UCR/NCIC CODE /13A		
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CITATION #	DATE	TIME	BOOKED WHERE Spokane County Jail	DATE 08/06/2016	
ARREST LOCATION 2112 W Gardner Avenue, Spokane, WA 99201		STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED	SUSPECT ARMED WITH	
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	
HATE BIAS		CIRCUMSTANCES			
CODE V-1	NAME: LAST, FIRST, MIDDLE 1a		SEX M	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE 1b
HEIGHT 6'03"	WEIGHT 210	BUILD Medium	HAIR Brown	EYES BLU - Blue	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1d		RESIDENTIAL STATUS	PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) 1c					
HATE BIAS		CIRCUMSTANCES			
RELATIONSHIP TO SUSPECT	VICTIM OF Ofns. # 9A.36.021(1)(C) ASSAULT-2D(DEADLY WEAPON)		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 1a		SEX F	RACE/ETHNICITY W-White	DATE OF BIRTH/AGE 1b
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1d		RESIDENTIAL STATUS	PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) 1c					

CONTINUED ON NEXT PAGE

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-WEAPON				ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
CODE W-2	NAME: LAST, FIRST, MIDDLE 1a			SEX M	RACE/ETHNICITY W-White
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE 1b
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1d			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL ADDRESSES 1d					ADDRESS TYPE Work
ADDITIONAL PHONES (Work) 1c					
CODE W-3	NAME: LAST, FIRST, MIDDLE 1a			SEX F	RACE/ETHNICITY W-White
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE 1b
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1d			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) 1c					
CODE V-2	NAME: LAST, FIRST, MIDDLE Buchmann, Ofc. Paul			SEX M	RACE/ETHNICITY W-White
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1100 W Mallon Avenue, Spokane, WA 99216			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Work) 242-8400					
RELATIONSHIP TO SUSPECT		VICTIM OF Ofns. # 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)		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

NARRATIVE

On 08-06-16 at approximately 2208 hours, I (Officer C. Howard) responded to a call where a male allegedly pointed a gun at another male at the Bong's convenience store located at 2040 W Boone Ave.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

Page 4

INCIDENT CLASSIFICATION ASSAULT-WEAPON	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
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While arriving on scene, dispatch got further information that the caller's husband had ripped the gun away from the suspect. There was some confusion amongst the callers who the suspect was since the victim now had the suspect's gun and was seen running into the store.

While approaching the business, the information we had was the male with the gun was a white male, long hair, tank top and jeans.

Officers contacted several people inside the business. It was quickly determined the suspect had left the area on foot either westbound Boone Ave or southbound Chestnut St. The handgun was in fact taken away from the suspect by the victim and it was handed over to Cpl. Spiering.

I contacted [redacted] 1a who said her husband was the one who had the gun pointed at him. She gave me the description of the suspect as follows:

Native or Hispanic male, 5'08", medium build, shorter hair, wearing an orange shirt with white stripes and tan shorts. I broadcasted the suspect description to other Officers in the area.

[redacted] 1a told me the following in summary:

She and her husband pulled into the parking lot of Bongs in their truck. A male walked around the front of the truck coming from the west and was stumbling around like he was intoxicated or high on drugs. She got ready to get out of the truck and the male suddenly "lunged" at her.

[redacted] 1a said her husband got out and started talking to the male. [redacted] 1a said the male was mumbling words but she could not really understand what he was saying. She said the male said something like, "Lets go over to the side of the building." She thought the male was implying and acting like he wanted to fight her husband. She said the male said something about shooting her husband and then suddenly pulled out a handgun from his waistband. The male pointed the handgun right at her husband's chest.

[redacted] 1a said she immediately ran into the gas station and asked the clerk to use the phone to call 911.

[redacted] 1a told me and acted like she was terrified for her and her husband's life.

As I was collecting statements, other Officers were setting a perimeter. Cpl. N. Spiering was interviewing [redacted] 1a husband, [redacted] 1a.

I next interviewed the Bong's clerk, [redacted] 1a [redacted] 1a said he did not see any of the actual assault take place. He told me he walked out to see what was going on after [redacted] 1a had ran in to call

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-WEAPON	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
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911. He said he got a very good look at the suspect male because the suspect looked right at him as he ran away from the scene. He described the suspect nearly exactly the same as [redacted 1a] had described.

[redacted 1a] checked his surveillance cameras and said they did not catch the angle of the assault taking place on the west side of the building since the victim's truck was in the way. He told me his boss ([redacted 1a] [redacted 1c]) would be there in the morning and would be able to pull the full video to see if it could have captured any evidence.

I was then approached by a female who stated she had witnessed the incident from her house located directly west of Bongs. She identified herself as [redacted 1a] and told me the following in summary:

She was on her front porch smoking when she heard some yelling from the Bongs parking lot. She looked over and saw the victim male and the suspect male arguing. She heard the suspect male say, "I'm just going to shoot you." She then saw the suspect male and the victim male begin to wrestle around on the ground for about 1 minute.

She saw the victim male come up off the ground with a handgun in his hand. The victim then ran inside the store. She saw the suspect take off initially westbound on Boone Ave. The male then turned back around after a moment and headed back eastbound on Boone and then ran south bound on Chestnut.

[redacted 1a] gave me a very similar description of the suspect as the other witnesses had given.

The perimeter had already been set and the K9 track had began.

After a few minutes, the suspect (identified as Francis Trevino) was taken into custody in the back yard/alley way behind 2112 W Gardner Ave. See other Officer's reports for further.

[redacted 1a] [redacted 1a] and [redacted 1a] all were willing to do a show up with suspect who was located. They were all advised the male located may or may not be involved with the incident. They all three stated Trevino was 100% the suspect. See other Officer's reports who completed the show up process.

Trevino was transported to Deaconess to be treated for a K9 contact. While at the hospital Trevino assaulted K9 Ofc. Buchmann. See Ofc. C. Lesser's report and K9 Ofc. P. Buchmann's report for further.

Cpl. Spiering had dispatch run a III on Trevino and discovered he had been convicted of a prior violent felony (1st degree burglary). See Cpl. Spiering's report for further.



08/07/2016 04:43:30.847

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-WEAPON	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
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Based on all the witness and victim statements, the gun that was located, the 100% positive identification of the suspect by the witnesses from the three show ups, it was determined there was probable cause to arrest Trevino for 2nd degree assault, 3rd degree assault, 1st degree unlawful possession of a firearm and felony harassment threats to kill. Trevino was then transported to jail by Ofc. C. Lesser where he was booked on those charges.

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 C. Howard #1222
Team 10 A319



08/07/2016 04:43:30 885

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-291346	
INCIDENT TYPE Arrest, Gun Involved, Information		INCIDENT CLASSIFICATION #1 ASSAULT-WEAPON		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #2 WPN-UNLAW POSS <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3 HARASSMENT		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #4 <input type="checkbox"/>	
RESPONDING TO (Officer Assault) Attempting Other Arrest				ASSIGNMENT (Officer Assault) Other Assisted	
REPORTED ON Sat 08/06/2016	DATE/TIME 22:07	OCCURRED ON Sat 08/06/2016	DATE/TIME 22:07	OCCURRED TO Sat 08/06/2016	DATE/TIME 22:40
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 08/07/2016	REPORT TIME 02:51	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE 9A.36.021(1)(C) ASSAULT-2D(DEADLY WEAPON)					UCR/NIBRS CODE /13A
ADDITIONAL CHARGES 9A.46.020(2)(B)(II) HARASSMENT(THREAT TO KILL), 9.41.040(1)(A) UNLW POS FRARM-1D(PRV FEL CONV),					
LOCATION OF INCIDENT 2040 W Boone Avenue, Spokane, WA 99201				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS PC Affidavit Completed, Suspect Arrested, Useful Physical Evidence, Witness to Crime					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS N. Spiering, P. Buchmann, C. LeQuire, K. Henderson, C. Mohondro					
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim, P-Person, A-Arrested, B-Batterer, H-Harassment, MIP-Partial Mince, RC-Registered Owner, V-Deceased, AS-Assailant, PE-Possessor, PD-Participant, CS-Car, O-Owner, C-Complainant, M-Participant, G-Legal Guardian, D-Driver, W-Witness, CV-Complainant Victim, CCN-Contact, R-Resistant, SW-Owner of Property</small>					
CODE A-1	NAME: LAST, FIRST, MIDDLE Trevino, Francis A			SEX M	RACE/ETHNICITY I-American Indian or
DATE OF BIRTH/AGE 07/16/1967 49	HEIGHT 6'00"	WEIGHT 205	BUILD Medium	HAIR Black	EYES BRO - Brown
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1908 W Gardner #1, Spokane, WA 99201			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL ADDRESSES					ADDRESS TYPE
ADDITIONAL PHONES (Cell) (509) 251-0446					
CHARGE LEVEL Felony Class B	DESCRIPTION 9A.36.021(1)(C) ASSAULT-2D(DEADLY WEAPON)				UCR/INCIC CODE /13A
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Felony Class C	DESCRIPTION 9A.46.020(2)(B)(II) HARASSMENT(THREAT TO KILL)				UCR/INCIC CODE 90Z/90Z
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Felony Class C	DESCRIPTION 9.41.040(1)(A) UNLW POS FRARM-1D(PRV FEL CONV)				UCR/INCIC CODE /520
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>

ID NO./NAME OF REPORTING OFFICER #1222 - Howard, Caleb	DISTRIBUTION	
APPROVAL #443 - Kakuda, Blaine	DATE/TIME 08/07/2016 16:57	

Incident Report #1

08/07/2016 17:02:59.870

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-WEAPON				ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346			
CHARGE LEVEL Felony Class C		DESCRIPTION 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)				UCR/NCIC CODE /13A		
WARRANT #	BAIL		TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>		
CITATION #	DATE	TIME	BOOKED WHERE Spokane County Jail			DATE 08/06/2016	TIME 22:30	
ARREST LOCATION 2112 W Gardner Avenue, Spokane, WA 99201					STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED	SUSPECT ARMED WITH	
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		
HATE BIAS				CIRCUMSTANCES				
CODE V-1	NAME: LAST, FIRST, MIDDLE 1a				SEX M	RACE/ETHNICITY W-White		DATE OF BIRTH/AGE 1b
HEIGHT 6'03"	WEIGHT 210	BUILD Medium	HAIR Brown	EYES BLU - Blue	DESCRIPTORS			
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1d				RESIDENTIAL STATUS		PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE		
ADDITIONAL PHONES (Cell) 1c								
HATE BIAS				CIRCUMSTANCES				
RELATIONSHIP TO SUSPECT			VICTIM OF Offns. # 9A.36.021(1)(C) ASSAULT-2D(DEADLY WEAPON)			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 1a				SEX F	RACE/ETHNICITY W-White		DATE OF BIRTH/AGE 1b
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS			
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1d				RESIDENTIAL STATUS		PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION		EMPLOYER PHONE		
ADDITIONAL PHONES (Cell) 1c								

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-WEAPON				ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
CODE W-2	NAME: LAST, FIRST, MIDDLE 1a			SEX M	RACE/ETHNICITY W-White
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE 1b
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1d			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL ADDRESSES 1d					ADDRESS TYPE Work
ADDITIONAL PHONES (Work) 1c					
CODE W-3	NAME: LAST, FIRST, MIDDLE 1a			SEX F	RACE/ETHNICITY W-White
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE 1b
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1d			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Cell) 1c					
CODE V-2	NAME: LAST, FIRST, MIDDLE Buchmann, Ofc. Paul			SEX M	RACE/ETHNICITY W-White
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1100 W Mallon Avenue, Spokane, WA 99216			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Work) 242-8400					
RELATIONSHIP TO SUSPECT			VICTIM OF Offns # 9A.36.031(1)(G) ASSAULT-3D(LAW ENFORCE/EMPLOY)	OFNDR. # A-1	
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES				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
NARRATIVE					

On 08-06-16 at approximately 2208 hours, I (Officer C. Howard) responded to a call where a male allegedly pointed a gun at another male at the Bong's convenience store located at 2040 W Boone Ave.

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

Page 4

INCIDENT CLASSIFICATION ASSAULT-WEAPON	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
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While arriving on scene, dispatch got further information that the caller's husband had ripped the gun away from the suspect. There was some confusion amongst the callers who the suspect was since the victim now had the suspect's gun and was seen running into the store.

While approaching the business, the information we had was the male with the gun was a white male, long hair, tank top and jeans.

Officers contacted several people inside the business. It was quickly determined the suspect had left the area on foot either westbound Boone Ave or southbound Chestnut St. The handgun was in fact taken away from the suspect by the victim and it was handed over to Cpl. Spiering.

I contacted [redacted] **1a** who said her husband was the one who had the gun pointed at him. She gave me the description of the suspect as follows:

Native or Hispanic male, 5'08", medium build, shorter hair, wearing an orange shirt with white stripes and tan shorts. I broadcasted the suspect description to other Officers in the area.

[redacted] **1a** told me the following in summary:

She and her husband pulled into the parking lot of Bongs in their truck. A male walked around the front of the truck coming from the west and was stumbling around like he was intoxicated or high on drugs. She got ready to get out of the truck and the male suddenly "lunged" at her.

[redacted] **1a** said her husband got out and started talking to the male. [redacted] **1a** said the male was mumbling words but she could not really understand what he was saying. She said the male said something like, "Lets go over to the side of the building." She thought the male was implying and acting like he wanted to fight her husband. She said the male said something about shooting her husband and then suddenly pulled out a handgun from his waistband. The male pointed the handgun right at her husband's chest.

[redacted] **1a** said she immediately ran into the gas station and asked the clerk to use the phone to call 911.

[redacted] **1a** told me and acted like she was terrified for her and her husband's life.

As I was collecting statements, other Officers were setting a perimeter. Cpl. N. Spiering was interviewing [redacted] **1a** husband, [redacted] **1a**.

I next interviewed the Bong's clerk, [redacted] **1a**. [redacted] **1a** said he did not see any of the actual assault take place. He told me he walked out to see what was going on after [redacted] **1a** had ran in to call

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

Page 5

INCIDENT CLASSIFICATION ASSAULT-WEAPON	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
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911. He said he got a very good look at the suspect male because the suspect looked right at him as he ran away from the scene. He described the suspect nearly exactly the same as **1a** had described.

1a checked his surveillance cameras and said they did not catch the angle of the assault taking place on the west side of the building since the victim's truck was in the way. He told me his boss (**1a** **1c**) would be there in the morning and would be able to pull the full video to see if it could have captured any evidence.

I was then approached by a female who stated she had witnessed the incident from her house located directly west of Bongs. She identified herself as **1a** and told me the following in summary:

She was on her front porch smoking when she heard some yelling from the Bongs parking lot. She looked over and saw the victim male and the suspect male arguing. She heard the suspect male say, "I'm just going to shoot you." She then saw the suspect male and the victim male begin to wrestle around on the ground for about 1 minute.

She saw the victim male come up off the ground with a handgun in his hand. The victim then ran inside the store. She saw the suspect take off initially westbound on Boone Ave. The male then turned back around after a moment and headed back eastbound on Boone and then ran south bound on Chestnut.

1a gave me a very similar description of the suspect as the other witnesses had given.

The perimeter had already been set and the K9 track had began.

After a few minutes, the suspect (identified as Francis Trevino) was taken into custody in the back yard/alley way behind 2112 W Gardner Ave. See other Officer's reports for further.

1a, **1a** and **1a** all were willing to do a show up with suspect who was located. They were all advised the male located may or may not be involved with the incident. They all three stated Trevino was 100% the suspect. See other Officer's reports who completed the show up process.

Trevino was transported to Deaconess to be treated for a K9 contact. While at the hospital Trevino assaulted K9 Ofc. Buchmann. See Ofc. C. Lesser's report and K9 Ofc. P. Buchmann's report for further.

Cpl. Spiering had dispatch run a III on Trevino and discovered he had been convicted of a prior violent felony (1st degree burglary). See Cpl. Spiering's report for further.

Incident Report #1

CONTINUED ON NEXT PAGE

08/07/2016 17:03:01.729

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-WEAPON	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
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Based on all the witness and victim statements, the gun that was located, the 100% positive identification of the suspect by the witnesses from the three show ups, it was determined there was probable cause to arrest Trevino for 2nd degree assault, 3rd degree assault, 1st degree unlawful possession of a firearm and felony harassment threats to kill. Trevino was then transported to jail by Ofc. C. Lesser where he was booked on those charges.

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 C. Howard #1222
Team 10 A319

Incident Report #1	END OF INCIDENT REPORT
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08/07/2016 17:03:01.778

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-291346	
REPORT PURPOSE		REPORTED ON DATE Sat 08/06/2016	TIME 22:07	INCIDENT XREF
INCIDENT CLASSIFICATION #1 ASSAULT-WEAPON	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 WPN-UNLAW POSS		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3 ASSAULT-SIMPLE	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 08/07/2016	REPORT TIME 01:05
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 08-06-16 at about 2211 hours, I responded to the area of Bong's Grocery at 2040 W. Boone to assist on a Person With a Weapon call. Callers reported that a male pointed a gun at another male. The victim male disarmed the suspect and the suspect fled on foot.

I responded with K9 Talon. We are a WAC certified police patrol dog team. We are also accredited with the Washington State Police Canine Association (WSPCA). Talon and I are in our third year as a team.

We responded in a fully marked "Spokane Police K9" car and parked in the front of the address. I was wearing the uniform of the day (jumpsuit), which clearly identified me as a Police Officer. Talon was wearing a harness with "POLICE" marked along both shoulders and a Spokane Police patch on the left side of his chest. We were clearly identifiable as Spokane Police.

When I arrived, I contacted Cpl. Spiering and other Officer in the parking lot of Bong's. He informed me that the suspect reportedly walked up to a pickup in the parking lot and pointed a handgun at a male in the vehicle. He also threatened to kill the male. The male was able to take the gun away from the suspect and the suspect eventually fled on foot. Cpl. Spiering advised that they recovered the firearm and it was in fact a loaded 9MM handgun.

The suspect was described as a Native American or Hispanic male, wearing an orange shirt with white stripes and tan shorts.

Due to the severity of the crime and the danger to the public, I decided to deploy Talon to attempt a track of the suspect.

A witness last placed the suspect on the southwest corner of Chestnut and Boone, running south along the west sidewalk. She lost sight of him just to the south of Boone. I made a K9 announcement, and heard multiple announcements in the area being made by patrol Officers on the perimeter. The announcements were loud and clear.

I took Talon to the south west corner of Chestnut and Boone and directed him to track. He quickly assumed a good tracking profile (nose to ground, body low and pulling at the leash),

ID NO./NAME OF REPORTING OFFICER #735 - Buchmann, Paul	DISTRIBUTION	
APPROVAL #093 - Sprague, Dean	DATE/TIME 08/07/2016 04:34	

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION
ASSAULT-WEAPON

ATTEMPTED



INCIDENT NUMBER

16-291346

indicating to me that he was working fresh human scent.

We worked to the south on Chestnut to the first alley south of Boone. Talon then tracked to the west in the alley. As we entered the alley, I could hear a male talking loudly to our west. I could see someone sitting in a lawn chair in the back yard of the second house west of Chestnut (2112 W. Gardner). The male sounded intoxicated (loud, slurred speech) and I was unable to understand what he was saying. It did not appear that he was talking to anyone.

As we tracked, I continued to hear Officers on perimeter making PA announcements of the K9 warning.

Talon turned west in the alley and continued tracking to the west. Talon tracked to the back gate of 2112 W. Gardner, where the male was sitting. Due to the dark lighting and the chair that the male was sitting in, I was unable to see his clothing or get a better visual of him. I continued to let Talon work and he worked back and forth along the fence line behind the residence and back to the gate. I tried to push him to continue to the west, but Talon did not show any interest in continuing past 2112 W. Gardner. I had the other Officers that were with me try to get a better view of the male to see if he matched the suspect description. Talon again went back to the gate and his activity level was steadily increasing.

About that time, a female inside the residence looked out the back glass door and then ran to the front of the house. I then heard a female yelling at the front of the house that there was someone on her back porch. The male, who was later identified as Francis A. Trevino, stood up and walked down off of the porch. Officers who were with me turned on their flashlights and focused their lights on him. I could see that he was wearing an orange polo shirt with white stripes on the shoulders and sleeves, tan cargo style shorts, black knee pads at his ankles and blue shoes. He appeared to be a Native American male. He perfectly matched the suspect description relayed to me.

Officers identified us as Police and ordered Trevino to raise his hands. He raised his hands, but began moving them around, lowering them and moving them quickly. Repeated commands were made to keep his hands up and to turn around and face away from us.

The area where we were standing in was a narrow passage between a garage and parked vehicle. Trevino was about 20 feet in front of us and we did not have any positions of cover. We were not able to spread out as there was privacy fencing extending above the chain link fencing, blocking our view of Trevino if we moved to the east. The garage was to the west of us.

Despite our commands to keep his hands raised, Trevino shoved his left hand quickly down and into his left front pocket. I feared that he was attempting to access a weapon from his pants. At that time, I deployed Talon to apprehend Trevino for the following reasons:

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION ASSAULT-WEAPON	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
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Crime: Trevino matched the suspect description of a suspect wanted for 2nd degree assault with a firearm and felony harassment-threats to kill. Both crimes being violent felonies, and committed with a firearm.

Threat factors: Trevino had been armed with a loaded 9MM handgun before it was taken away by the victim. He had not been searched and it was unknown if he had additional weapons on his person. He had initiated the confrontation with complete strangers with no provocation. He then fled on foot into a very dimly lit area, and then in the fenced backyard of a residence where he had no permission to be. This further endangered additional citizens in the area. Then, despite repeated commands, Trevino moved his hands around and then quickly put his hand in his pocket. Trevino appeared to be intoxicated.

Resistance: Trevino fled from the scene on foot. Once confronted on the porch of the residence, he did not follow Officers commands to put his hands up and face away from us. He then quickly put his hand in his pants pocket.

Fearing that Trevino was trying to access a weapon from his pants, I deployed Talon to apprehend him. Talon quickly approached and contacted Trevino on his left hip/buttocks area. Talon bit and held Trevino and they went down to the ground. I saw Trevino trying to push Talon away and then wrapped his arms around Talon's Neck, trying to pull him off. It appeared that he was trying to choke Talon, but Talon remained on the bite and did not release even with Trevino pulling on him. I told him to stop fighting with the dog, but he continued to do so.

When Trevino's hands were visible, we approached him. I outed Talon and he immediately released on command and returned to me. Trevino was detained and handcuffed by the other Officers. I stood by about 10 feet away with Talon on leash and at a heel. Trevino was searched and on his ankle was a GPS ankle monitor. Once he was searched, I walked Talon back to my vehicle and secured him.

Trevino was approximately 15 feet in front of us when I deployed him for the apprehension. The duration of the K9 contact was about 15 seconds.

Based on the circumstances, I believed that the individual committed or threatened to commit a criminal offense. I also had reasonable belief the individual posed an imminent threat of violence or serious harm to the public, officers, and myself. The individual was physically resisting arrest and the use of a canine reasonably appeared to be necessary to overcome such resistance. Other searching and locating tactics were unlikely to be successful.

I notified Sgt. Teigen of the use of force.

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 4

INCIDENT CLASSIFICATION ASSAULT-WEAPON	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
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Corporal Bode photographed the conditions of the alley and yard where Trevino had been.

Trevino was transported to Deaconess Hospital for evaluation and treatment of the K9 contact. I met Officer C. Lesser at Deaconess. When I arrived, Trevino was being belligerent to staff and not cooperating. While we were waiting to get a room, Trevino was sitting in the waiting room. He made repeated comments about fighting and assaulting us. He refused to speak to me or make a statement regarding the incident.

Once a room was available, Officer C. Lesser and I were escorting Trevino back to the room. As we were in the hallway walking, Trevino kicked me in the back of my left leg with his right leg. This momentarily knocked me off my step and caused minor transient pain. We continued to escort him to the room and placed him on the examination bed.

Dr. Carlton Heine examined Trevino. We exposed Trevino's left hip and buttocks area to examine the injuries. I observed abrasions and scrapes consistent with canine teeth injuries. There were multiple superficial scrapes, with the largest being about 1 inch long. There was also some bruising that was starting to become visible. None of the injuries required medical treatment. Dr. Heine prescribed antibiotic medication and discharged Trevino, clearing him to be booked into jail.

I examined Trevino for additional injuries. No other fresh marks or injuries were located. Trevino did have multiple old injuries that had already scabbed over on his left calf and knees. Cpl. Bode photographed the injuries. He also photographed the condition and clothing of Trevino.

Once Trevino was discharged, I assisted in escorting him to the patrol car and Officer C. Lesser transported and booked him. Trevino was booked for Unlawful Possession of a Firearm, Assault 2nd, Felony Harassment (threats to kill) and 3rd degree Assault - Law Enforcement, for kicking me.

See reports by other Officers for additional information.

It should be noted that I was not wearing my body camera at the time of this incident. Previous video footage was still being uploaded onto my computer and I was not able to disconnect it before the incident unfolded. However, all of the other Officers on the track were equipped with cameras.

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

P. Buchmann #735
Spokane Police - K10

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-291346	
REPORT PURPOSE			REPORTED ON DATE Sun 08/07/2016	TIME 22:08
INCIDENT CLASSIFICATION #1 ASSAULT-WEAPON		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 HARASSMENT	
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 08/07/2016	REPORT TIME 01:50
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 08-06-16 at 2208 hours, Officer Matt and I were working as a two man patrol unit for the City of Spokane. We were dispatched to Bongs Grocery, located at 2040 W Boone for a report of a person with a weapon. Dispatch advised there had been a male inside the grocery store with a gun and had been pointing it at people.

Upon arrival, Officer Matt and I contacted a witness/victim, identified as **1a**. We asked **1a** if he would be willing to perform a field show-up on a male that was detained. **1a** agreed and filled out the Show-up Identification card. We then transported **1a** to the back alley of 2122 W Gardner Ave for a field show-up.

I pulled into the location from the east, facing west. It was a dark, clear night. I activated my highbeams and spot light to illuminate the suspect. The suspect was standing in front of a patrol vehicle, in handcuffs, without any officer standing next to him. **1a** was sitting in the front seat of my patrol vehicle with a clear line of sight on the suspect.

1a positively identified that suspect as being the person with the gun. **1a** stated something to the effect of, "I am positive, that is 199% the guy." **1a** was then transported back to Bongs Grocery.

Nothing further

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

K Henderson
 1294

ID NO./NAME OF REPORTING OFFICER #1294 - Henderson, Kristofer	DISTRIBUTION	
APPROVAL #093 - Sprague, Dean	DATE/TIME 08/07/2016 04:42	

Supplemental Report #1

08/07/2016 04:52:46 753

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-291346	
REPORT PURPOSE			REPORTED ON DATE Sat 08/06/2016	TIME 22:06
INCIDENT CLASSIFICATION #1 ASSAULT-WEAPON		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2	
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 08/07/2016	REPORT TIME 04:16
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 08/06/16 at approximately 2212 hours, I responded to the area of Bong's Grocery [2040 W. Boone] on the report of a person with a weapon call. Minutes before, 911 received a call from a female indicating that a male suspect had pointed a gun at her husband and then fled on foot.

Upon arrival, I contacted other officers on scene and assisted with a canine track. K9 Ofc. Buchmann, Corporals Spiering, Bode and I conducted the track. Witness information on scene described the suspect as possible Hispanic or Native American male, approx 36 years old, 5'8", wearing an orange shirt with white stripe and tan shorts. Prior to starting the track, officers on scene indicated there was probable cause for at least 2nd degree assault and that a handgun utilized by the suspect was recovered at the scene.

The track began at Bong's grocery and proceeded south on Chestnut from Boone. The track continued W/B into the south alley off Chestnut and Boone. Ofc. Buchmann's K9 alerted to a male that was in the back yard of 2112 W. Gardner. The male was sitting in a chair and appeared to be yelling at someone [possibly on a phone]. Moments later the male stood up and began walking around the deck. During this time we were able to see the male matched the physical description provided by the victim and witnesses.

Based on nature of crime involved [2nd degree assault], the fact that the suspect was armed with at least one firearm, and the fact he had demonstrated a willingness to utilize the weapon against other persons; Cpl Spiering, Cpl Bode and I were deployed with long rifles. Ofc. Buchmann was deployed with his K9 on lead.

Cpl. Spiering and I initiated verbal contact with suspect as he began walking around the deck. The suspect was given numerous verbal directives to comply, and instructed to keep his hands in sight and lay on the ground in a prone position. He failed comply directives and instead turned his back towards officers at one point and began moving his hands towards his waist line. Based on the suspect's actions and unwillingness to comply, and the fact he posed a distinct and viable threat towards officers, I had my rifle point in on center mass of the suspect's back. He was given numerous other directives to comply but failed to do so. During this same time, Ofc. Buchmann deployed his K9 which made contact with the suspect.

ID NO./NAME OF REPORTING OFFICER #783 - Brannon, Beau	DISTRIBUTION	
APPROVAL #994 - Bode, Christopher	DATE/TIME 08/07/2016 05:20	

Supplemental Report #1

08/07/2016 05:23:35,728

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT-WEAPON	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
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As the K9 was making contact, officers moved forward to detain the suspect. The suspect was given several more verbal directive to stop resisting. The suspect was not complying with directives and had rolled over onto his back and began to grab around the K9's neck. At this same time Cpl. Spiering, Cpl. Bode and I made contact with the suspect while Ofc. Buchmann controlled his K9. The suspect was handcuffed in the prone position without further incident.

The suspect was later identified as, Francis A. Trevino. A show up was conducted with witnesses and the victim. All parties indicated a positive identification for Trevino as the suspect. Trevino was transported to a Deaconess ER for treatment.

See other officers reports for further.

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

B. Brannon 783

Supplemental Report #1	END OF ADDITIONAL REPORT
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08/07/2016 05:23:55 759

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-291346	
REPORT PURPOSE			REPORTED ON DATE Sat 08/06/2016	TIME 22:06	INCIDENT XREF
INCIDENT CLASSIFICATION #1 ROBBERY-COMMERCIAL		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 08/07/2016	REPORT TIME 00:12	
PRIMARY CHARGE					UCR/NIBRS CODE
CODE W-1	NAME: LAST, FIRST, MIDDLE 1a		SEX F	RACE/ETHNICITY W-White/Non-Hispanic	DATE OF BIRTH/AGE 1b
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1d		RESIDENTIAL STATUS	PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) 1c					

On 08-06-16, at about 2208 hours, several SPD officers were dispatched 2040 W. Boone, Bongs Grocery & Deli, on a report of a robbery. I responded to the area as a mobile unit. While enroute, Ofc Vaughn and Ofc. J. Anderson advised the suspect was a Native American or Hispanic male, 5'08, medium build. Ofc Vaughn and Ofc. J. Anderson said the male was wearing an orange shirt that had white stripes and tan shorts.

At about 2233 hours, the homeowner at 2112 W. Gardner advised radio there was an unknown male in her backyard. About that same time, Officer. Brannon said he and other SPD officers were in the backyard of 2112 W. Gardner and they were taking a male into custody.

I contacted **1a**, who said she lived at 2112 W. Gardner. **1a** said prior to seeing the male in her backyard, she and her husband heard the PA announcement about staying inside their home due to an in progress K9 track. **1a** said she looked outside her rear sliding glass door and saw a Native American or Hispanic male walking back and forth on her deck. **1a** said she contacted an officer and informed him about the Native American/Hispanic male in her backyard. **1a** shortly afterwards, SPD officers took the male into custody.

See reports from other officers.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF

ID NO./NAME OF REPORTING OFFICER #614 - Arredondo, John	DISTRIBUTION	
APPROVAL #443 - Kakuda, Blaine	DATE/TIME 08/07/2016 01:22	

Supplemental Report #1

08/07/2016 01:53:08.088

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION	ATTEMPTED	INCIDENT NUMBER
ROBBERY-COMMERCIAL	<input type="checkbox"/>	16-291346

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: J. Arredondo
NUMBER: 614
DATE: 08-06-16
PLACE: Spokane, WA



08/07/2016 01:33:08.760

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Spokane Police Department



Show-up Identification

Report Number: 1629134L
Date: 9/4/16 Time: 2240 Location: 2040 W Boone

Instructions to Witness:

You are being asked to view an individual person. The fact that this person is being shown to you should not influence your judgment, even if it appears he/she is in custody. Take your time, keep an open mind, and understand that the person who committed the crime may or may not be the person present and that it is as important to clear the innocent as to identify guilty persons. Once you come to a conclusion, let me know how certain you are that this person is the same person you observed in connection with this incident.

This investigation will continue regardless of whether or not identification is made. Please do not tell other witnesses that you have or have not identified anyone in this showup.

Printed Name: [Signature] DOB: 1/17/69
Signature: [Signature] Date: 9/4/16 Time: 2240

Show-up conducted by: R. Henderson 1294



Spokane Police Department
Photo Lineup Identification



Report # _____

Date: _____ Time: _____

Location: _____

Instructions to Witness:

You are asked to look at several photographs. The fact that the photographs are shown to you should not influence your judgment. The group of photographs may or may not contain a picture of the person or persons who are being investigated for this crime. Take into consideration that the photographs often do not depict what a person looks like at the present time. Hair styles, beards, and mustaches may change an individual's appearance. A photograph may not always depict a person's true complexion.

The individual photographs will be viewed one at a time in random order. Take as much time as needed to make a decision about each photo before viewing the next one. Pay no attention to any markings, numbers, or differences in the type or style of photographs. Please look at every photograph, even if identification is made prior to viewing all pictures.

This investigation will continue regardless of whether or not identification is made. Please do not tell other witnesses that you have or have not identified anyone in this montage.

Printed Name: _____

DOB: _____

Signature: _____

Date: _____ Time: _____

Photo lineup presented by: _____

RECEIVED
SPOKANE POLICE RECORDS

2016 AUG 7 AM 7 37

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

DATE: 08-06-16

REPORT NUMBER: 16-291346

CHARGES REQUESTED: Assault 2nd degree, Assault 3rd degree, Unlawful possession of a firearm 1st degree, Felony Harassment –Threats to kill.

DEFENDANT: Trevino, Francis A. DOB 07-16-67
STATUS: In Custody

VICTIM(S): [REDACTED] 1a

DATE/TIME OF CRIME: 08-06-16 at approximately 2206

LOCATION OF CRIME: 2040 W Boone Ave Spokane, WA 99201

INVESTIGATOR: Ofc. C. Howard #1222

APPROVED BY: *NJS* #560 ; P323

WITNESSES	ADDRESS	PHONE #
Ofc. C. Howard #1222	1100 W Mallon Ave	509-242-8400
Ofc. C. Lequire #1290	1100 W Mallon Ave	509-242-8400
Ofc. C. Lesser #1181	1100 W Mallon Ave	509-242-8400
Ofc. K. Henderson #1294	1100 W Mallon Ave	509-242-8400
K9 Ofc. P. Buchman #735	1100 W Mallon Ave	509-242-8400
Cpl. N. Spiering #560	1100 W Mallon Ave	509-242-8400
Ofc. C. Mohondro #1188	1100 W Mallon Ave	509-242-8400
[REDACTED] 1a	[REDACTED] 1d	[REDACTED] 1c
[REDACTED] 1a	[REDACTED] 1d	[REDACTED] 1c
[REDACTED] 1a	[REDACTED] 1d	[REDACTED] 1c
[REDACTED] 1a	[REDACTED] 1d	[REDACTED] 1c

EVIDENCE CONSISTS OF: Photographs, handgun, body cam footage

SUBMITTED TO PROSECUTORS OFFICE

RECEIVED BY: _____ DATE: _____ TIME: _____

**STATEMENT OF INVESTIGATING OFFICER
AFFIDAVIT OF FACTS**

STATE OF WASHINGTON
COUNTY OF SPOKANE

REPORT NUMBER: 16-291346

DEFENDANT: Trevino, Francis A. DOB 07-16-67

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:

Ofc. C. Howard will testify to the following in summary:

- He is a sworn law enforcement officer for the Spokane Police Department.
- The incident took place in the city of Spokane, Spokane County, WA.
- Responding to a call of a man with a gun located at 2040 W Boone Ave.
- Contacting and interviewing witnesses, [REDACTED] *1a*, [REDACTED] *1a* and [REDACTED] *1a*

Victim [REDACTED] *1a* will testify to the following in summary:

- He pulled his vehicle in to the parking lot at 2040 W. Boone, with his wife and witness, [REDACTED] *1a* sitting in the front passenger seat.
- Upon stopping, he got out and saw the defendant walking through the parking lot.
- The defendant walked up to the vehicle and was near the truck.
- He then saw the defendant approach the passenger side of the truck, where his wife was.
- He yelled at the defendant to get away from the truck.
- The defendant then turned and walked at him.

- The defendant yelled that he would "Kill" him or "Shoot" him.
- The Defendant was reaching in his front waist, and he believed Defendant was armed, and was scared of being shot and killed.
- Defendant then pulled a black handgun out of his front waist, and held it out toward the Victim's left temple.
- He reacted by reaching out with two hands and grabbing onto the gun.
- He wrestled the gun out of the Defendant's hands, knocking the Defendant to the ground at the same time.
- He held the defendant on the ground, before letting him up and going into the store.
- His wife called 9-1-1.
- He dropped the magazine out of the gun, then pulled the slide back and found the ammunition to all be contained in the magazine.
- He saw the Defendant walk toward the west.
- He placed the gun and magazine in a bag in the store, and it remained there until police arrived and secured it.
- He positively identified the Defendant in a show up.

Witness [REDACTED] 1a will testify to the following in summary:

- She was in the passenger seat of [REDACTED] 1a (her husband) truck, at 2040 W. Boone.
- Seeing Defendant stumbling around the truck, then approach her.
- [REDACTED] 1a yelled at him to leave her alone.
- Defendant approached [REDACTED] 1a and said something.
- Seeing Defendant pull a gun out and point it at [REDACTED] 1a chest.
- Running toward the store and calling 9-1-1.
- She was scared [REDACTED] 1a would be killed.
- She did positively identify Defendant in a show up.

Witness [REDACTED] 1a will testify to the following in summary:

- Lives at [REDACTED] 1d, right next to the grocery store.
- Seeing Defendant in the parking lot with the Victim.
- Hearing both males saying things back and forth, and then hearing Defendant yell that he would shoot the Victim.
- Seeing Defendant and Victim start to wrestle, apparently over something.
- Seeing Defendant leave the parking lot, and seeing the Victim run into the store carrying a handgun.

Witness [REDACTED] 1a will testify:

- He works at 2040 W. Boone.

- Witness [REDACTED] 1a came into the store and advised what had happened and asked to call 911.
- He looked outside and saw Defendant, before Defendant left the area.
- He did positively identify defendant in a show up.

Cpl. Spiering will testify to the following in summary:

- He is a sworn law enforcement officer for the Spokane Police Department.
- Receiving statements from Victim [REDACTED] 1a.
- Recovering the handgun from [REDACTED] 1a at 2040 W. Boone.
- Handgun had been placed in a plastic bag, with the magazine removed.
- Handgun was a Smith and Wesson 9mm semi-automatic handgun, and the magazine had several live 9mm rounds in it, as well as one loose round in the bag.
- Getting Defendant description.
- Assisting in a K-9 track, to the back of 2112 W. Gardner.
- Hearing Defendant on the back porch there, loudly talking.
- Seeing Defendant matched the given description.
- Hearing homeowners there yelling that someone was in their back yard.
- Contacting Defendant and ordering him to the ground.
- Def. refused, and was taken into custody with the assistance of the K-9.
- Placing the handgun, magazine and single round onto property.
- A III check of Defendant showed he was previously convicted of a violent felony (1st Burglary).

Victim Ofc. Buchmann will testify to the following in summary:

- He is a sworn law enforcement officer for the Spokane Police Department.
- Assisting in taking Defendant into custody.
- Was at Deaconess Hospital as Defendant was being treated.
- Was in full department uniform of the day.
- Is a Commissioned Law Enforcement Officer.
- Was walking to the side of Defendant, when Defendant used his foot to kick Ofc. Buchmann hard, in the back of his left leg.
- The kick caused momentary disruption of Ofc. Buchman's balance, as well as immediate and temporary pain.

Witness Ofc. C. Lesser will testify to the following in summary:

- Was at Deaconess Hospital with Defendant and Ofc. Buchmann.
- Seeing Def. use his foot to kick Ofc. Buchmann hard in the left leg.

- Seeing the kick cause momentary disruption of Ofc. Buchmann's balance.
- Booking Defendant into jail.

Ofc. C. LeQuire will testify to the following in summary:

- Responding to Bong's to transport a witness to potentially identify a suspect during a show up.
- Picking up [REDACTED] 1a and driving him to the alley south of Boone and west of Chestnut.
- Advising [REDACTED] 1a the male he was going to look at may not be involved in the incident.
- Hearing [REDACTED] 1a say the male in the alley was 100% the suspect.

Ofc. K. Henderson will testify to the following in summary:

- Responding to Bong's to transport a witness to potentially identify a suspect during a show up.
- Picking up [REDACTED] 1a and driving him to the alley south of Boone and west of Chestnut.
- Advising [REDACTED] 1a the male he was going to look at may not be involved in the incident.
- Hearing [REDACTED] 1a say he was 199% sure the defendant was the suspect.

Ofc. C. Mohondro will testify to the following in summary:

- Responding to Bong's to transport a witness to potentially identify a suspect during a show up.
- Picking up [REDACTED] 1a and driving her to the alley south of Boone and west of Chestnut.
- Advising [REDACTED] 1a the male she was going to look at may not be involved in the incident.
- Hearing [REDACTED] 1a say she was 100% sure the male was the suspect.

Based on all the statements and observations, Defendant Francis A. Trevino did commit 2nd Assault (Deadly Weapon) by producing a firearm and pointing it at the head of the Victim, Felony Harassment by first threatening to kill the Victim and placing the Victim in reasonable fear that the threat would be carried out, 3rd Assault by assaulting a Commissioned Law Enforcement Officer, and 1st Unlawful Possession Firearm by being in possession of a Firearm while having been previously convicted of a violent felony (1st Burglary). He was located and booked into jail for the above listed charges.

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: 08-06-16 PLACE: SPOKANE, WASHINGTON

SIGNATURE:  Officer C. Howard #1222

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-291346	
REPORT PURPOSE			REPORTED ON DATE Sat 08/06/2016	TIME 20:07
INCIDENT CLASSIFICATION #1 ASSAULT-WEAPON		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 HARASSMENT	
INCIDENT CLASSIFICATION #3 WPN-UNLAW POSS		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 08/07/2016	REPORT TIME 01:27
PRIMARY CHARGE				UCR/NIBRS CODE
PROPERTY				
ITEM # 1	STATUS Investigative Information		QUANTITY 1	TOTAL VALUE
DESCRIPTION/COMMENTS black semi-auto handgun		ITEM/CATEGORY Firearms	TYPE pistol, semi automatic	
BRAND Smith and Wesson		MODEL 6904	SERIAL NUMBER TET4793	OWNER ASSIGNED NUMBER
CALIBER 9 MM	BARREL LENGTH		ACTION Automatic	FINISH Blue Steel
NARRATIVE				

On 08-06-2016 at about 2207 hours, I was contacted by a male at COPS West Central. The male seemed very frantic, and was talking very rapidly about there being a male at Bong's Grocery store, 2040 W. Boone, with a gun. The complainant advised that the male with the gun had said something like "everyone inside" and was holding the handgun. He said the male was a W/M with long hair.

Ofc. Howard, Ofc. C. Lesser, other officers and I responded there immediately, as dispatch was also sending out information about a female's husband being assaulted by a handgun at that location. We arrived on scene, and I removed my patrol rifle placing it in the carry condition. I met up with Officers, and we approached Bong's on foot from the east, reaching the front door.

I peered inside the front door, and could see that there was a male with long hair behind several other people, and that the other people, including the clerk, did not appear concerned at all with the male with long hair. I got the attention of a male in the store, and he advised that "He" went "that way," pointing to the southwest. I could then see that the male with the long hair had nothing in his hands, and we entered the store. The male with long hair advised me that he had taken the gun away from the suspect male, and that the suspect had left on foot to the west. Other units began arriving in the area to set up a perimeter.

I identified the male with longer hair, as 1a. 1a was holding his right thumb and hand, and said that it was hurting. He said that he hurt it wrestling the gun away from the suspect, but declined medical attention. I asked him where the gun was, and he reached behind the counter of the store and handed me a black plastic bag which contained a black semi-auto handgun, magazine with live rounds in it, and a single live round. I gave the bag to Lt. Sprague who checked

ID NO./NAME OF REPORTING OFFICER #560 - Spiering, Nathan		DISTRIBUTION	
APPROVAL #093 - Sprague, Dean	DATE/TIME 08/07/2016 04:41		

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION ASSAULT-WEAPON	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
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the gun for stolen, finding it clear, and then placed it in the trunk of Cpl. Bode's patrol car to secure it.

I then continued speaking with [1a], who advised me the following:

He had driven his truck into the parking lot there, at 2040 W. Boone. His wife [1a] was with him, sitting in the front passenger seat. As he pulled in, he saw a male in the parking lot walking around the truck. He went to the store, and as he came out he saw the male walking up to his wife's door, and grab onto the door. He yelled at the male to get away from his truck, and the male turned and faced him. The male started walking toward him. The male then yelled that he was going to "kill" or "shoot" [1a]. The male was reaching in the front of his waist at that time, and [1a] thought the male as armed with a gun. He was very afraid that the male was going to shoot and kill him. He backed away from the male, who continued to approach. The male then pulled a handgun out of his front waist, and held it out and around to the side with his right hand, pointing it directly at [1a] left temple. [1a] reacted immediately, by grabbing onto the gun with both hands and forcing it toward the male with the barrel up. He pushed toward the male and overpowered him, knocking the male onto the ground on his back. He wrestled the gun out of the male's hands, and held the male on the ground. His wife had run into the store, and he went into the store after her still carrying the gun. the male got up, and walked off to the southwest. Once [1a] got into the store, he checked the gun and saw that the safety was off. He saw that it had a magazine in it, and removed the magazine from the gun. The magazine had several rounds in it. He then pulled the slide of the gun back, and locked the slide back. There were no more rounds in the gun; all rounds had been in the magazine (meaning the chamber had been empty.) He used a grocery sack from the clerk, and put the gun and magazine inside there.

[1a] described the male as a Native American or Asian male, about 509" or 5'10" tall, thin build, about 36 years old with short dark hair. He could not remember any clothing description for the male.

I relayed to other officers that we were investigating 2nd Assault and Fel. Harassment. Ofc. Howard had spoken with [1a], as well as the store clerk. Those witnesses had further described the male as wearing an orange shirt with stripes, and khaki shorts. This description was also broadcast to units in the area. Ofc. Howard advised me that [1a] had witnessed the assault as well, and we determined PC existed to arrest the male for 2nd Assault and Felony Harassment (Threats to kill).

Ofc. Buchmann arrived with his K-9, and he, Ofc. Brannon, Cpl. Bode and I began tracking. We ended up in the alley north of Gardner and west of Chestnut, where I could hear a loud male voice coming from the back yard of 2112 W. Gardner. There was a male sitting in a chair on the back deck. I observed the male for about a minute, but could not see him enough to get a description.

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION ASSAULT-WEAPON	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
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The male then stood up and turned to face that alley. He completely fit the suspect description to include an orange shirt with white stripes, and khaki shorts. At that same time, I heard a female at the front of that residence screaming that someone was in her back yard.

As the male walked off the back deck and into the back yard, I verbally addressed him advising "Police", and illuminating the area in front of his feet with the fore end light of my patrol rifle which remained at that low-ready position. I was yelling at the male, telling him to get onto the ground numerous times. The male refused, stepping first to his left, then to the right still facing us. I told the male to get down again, specifically onto his knees. The male turned around and faced away from us, bending forward at the waist but keeping his legs straight and making no attempt to get onto the ground. The male then stood back upright still facing away from us, and quickly jammed both hands into his front shorts' pockets.

Crime:

This male had committed Felony Harassment (Threats to Kill) by visually indicating with his hands at his waist that he had a gun, while at the same time threatening to "Kill" or "Shoot" the victim, **1a**. **1a** was placed in immediate fear that he would be shot and killed as a result. The male then committed 2nd Assault by producing a handgun from his waistband, and pointing it directly at **1a** head.

Threat:

This male had already been armed with one handgun. Upon arriving on scene I had recovered that handgun, and found it to be a 9mm handgun complete with magazine and live 9mm rounds. The male had shown his willingness to confront innocent people at a grocery store parking lot with that firearm, with no apparent motive other than just to assault and threaten them. The male was wearing clothing that could easily conceal other firearms and weapons, and had just quickly jammed his hands out of sight and into his pockets. He had been on the back deck just feet from the back door of an occupied home, to which he did not belong and had more innocent people inside.

Resistance:

This male had been given numerous commands from perimeter units over a PA system regarding surrendering to the police, that he was under arrest, and that the area was being searched with a police dog. One of those perimeter units was at Chestnut/Gardner, just two houses away from the male. The male had fled the scene at 2040 W. Boone, and was now in the back yard of a house at which he did not belong. He was not obeying commands by police, and instead took the overt action to place his hands out of view and in his front pockets.

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION ASSAULT-WEAPON	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-291346
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Ofc. Buchmann utilized his K-9 to contact the male. The male went to the ground, and I saw his hands then come out of his front pockets. I could see that his hands were empty, and so we approached the male to secure him. As we approached I could see the male was holding Ofc. Buchmann's patrol dog around the neck, and appeared to be squeezing and choking the dog. Ofc. Brannon, Cpl. Bode and I contacted the male as Ofc. Buchmann released his dog. We turned the male onto his stomach, and were able to handcuff (DL) him in that prone position. I advised the male that he as under arrest, and that he had the right to legal counsel. Ofc. Lesser had arrived with a patrol car, and took custody of the male. The male was identified as Francis Trevino.

Ofc. Bode and I returned to the store, and I retrieved the bag with firearm from the secure trunk of his vehicle. The firearm was a Smith and Wesson Semi-Auto handgun, 9mm, and was a model 6904. I had Radio run a III on Trevino, and found 9 prior felony convictions including the violent felony of 1st Burglary, Class A Felony, with a conviction date of 07/24/1984 (See Attached summary.)

I spoke again with Ofc. Howard, and we agreed that PC existed to arrest Trevino for 2nd Assault, Felony Harassment, and 1st Unlawful Possession Firearm. I placed the firearm, magazine and rounds onto property as Evidence, and requested fingerprints of those items.

(See Ofc. Howard's report, and other officer additional reports)

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.

NJ Spiering #560; P323

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-291346	
REPORT PURPOSE			REPORTED ON DATE Sat 08/06/2016	TIME 22:06	INCIDENT XREF
INCIDENT CLASSIFICATION #1 HARASSMENT		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 ASSAULT-SIMPLE		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3 WPN-UNLAW POSS		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME 22:08	ARRIVED TIME 22:09	CLEARED TIME 01:00	REPORT DATE 08/07/2016	REPORT TIME 01:05	
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 8/7/2016 at approximately 2208 hours, I was dispatched to 2040 W Boone Ave in regards to a person with a weapon. A female called 911 stating a male was inside Bongs grocery pointing a handgun at her husband.

I arrived on scene and checked the area. K9 arrived on scene and was able to locate the suspect hiding in a backyard. The male was taken into custody and identified as Francis Trevino. I transported Trevino to Deaconess hospital to be medically cleared for jail.

While walking Trevino down the hallway, I observed Trevino kick Ofc P. Buchman in the leg. Trevino was treated for a dog bite and medically cleared for jail. During our time at Deaconess, Trevino was extremely disorderly and was yelling profanities at officers, civilians, and medical staff.

Cpl Spiering advised Trevino was under arrest for unlawful possession of a firearm 1st degree, felony harassment, 2nd degree assault, and 3rd degree assault.

Trevino was transported to the Spokane County Jail and booked on the above mentioned charges.

Ofc C Lesser #1181
Spokane PD A315

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 #1181 - Lesser, Chris		DISTRIBUTION
APPROVAL #093 - Sprague, Dean	DATE/TIME 08/07/2016 04:43	

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-291346	
REPORT PURPOSE			REPORTED ON DATE Sat 08/06/2016	TIME 22:06
INCIDENT CLASSIFICATION #1 ASSAULT-WEAPON		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 WPN-UNLAW POSS	
INCIDENT CLASSIFICATION #3 HARASSMENT		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4 <input type="checkbox"/>	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 08/07/2016	REPORT TIME 01:00
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 8/6/16 around 2215 hours, I responded as a perimeter unit on a call that involved at gun at 2040 W Boone. Once the perimeter was secured, I drove to 2040 W Boone to pick up a witness for a show up.

Once at Bong's, I picked up [redacted] ^{1a}. I advised him that male he was going to look at may not be involved in the incident. I drove him the alley south of Boone and west of Chestnut. I put my spot light on the male who was standing in the alley. [redacted] ^{1a} said something to the effect of "oh yea" that is him. I asked him if he was 100% sure and he said "yes" 100%. I drove [redacted] ^{1a} back to the store.

Refer to Ofc Howard's report for additional information.

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

C.LeQuire #1290

ID NO./NAME OF REPORTING OFFICER #1290 - LeQuire, Christopher		DISTRIBUTION
APPROVAL #443 - Kakuda, Blaine	DATE/TIME 08/07/2016 01:21	