



SPOKANE POLICE DEPARTMENT



Internal Affairs Exemption Log

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

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

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

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

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

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

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



Spokane Police Department Use Of Force Report

Incident Entered By: Sergeant Charles Reynolds

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
8/29/2016	8/16/2016	00:39
Record ID #	Incident No	IA No
9411	16-303980	F16-076
Date/Time Entered		
8/29/2016 19:15		

Incident Summary

Ofc. Hamilton and his K9 partner "Leo" were called to locate a double Murder 1st degree (2 counts) suspect, Delgado. It was believed Delgado was still armed and had a violent criminal history and had ran from a traffic stop that Ofc. Betts initiated. Ofc. Hamilton used "Leo" as an effective searching and apprehension tool. "Leo" inadvertently contacted Vielle in a dark yard. He was extremely intoxicated and did not comply with multiple announcements that had been made in the area.

In compliance with policy per Assistant Chief Lundgren 10/30/16.

Incident Location

- 2332 Broadway, Direction: W, Spokane, WA 99201 - : Northwest

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Fleeing (Felony)	Call for Service	
Weather Condition	Lighting Condition	Distance to Citizen
Clear	Dark	b-3-7 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	Yes	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Medium	5'4" to 5'6"	
Officer Assessment of Citizen Condition During Incident		
Alcohol and/or Drugs		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Reporting/Involved Citizen Information

Udell L Vielle

DOB: 7/7/1992 Race: Native Ameri Gender: Male

Address

- 540 Sinto, Direction: W, Spokane, WA 99201

Phone

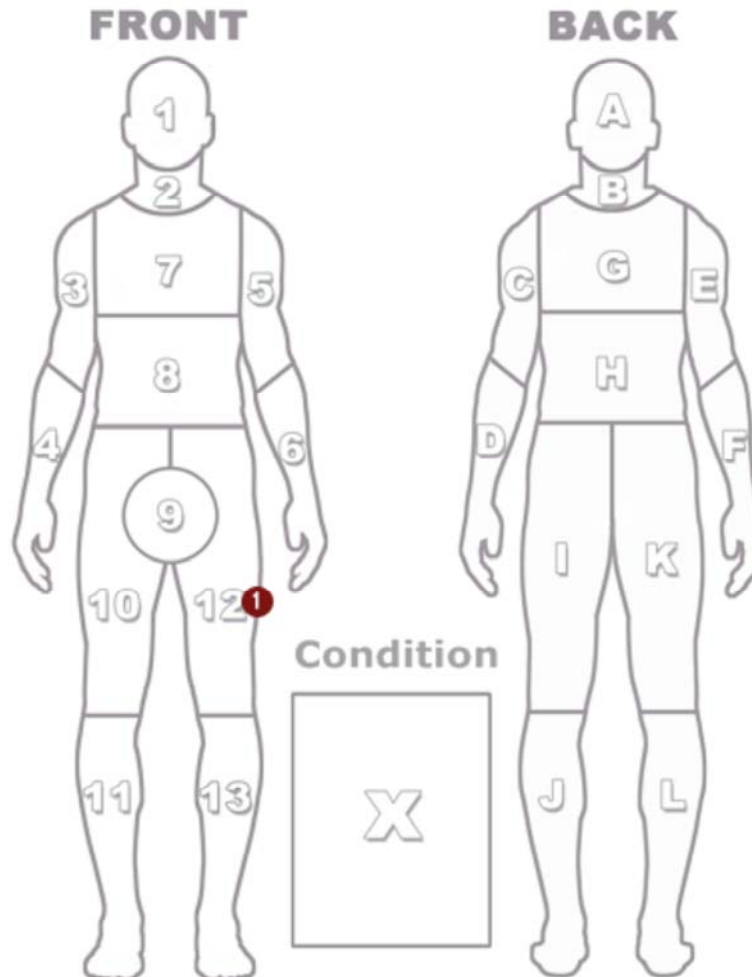
- (509) 218-2134

Types of Resistance Citizen Used Against Officer(s)

- Passive Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
d-Injury Requiring ER	12	1

**Charges against this citizen**

- Obstructing

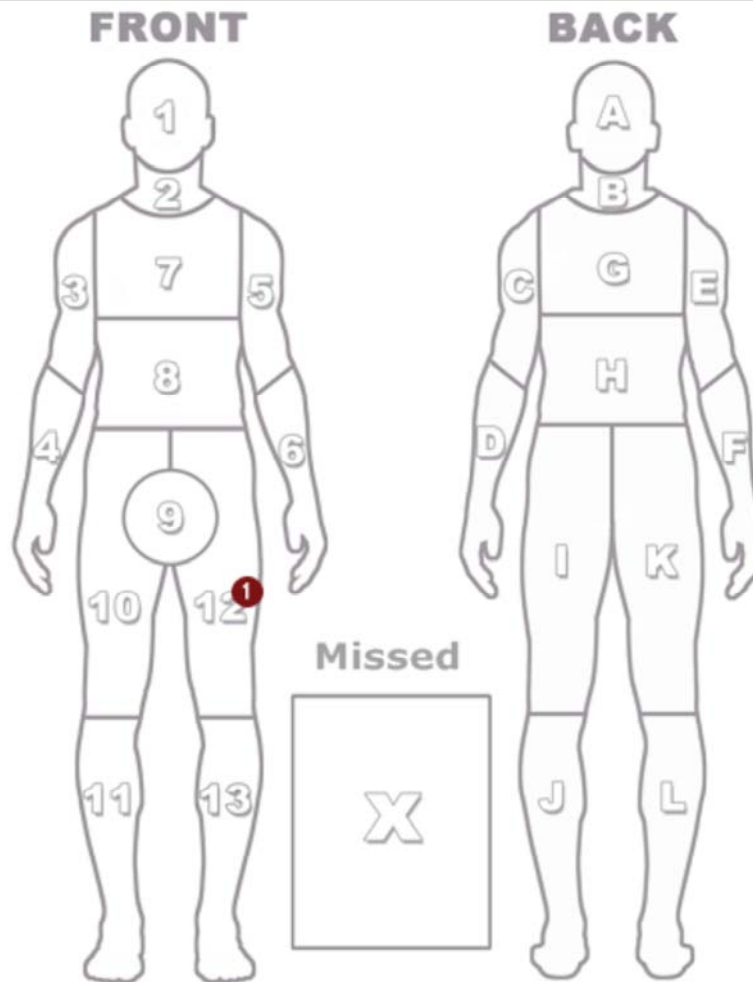
Involved Officers

Officer Craig Hamilton - Payroll Number: 12227

Force used by this officer against the citizen

- K9 Application - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
K9 Application	Yes	12	1



Injuries sustained by this officer

Injury	Regions	Injury Locations
No injuries noted or visible		

Officer Witnesses

Officer Winston Brooks - Payroll Number: 20975

Attachments

Date Attached	Attachment Description	Attachment Type
8/29/2016	BWC Hamilton w/Marker	
8/29/2016	BWC Brooks w/Marker	
8/30/2016	IMG_0001	JPG
8/30/2016	IMG_0002	JPG
8/30/2016	IMG_0003	JPG
8/30/2016	IMG_0004	JPG

8/30/2016	IMG_0005	JPG
8/30/2016	IMG_0006	JPG
8/30/2016	IMG_0007	JPG
8/30/2016	IMG_0008	JPG
8/30/2016	CAD	pdf
8/30/2016	Officer reports	pdf
8/30/2016	Kanine UOF	pdf
8/30/2016	Kanine deployment	pdf
8/30/2016	IA additional	doc

Chain of Command History

Sent Dt	From	To	CC	Approved
8/30/2016	Internal Affairs	Internal Affairs	Lieutenant David Overhoff	<input checked="" type="checkbox"/>
Sender's Instructions: For your review.				
Recipient's Comments/Response: photos attached				
8/30/2016	Sergeant Michael Carr	Lieutenant David Overhoff	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: For you review				
Recipient's Comments/Response: The use and deployment of K9 "Leo" was within policy and procedures for SPD. I agree with Sgt. Reynolds assessment that when you do everything perfect and within training guidelines there are inadvertent incidents such as this. I recommend no sanctions be taken against Ofc. Hamilton.				
9/6/2016	Lieutenant David Overhoff	Captain Keith Cummings	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Captain please review and advise me of your comments. Dave				
Recipient's Comments/Response: Unintentional contact made on a person who was intoxicated and may not have heard the announcements. Deployment of the K9 was reasonable however and officers made several announcements in the area prior to the K9 contact.				
9/9/2016	Captain Keith Cummings	Major Kevin King	(none)	<input type="checkbox"/>
Sender's Instructions: see notes				
Recipient's Comments/Response: Lt. Overhoff, I don't see any documentation that Risk Management was notified as per policy. Can you please ensure this was taken care of, note, and return to me. Thanks.				
9/21/2016	Major Kevin King	Lieutenant David Overhoff	Captain Keith Cummings	<input type="checkbox"/>
Sender's Instructions: See comments				
Recipient's Comments/Response: Sgt Reynolds see Major Kings Note regarding Risk management. Let me know they have been contacted and when they were contacted. Ship it back to me when your done, Dave				
9/25/2016	Lieutenant David Overhoff	Sergeant Charles Reynolds	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: read notes fro King and I then ship back to me				
Recipient's Comments/Response: [Forwarded by Sergeant Charles Reynolds]				
9/26/2016	Sergeant Charles Reynolds	Lieutenant David Overhoff	Major Kevin King	<input checked="" type="checkbox"/>
Sender's Instructions: The night of the UOF I received an email from Lt. Sprague describing what happened. He advised he had called Timothy Dunivant (Risk Management) at 0340 hours. He also CC'ed Timothy Dunivant on the email he had sent to me.				
Recipient's Comments/Response: Major, Lt. Sprague contacted Risk Management that night but failed to record it in his IA additional. I remember being CC'd on that email as well and Jason should have included it in his UOF additional. I have taken care it. Dave				
9/26/2016	Lieutenant David	Major Kevin King	(none)	

	Overhoff			<input checked="" type="checkbox"/>
Sender's Instructions: Risk management was contacted that morning by Lt. Sprague who also sent an email to Tim Donavint with all the details. Dave				
Recipient's Comments/Response: This K-9 deployment was with policy. It resulted in an unintentional K-9 contact. Officers believed they were tracking a homicide suspect and all safety precautions were followed. I recommend no sanctions for Officer Hamilton.				
9/27/2016	Major Kevin King	Asst Chief Justin Lundgren	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Forwarding to you per your request.				
Recipient's Comments/Response: I concur with Major King. The deployment of the K9 was within policy and appropriate. Appropriate precautions were taken by the officers on scene and the contact was unintentional. It should be noted that the contacted party was secreted out of sight of the officers and well within ear shot of the perimeter officer who provided the K9 announcement warning. No sanction for K9 Officer Hamilton.				

Entering Officer Signature Line

Sergeant Charles Reynolds**Chain of Command Signature Lines**

Sergeant Michael Carr

Lieutenant David Overhoff

Captain Keith Cummings

Major Kevin King

Sergeant Charles Reynolds

Asst Chief Justin Lundgren



Spokane Police Department
Internal Affairs



Use of Force
Additional

Incident #: 16-303980

Date: 08-16-16

Involved Officer(s) BWC Y/N: Y

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. Hamilton and his K9 partner "Leo" were called to locate a double Murder 1st degree (2 counts) suspect, Delgado. It was believed Delgado was still armed and had a violent criminal history and had ran from a traffic stop that Ofc. Betts initiated. Ofc. Hamilton used "Leo" as an effective searching and apprehension tool. "Leo" inadvertently contacted Vielle in a dark yard. He was extremely intoxicated and did not comply with multiple announcements that had been made in the area.

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. Hamilton I find that Ofc. Hamilton's deployment of K-9 "Leo" 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. Hamilton deployed his K-9 he believed the suspect, Delgado, had committed the crime of Murder 1st degree (2 counts) (felony). Ofc. Hamilton had information that the suspect had been armed with a firearm and was likely still armed. He also believed this was the safest and most efficient way to take Delgado into custody for Delgado, other Officers, and himself. Delgado was actively resisting by running from Police and refusing to comply with Officers commands. Because of this Ofc. Hamilton believed the use of his K-9 "Leo" appeared necessary to overcome his resistance.

Although Ofc. Hamilton and "Leo" did not locate Delgado the deployment was reasonable. During the track for Delgado, Vielle was extremely intoxicated and not complying with the announcements that were being made by perimeter Officers in the area. CAD shows 3 announcements made close to where Vielle was hiding. Ofc. Hamilton was tracking a double Murder 1st suspect that was still believed to be armed. He was attempting to keep "Leo" near him because they were tracking close to houses, but at the same time trying to keep a safe distance between him and "Leo" in case they encountered the armed suspect. Vielle was sitting in a dark yard behind a fence on a step when "Leo" went around the corner and located him. While the contact was not intentional it was still within Department Policy and training guidelines.

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

Sgt. Reynolds #558



Spokane Police Department

K9 Use of Force Report

General Use of Force Information

Case #	16-303980	Report Type	Apprehension
Location	2332 W. Broadway	Handler	Craig Hamilton
Date Occurred	8/16/2016	K-9	Leonidas
Date of Report	8/28/2016 9:41:00 PM	Imm. Supervisor	Sgt. Reynolds
Reviewed By			
Review Date			

Subject Information

Subject's Name **Vielle,Udell L**

DOB **7/7/1992** Age **24**

SSN

Gender **M**

Address

City Zip Code

State

Phone #

Medical Information

Visible Injuries present? **Yes** Subject refuse treatment? **No**

Treatment Required? **Yes** Exam/ Treatment Location **Deaconess North**

Examined by Doctor? **Yes** Examining Doctor

Explanation of Treatment **He initially declined medical treatment and failed to cooperate. However, after he was arrested for obstructing and taken into custody, he was transported to Deaconess North. He minor injuries were tended to by the medical staff.**

Time of Exam **2:00 AM**

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

This male was not the suspect we were tracking for. He did fail to comply with all the K9 warnings given both verbally and over the police car PA systems. One perimeter car was 1 block away. Vielle was within earshot of the K9 announcement given.

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? **No**

K-9 Injured? **No**

List K-9's Injuries

K-9 Treatment costs

Examining Veterinarian

Report Narrative

On 08-16-16 at about 0000 hours, I responded to a call where the complainant, **1a** **1a** reported that the double homicide suspect from earlier in the day (#16-302886), with the suspect being Gilberto Delgado, was just seen in the area.

1a reported a tenant in the building saw the suspect 20 minutes prior, which she named as, "Gilberto." She claimed he was the homicide suspect and they saw "Brenda" tattooed on his wrist. He was visiting "Sheryl" in apartment #1. He was seen in a white Pontiac Grand Am with no license plate. She claimed he had been sleeping around there for the past week. She said Sheryl left with Gilberto in the white Grand Am and she had a duffel bag with her. She also claimed there were two other people in the car when they left.

1a wanted the police to check the area, which a few of us did. We were all wearing the uniform of the day and driving fully marked Spokane Police vehicles. I was driving my fully marked "Spokane Police K9" SUV.

When we got to the Summit location, there were about 6 people outside. They all claimed to see Gilberto and were positive it was him. They said they saw the broadcast on the news and recognized him as the guy sleeping around the property and visiting Sheryl in #1. We spoke with one of the witnesses, **1a** who claimed to see the tattoo on his wrist. She said her husband had gotten into an altercation with him earlier in the week as well.

We checked the property and found no signs of a transient camp. There was no direct evidence that they saw Gilberto there but we didn't have any reason to disbelieve them either, we really had no idea. However, just as we were clearing the location and walking back to our patrol cars parked on Summit, the white Pontiac Grand Am drove past us with 3 females and one male in the car. The front license plate was also missing, which matched what we were being told. The suspect vehicle drove past all of us and our marked patrol cars.

As we made our way to our patrol cars, the vehicle sped off E/B on Broadway. It made a quick left turn N/B on Lindeke, stopped in the middle of the road and the male took off running E/B down the alley just north of Broadway. It was very dark and Ofc. Betts was the marked patrol car that had turned on his overhead emergency lights just prior to it stopping. I was right behind Ofc. Betts but never saw the fleeing male.

All the females were out of the car by the time I pulled up and got out. They didn't run but they

weren't cooperative either. Everything happened very quick and there were only a few of us there. We gathered the females, advised radio we believed the homicide suspect just fled on foot and a perimeter was set. All three of the females denied knowing who the male was at first. However, eventually, Sheryl Bercier, said she knew the guy as Ken Lewis. She said he was a black male. I had no reason to believe Sheryl and I thought she could have easily been covering for Delgado because now the original complainant's version was matching up.

With the information the original complainant gave us, along with 1a and the other residents at 820 N. Summit, then with the Grand Am running from us and the only male in the car fleeing on foot, I felt we had to treat it like this was Delgado. After the perimeter was set, I decided to track for the fleeing suspect for the following reasons:

THREAT:

The information we had at the time was this was very likely the double homicide suspect, Gilberto Delgado. Delgado was believed to have intentionally killed two people with a gun earlier in the day. He posed an extreme risk to the public, nearby residents, and the officers in the area. He was still believed to be armed and very desperate. Delgado has a lengthy violent criminal history and was known to run from the police.

CRIME:

There was probable cause to arrest Delgado for 1st Murder (x2).

RESISTANCE:

The suspect was actively resisting arrest by fleeing on foot and hiding in the dark of the night. He also failed to give up to the numerous K9 announcements made over the patrol car PA systems.

I yelled a loud K9 announcement/warning and then several officer's and I began tracking E/B in the N/E alley of Broadway and Lindeke. We tracked down the alley then made our way S/B through some yards and out onto Broadway. A resident yelled at us and asked if we were looking for a black male? He told us that the suspect was sitting on his porch and he chased him off E/B down Broadway on the north side of the road. He said he told the guy to head over to the police cars but he went the opposite direction instead.

The description of the black male was fitting because Delgado appeared to me as though he could be seen as a black male, especially in the dark. In the mean time, I had asked SPD Radio several times to do some digging on the name Ken Lewis. The Ken Lewis they were able to find only had a misdemeanor warrant, which didn't appear to be enough to run from the police for. I still had to treat the suspect like it was Delgado, till I learned further.

After the resident told us the suspect was last seen heading E/B on Broadway, we again began tracking in that same direction. We crossed Cochran on the north side of Broadway. When we got to the west fence of 2332 W. Broadway, Leo had a big change of behavior, which led me to believe the suspect was close and most likely in that yard somewhere. However, it was extremely dark and I had to get into the back yard so we wouldn't give him another chance to flee without having him located first. I asked an officer to stay on the west side of the fence, while we attempted to work our way through the front yard, clearing as we went. Leo jumped a small 3' wooden fence bordering the front yard, went past the front door of the house and then past the small wooden fence that went along the sidewalk. The fence was short but I couldn't see through it, let alone it was too dark. I had worked up closer to Leo on the line because we were working so close to the houses but we were also dealing with an extremely dangerous and armed suspect so it was a "catch 22." However, Leo went around the fence and located a male sitting on a step in the walkway. It was very dark and I never saw him till I too made it around the fence. With the male sitting down, he was hidden by the fence.

After I made the turn, I saw a figure in the dark, I noticed Leo had made contact with someone and I assumed it was the suspect but then saw he was holding a large beer can in one of his

hands. I immediately ordered Leo to release and he did so. I was not positive this was the male we were looking for, but the race was still not fully clear to me. Ofc. Brooks told me he knew who this male was and said it wasn't our suspect.

A supervisor and additional officers were requested to help deal with this male who was later identified as Udell L. Vielle. I requested medics to respond and tend to Vielle's apparent minor injuries. I asked that photos be taken and a supervisor to deal with this, while we continued with our search.

Vielle appeared very intoxicated but mentioned he knew where the guy we were looking for went. However, he never cooperated enough to tell us and we moved on after the other officers tended to his needs.

The tracking team eventually went back to the original stop to regroup and come up with a plan. At that time, I was told that Sheryl said she did know Delgado and he had been at her house and was likely there. She claimed the male that ran was Kenneth Lewis still. We had no way of knowing exactly what was true and I didn't want to give up our perimeter, which likely had the suspect contained. We did slow things down and discussed several options. Spokane County Sgt. Justin Elliot was now at the original stop with us and also in contact with their Major Crimes Unit. We had plans to page out SWAT, use multiple K9's, and Air1. However, as time went on, things became more clear that the fleeing male was in fact Kenneth Lewis and there was another male back at Sheryl's apartment as well. Eventually, we determined this had nothing to do with the homicide suspect and the original complainant and witnesses had to be mistaken. The perimeter was cleared and other officers made contact at Sheryl's house. They made a DVOPV arrest but the male was not Delgado. Sheryl claimed Lewis ran because he had drugs on him.

During this whole ordeal, Vielle, had wandered down to the original stop and refused to leave. He was extremely intoxicated and not cooperative. I was told he even refused to allow the pictures to be taken of his minor injury. By Vielle failing to leave the traffic stop location, he was eventually arrested for obstructing. When I learned that, I asked that he be transported to Deaconess hospital where his injuries could be tended to.

At the hospital, I saw that he had a contact location on his left outer thigh with some rake marks. Leo slipped off his leg and was holding onto Vielle's shorts only.

Cpl. Bode took photos of the minor injury.

Lt. Sprague tried talking to Vielle but he claimed he didn't remember what happened. Vielle was very intoxicated and at one point told me the last thing he remembered was the Maple St. Bridge. He did not belong at the house where we located him drinking his beer on the front step in the dark. He was only one block away from a perimeter car, which made a PA K9 announcement and had its emergency lights activated. Vielle was in a position to easily hear the warnings and see the police vehicle and activity.

Ofc. Walker later booked Vielle into the SCSO jail for obstructing after he was released from Deaconess.

TIME: Less than 10 seconds (with Leo slipping to his clothing)

DISTANCE: About 5'

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

Ofc. Craig Hamilton 713
K-14

Handler's Signature (X)

Spokane Police Department

Ref. # U-CR16816000

K-9 DEPLOYMENT REPORT

GENERAL	Date/Time Reported	Date/Time Arrived	Date/Time Cleared	Agency #
	8/16/2016 12:00:00 AM	8/16/2016 12:00:00 AM	8/16/2016 3:43:00 AM	16-303980
	Session Activity Type		Handler	K-9
	Felony Warrant		Craig Hamilton	Leonidas
	Event Summary Information	Looking for a homicide suspect and while tracking, Leo contacted a male not related to the call.		
MISC	Consent Type	Warrant by K-9	Warrant #	# Arrests
	N/A		N/A	
REQ	Requesting Agency			Requesting Officer/Party
	Spd			Brooks
	Services Requested			Request Method
	N/A			Computer
WEATH	Ground Condition		Weather Condition 1	Weather Condition 2
	N/A		Clear	N/A
	Temperature	Wind Speed	Wind Direction	Humidity
	59	0	SSE	56%
DEPLOYMENT ACTIVITIES				
	Amt	Activities Performed/ Loc. Info	Action Perf./ Value	Proficiency
*	1	Track	Assisted Officer	
Residential Area - - 2332 W. Broadway - Spokane - WA				Time/ District
				00:00
SUSPECT INFORMATION				
	Name/ Address		DOB/ Phone	SSN
*	Vielle,Udell L		7/7/1992	
				Incarcerated at
				Spokane County Jail
N/A				
	Officer's Signature	Approved By		
		Date	08/16/16 03:43	

Incident History for: #SP160303980 Xref: #SP160303918

Entered 08/15/16 23:26:40 BY 91104 911181
Dispatched 08/15/16 23:36:03 BY B438 1280
Enroute 08/15/16 23:36:03
Onscene 08/15/16 23:43:43
Closed 08/16/16 02:33:34

Initial Type: SUSPER Final Type: SUSPER (SUSPICIOUS PERSON)

Initial Priority: 2 Final Priority: 2

Disposition: 1B Source: A Primary Unit: B432

Police BLK: SPA2WC

Group: P2 Beat: Map Page: 25

Loc: 820 N SUMMIT BL ,SPK btwn W BROADWAY AV & N SHERWOOD ST <1000> (V)

Name: 1c Addr: SAME Phone: 1c

/232640 (911181) ENTRY MURDER SUSPECT WAS AT LOC 20 AGO. WAS IN VEH:W
HI PONT GRAND AM LIC# NO PLATES WAS VISITING C
HERYL IN APT #1.
/232804 SUPP TXT: TENANT SAW "BRENDA" TATTOO ON THE SUSPECT
S WRIST. GILBERTO HAS BEEN SLEEP ING OUTSIDE O
F APT #1 IN A CHAIR THROUGHOUT THE WEEK.
/232851 SUPP TXT: CHERYL LEFT WITH GILBERTO IN VEH. HAD A D
UFFLE' BAG WITH HER. 2 OTHER PEOP LE IN THE VEH
ICLE.
/232903 (1253) HOLD
/233024 (911181) SUPP TXT: COMP REQ LE DRIVE THROUGH AND CHECK THE P
ARKING LOTS OF THE COMPLEX. ###
/233027 CROSS #SP160303918
/233121 CROSS #SC160302886
/233428 (761) MISC ,ROUTED K15
/233603 (1280) *DISPER B438 #1280 CARRELL, REID
#1190 BROOKS, WINSTON
/233638 (1266) *ASSTER B435 [820 N SUMMIT BL ,SPK]
#1266 BETTS, DAVID
/234343 (1280) *ONSCNE B438
/234457 (1266) *ONSCNE B435
/234514 (1280) *REMINQ B438 MVEH,AWM0196,,,,,,,,,,,,,,,,,,,,,
/235033 (1123) REMINQ B438 LIC,B438,314ZTQ,,,,,
/235657 (1266) *REMINQ B435 MVEH,314ZTQ,,,,,,,,,,,,,,,,,,,,,
/235914 *REMINQ B435 MWANT,,,,,,,,,BERCIER,SHERYLL,1984,09,19,,,,,,,,,
/235939 *REMINQ B435 MWANT,,,,,,,,, 4b ,,,,,,,,,,
*** New Date: 08/16/16 ***
/000000 (713) *ASSTER K14 [820 N SUMMIT BL ,SPK]
#713 HAMILTON, CRAIG
/000928 *ONSCNE K14
/001058 (1266) *REMINQ B435 MWANT,,,,,,,,,WINCENTSEN,WILLIAMO,1954,05,23,,,,,
/002627 (1123) MISC B435 ,FOOT PURS
/002634 (1263) *ASSTER D475 [820 N SUMMIT BL ,SPK]
#1263 THOMPSON, GREGORY
/002652 (1069) MISC K14 ,ROTATE ALLEY EAST
/002657 (1123) MISC B435 ,BROADWAY. AND LINDEKE
/002720 (1181) *ASSTER A315 [820 N SUMMIT BL ,SPK]
#1181 LESSER, CHRISTOPHER
/002730 (766) *ASSTER L271 [820 N SUMMIT BL ,SPK]
#766 DAHLE, ZACHARY
/002738 (1188) *ASSTER D471 [820 N SUMMIT BL ,SPK]
#1188 MOHONDRO, CORRIGAN

/002745	(1123)	NEWLOC	B435	[BROADWAY/LINDEKE]
/002750	(566)	*ASSTER	B430	[820 N SUMMIT BL ,SPK]
				#566 VAUGHN, KEVIN L
				#750 ANDERSON, JERRY C
/002759	(1123)	MISC	B435	,EB IN THE ALLEY CUT TO THE SOUTH MIDWAY THRU
/002801	(1240)	*ASSTER	D472	[820 N SUMMIT BL ,SPK]
				#1240 ZIMMERMAN, MARK
/002802	(614)	*ASSTER	B431	[BROADWAY/LINDEKE]
				#614 ARREDONDO, JOHN
/002802	(1282)	*ASSTER	A312	[BROADWAY/LINDEKE]
				#1282 YUNIN, DENIS
				#1022 FAIRBANKS, LANCE
/002807	(994)	*ASSTER	P308	[BROADWAY/LINDEKE]
				#994 BODE, CHRISTOPHER
/002821	(1255)	*ASSTER	D473	[820 N SUMMIT BL ,SPK]
				#1255 BEASLEY, JAROD
				#1257 GOLLADAY, ERIK
/002827	(1193)	*ASSTER	C354	[820 N SUMMIT BL ,SPK]
				#1193 LYNCH, BRANDON
/002831	(1290)	*ASSTER	B432	[BROADWAY/LINDEKE]
				#1290 LEQUIRE, CHRIS
				#1186 BROWN, JORDAN
/002845	(1123)	MISC	K14	,GO OFF INFO ON TEH CALL FOR NOW. 3 FEMALES AR
				E NOT COOPERATIVE
/002857	(1283)	*ASSTER	A318	[820 N SUMMIT BL ,SPK]
				#1283 WALKER, TREVOR
				#1207 BERROW, SETH
/002909	(1123)	MISC	B438	,. ONE MORE CAR TO THIS LOC.
/002927		MISC	P308	,ON DUTY SWAY ON TRACK
/002959	(566)	*NEWLOC	B430	[DEAN/CANNON]
/003011	(1123)	MISC	B435	,DARK GREY HOODIE UP OVER HEAD
/003016	(1263)	*ONSCNE	D475	
/003017	(766)	*ONSCNE	L271	
/003018	(761)	MISC		,TIER 1
/003022	(1181)	*ONSCNE	A315	
/003035	(1123)	CHGLOC	D475	[DEAN/LINDEKE]
/003040	(093)	*ASSTER	L183	#093 SPRAGUE, DEAN
/003047	(1123)	CHGLOC	B432	[COCHRAN/DEAN]
/003058		CHGLOC	A312	[DEAN/LINDEKE]
/003113		CHGLOC	B431	[MALLON/LINDEKE]
/003113	(1188)	*ONSCNE	D471	
/003118	(1123)	NEWLOC	D471	[DEAN/NETTLETON]
/003138	(1069)	REMINQ	K14	WANT,K14,,,,,,LEWIS,KENNETH,L,1984,11,13,,,,,
				''''
/003143	(1290)	*ONSCNE	B432	
/003148	(1123)	CHGLOC	C354	[MALLON/NETTLETON]
/003201		CHGLOC	A318	[COLLEGE/NETTLETON]
/003211		CHGLOC	L271	[COLLEGE/NETTLETON]
/003217	(1282)	*ONSCNE	A312	
/003219	(1123)	CHGLOC	A318	[COLLEGE/COCHRAN]
/003221	(1290)	*MISC	B432	,ANNOUNCEMENT MADE COCHERAN / DEAN
/003223	(093)	*ONSCNE	L183	
/003233	(614)	*ONSCNE	B431	
/003235	(994)	*ONSCNE	P308	
/003243	(1193)	*ONSCNE	C354	
/003245	(1123)	MISC	B435	,HEADING SOUTH TOWARDS BROADWAY IN THE ALLEY
/003257	(093)	*MISC	L183	,MOBILE IN THE AREA.
/003305	(1123)	MISC	B435	,GOING SOUTH 2617 BROADWAY
/003306	(1263)	*ONSCNE	D475	
/003307	(1255)	*ONSCNE	D473	

/003330	(1123)	MISC	B435	,EAST ON BROADWAY
/003333	(1240)	*ONSCNE	D472	
/003359	(1123)	CHGLOC	D472	[BROADWAY/NETTLETON]
/003359	(1283)	*ONSCNE	A318	
/003404	(1193)	*MISC	C354	,ANNOUNCEMENT MADE MALLON/NETTLETON
/003454	(766)	*ONSCNE	L271	
/003509	(1123)	MISC	L183	,NO AIR1 NEEDED AT THIS TIME
/003529	(766)	*MISC	L271	,ANNOUNCEMENT MADE COLLEGE/NETTLETON
/003621	(1123)	MISC	B435	,IN THE ALLEY NORTH OF BROADWAY
/003639	(1069)	MISC	K14	,2 BLKS EAST ON BROADWAY?
/003803	(1290)	*REMINQ	B432	MWANT,,,,,,,,LEWIS,KENNETHL,1984,11,12,,,,,,,,
				''''
/003806	(1123)	MISC	B430	,EAST AT CANNON....?
/003904		MISC	D473	,MAKING CONTACT W/ONE. 2332 W BROADWAY
/003916	(766)	*REMINQ	L271	MWANT,,,,,,,,LEWIS,KENNETHL,1984,11,12,,,,,,,,
				''''
/003954	(1123)	MISC	P308	,2332 W BROADWAY NEED A UNIT
/003959	(1283)	*MISC	A318	,ANNOUNCE MADE COCHRAN/COLLEGE
/004008	(1123)	CHGLOC	D475	[2332 W BROADWAY]
/004038	(1290)	*MISC	B432	,2ND ANNOUNCEMENT MADE
/004133	(1123)	CALLBK	P308	T/PCC05
				,MEDICS FOR K9 CONTACT AT 2332 W BROADWAY
/004202	(1290)	*MISC	B432	,3RD ANNOUNCEMENT MADE
/004203	(566)	*MISC	B430	,ANC MADE-AGAIN
/004209	(1193)	*MISC	C354	,ANNOUNCEMENT MADE AGAIN AT MALLON/NETTLETON
/004217	(761)	CALLBK		T/PCC01
				,FIRE ADV
/004218	(1123)	CHGLOC	L183	[COLLEGE/NETTLETON]
/004222	(1283)	*MISC	A318	,SECOND ANNOUNCE MADE AT COCHRAN/COLLEGE
/004227	(1282)	*MISC	A312	,ANNOUNCEMENT MADE LINDEKE & DEAN
/004242	(591347)	*ASSTER	L571	#591347 ELLIOTT, JUSTIN
/004243	(1123)	MISC	B435	,CHECKING BACKYARD
/004444	(1255)	*REMINQ	D473	MVEH,,,,,1G2WK52JX3F167706,,,,,,,,,,,,,,,,
/004455	(1181)	*REMINQ	A315	MWANT,,,,,,,,VIELLE,UDELLL,1992,07,07,,,,,,,,
				'''
/004508	(1255)	*REMINQ	D473	MVEH,316RKO,,,,,,,,,,,,,,,,
/004525		*REMINQ	D473	MVEH,ADG2931,,,,,,,,,,,,,,,,
/004544		*REMINQ	D473	MVEH,ALH0924,,,,,,,,,,,,,,,,
/004906	(1123)	MISC	K14	,AT BROADWAY/COCHRAN CHECKING AROUND
/005148	(1185)	*ASSTER	A317	[820 N SUMMIT BL ,SPK]
				#1185 MATT, JOSEPH
/005329	(911133)	SUPP		TXT: 1a CALLING FROM BRIDGE/NETTLET
				ON, SEES LE IN THE AREA. SAW A M ALE ON A BIKE
				LAUGHING WEIRDLY, WEARING A FACE MASK, GLOVES
				, KNEE GUARDS. LAST SEEN EB BRIDGE 2 AGO.
/005502	(1280)	*REMINQ	B438	MWANT,,,,,,,,BERCIER,SHERYLL,1984,09,19,F,,,,,
				''''''
/005630		*REMINQ	B438	MWANT,,,,,,,,ALLEN,SAVANNAHR,1990,07,11,F,,,,,
				''''''
/005634	(591347)	*ONSCNE	L571	
/005830	(1280)	*REMINQ	B438	MWANT,,,,,,,,SALINAS,ALISHAR,1982,01,10,F,,,,,
				''''''
/005851	(911133)	SUPP		TXT: 1c 1c . ALSO SAW A MALE AND FE
				MALE WALKING SB NETTLETON 10 AGO . 1:BM, 38-40
				,DOO RAG, JACKET. 2:BF,30'S. THE MALE ON BIKE
				WITH FACE MASK IS R IDING BY AGAIN SLOWLY EB B
				RIDGE. ###
/010123	(1123)	MISC	L271	,MALE DOES NOT WANT TO GO TO HOSPITAL
/010218	(1185)	*ONSCNE	A317	
/010242	(1069)	MISC	K14	,LETS LOCK THIS DOWN AIRTIGHT

TIME	LOCATION	STATUS	UNIT	DESCRIPTION
/010320		MISC	K14	, SOMEONE SAY THEY SAW SUSP 3 HOUSES EAST AND E
/010326		MISC	K14	B NORTH SIDE OF THE STREET
/010326	(1123)	MISC	P308	, WORKED TOWARDS THE CONTACT
/010352		CHGLOC	A317	, NEED UNITS TO 820 N SUMMIT #1, BUILDING IN BA
/010424	(1280)	*REMINQ	B438	CK BEHIND MAIN BUILDING
				[820 N SUMMIT #1]
				MWANT,,,,,, SALINAS, ALISHA, 1982, 01, 10, ,,,,,,
/010434	(1188)	*CHGLOC	D471	''''
/010457	(1123)	CHGLOC	B432	[SUMMIT]
/010505	(1263)	*ONSCNE	D475	[820 N SUMMIT #1]
/010506	(1123)	CHGLOC	D471	[820 N SUMMIT #1]
/010523		MISC	P308	, EVERYONE ELSE HOLD PERIMETER
/010608	(1185)	*ONSCNE	A317	
/010619	(1123)	CHGLOC	B430	[820 N SUMMIT]
/010625	(591058)	MISC		, PAGING TFO
/010737	(1185)	*NEWLOC	A317	[SHERWOOD/ SUMMIT]
/010952	(1123)	MISC	K14	, HAVE 2 UNITS TO ADDRESS. EVERYONE STAY PUT
/011006		MISC	L271	, BACK AT COLLEGE/NETTLETON
/011025	(1263)	*NEWLOC	D475	[DEAN/NETTLETON]
/011036	(1123)	MISC	K14	, #1 IS ON THE SW CORNER, ONE CLOSEST TO SUMMIT
/011047		MISC	A317	, HAVE THE NW CORNER
/011148		NEWLOC	D471	[COCHRAN/DEAN]
/011324		MISC	K14	, . LOCK DOWN THE WHOLE BUILDING.
/011328	(566)	*NEWLOC	B430	[A/MALLON]
/011712	(591058)	MISC		, COMMAND STAFF FOR SCSO, AIR CREW FILLED
/011829	(1123)	MISC	B430	, BUTTON HIT. CODE 4
/012011		NEWLOC	A315	[JNO 820 N SUMMIT]
/012112	(1290)	*ONSCNE	B432	
/012215		*REMINQ	B432	MWANT,,,,,, ROYBAL, CHRISTOPHERK, 1977, 08, 03, ,,,
				''''''''
/012216	(766)	*REMINQ	L271	MWANT,,,,,, VIELLE, UDELLLEE, 1992, 07, 07, ,,,,,,
				''''''
/012434	(1123)	NEWLOC	L183	[BROADWAY/LINDEKE]
/012443	(591058)	ASST	K91	[BROADWAY/LINDEKE]
				#591813 HUNT, JASON
/012443		ASST	K93	[BROADWAY/LINDEKE]
				#591214 PFEIFER, PHILIP
/012516	(591214)	*ENROUT	K93	
/012547	(1123)	MISC	D471	, . W/VEH AT DEAN/NETTLETON
/012548	(591813)	*ENROUT	K91	
/012623	(1123)	MISC	D471	, NOT INVOLVED
/012716	(614)	*REMINQ	B431	MWANT,,,,,, ZIELKE, RONALDJ, 1990, 06, 15, ,,,,,,
				''''''
/012753	(1123)	MISC	B432	, THE SATURN IS PARKED TO THE WEST ON SUMMIT
/012832		MISC	B432	, VIN HAS BEEN RIPPED OUT OF DASH.
/012842		MISC	A312	, SATURN HAS BEEN PARKED OVER THERE FOR WEEKS
/013257	(1240)	*ONSCNE	D472	
/013533	(591813)	*ONSCNE	K91	
/013612	(1282)	*REMINQ	A312	MVEH, AVA4988, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
/013741		*REMINQ	A312	MVEH, , , , , 1G8ZH52801Z317638, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
/013742	(591347)	*REMINQ	L571	MVEH, AVA4988, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
/013924	(1282)	*REMINQ	A312	MVEH, AQL2764, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
/014518	(1240)	*CLEAR	D472	, PSTAT/ASST PSTAT/VIDN
/014519	(1123)	MISC	L183	, SECURE OUTER PERIMETER. NEED 2 MORE TO SUMMIT
				AND THE REST CAN SECURE
/014548	(1193)	*CLEAR	C354	, PSTAT/ASST
/014621	(1123)	MISC	P308	, SECURE PERIMETER FOR K9 TRACK
/014638	(1263)	*CLEAR	D475	, PSTAT/ASST
/014645	(1123)	NEWLOC	A312	[820 N SUMMIT]

/014743		MISC	B438	,ONE UNDER ARREST
/014809	(614)	*MISC	B431	,PSTAT/ASST
/014811		*CLEAR	B431	
/014910	(766)	*CLEAR	L271	DSP: 1B
				,PSTAT/ASST PSTAT/VIDN
/015001	(1188)	*CLEAR	D471	,PSTAT/ASST PSTAT/VIDN
/015008	(1123)	\$PREMPT	B438	
/015250	(591347)	*MISC	L571	,SSTAT/ASST
/015331	(591813)	*CLEAR	K91	,SSTAT/ASST
/015339	(591347)	*CLEAR	L571	
/015408	(591214)	*PREMPT	K93	
/015521	(1283)	*CLEAR	A318	,PSTAT/ASST
/015809	(1266)	*REMINQ	B435	MWANT,,,,,,,,,SALINAS,ALISHAR,1982,01,10,,,,,,,,,
				//////
/015943	(591058)	MISC		,FOLLOW UP COMMAND STAFF PAGE SENT
/015947	(1123)	MISC	P308	,MAKING CONTACT W/UNIT 820 N SUMMIT #1
/015954		NEWLOC	P308	[820 N SUMMIT #1]
/020151	(1266)	*REMINQ	B435	MWANT,,,,,,,,,SALINAS,ALISHAD,1984,11,28,,,,,,,,,
				//////
/020205	(1253)	REMINQ	B432	WANT,B432,,,,,,,,,BERCIER,JOSEPH,W,1980,11,27,M,
				//////
/020218	(1266)	*REMINQ	B435	MWANT,,,,,,,,,4b,,,,,,,,,3
/020406	(713)	*MISC	K14	,LOCATED THE MALE AT 2332 W. BROADWAY
/020416	(1123)	CROSS		#SP160304059
/020533	(1253)	MISC	B432	,III
/020615	(713)	*CHGLOC	K14	[DEAC]
/020651	(1123)	MISC	P308	,BACK TO NORMAL
/020730	(1253)	CALLBK	B432	T/PCC05
				,CONF/SEND BERCIER, JOSEPH W 112780
/021013	(713)	*CHGLOC	K14	[DEAC NORTH]
/021016	(761)	CALLBK		T/PCC03
				,CONF/SENT
/021059	(1253)	MISC	B432	,IN CUST FOR WARRANT AND DVOPV
/021228	(1290)	*TRANS	B432	[JAIL] M/O
/021307	(994)	\$PREMPT	P308	
/021310	(1185)	\$PREMPT	A317	
/021313	(566)	*MISC	B430	,PSTAT/ASST
/021314	(1266)	*CLEAR	B435	,PSTAT/CFS PSTAT/VIDY
/021317	(093)	\$PREMPT	L183	
/021322	(566)	\$PREMPT	B430	
/021335	(1181)	\$PREMPT	A315	
/021345	(1255)	*CLEAR	D473	,PSTAT/ASST
/021425	(1282)	*CLEAR	A312	,PSTAT/ASST PSTAT/VIDN
/021514	(713)	\$PREMPT	K14	
/021754	(1290)	*REMINQ	B432	MWANT,,,,,,,,,BERCIER,JOSEPHWAYNE,1980,11,27,,,,,
				//////
/021837	(1253)	CALLBK	B432	T/PCC05
				,PLEASE HAVE WENATCHEE EMAIL ORDER TO FOLLOW
/021904	(1290)	*TRANSC	B432	M/1.6
/022048	(1253)	REMINQ	B432	CHRI,B432,C,CLEQUIRE,VICO,160303980,,,,,,,,,
				,,,,,144996NB
/022436	(761)	CALLBK		T/PCC03
				,THEY WILL FAX
/023103	(1290)	*MISC	B432	,PSTAT/ASST PSTAT/VIDY PSTAT/MISD PSTAT/WAR PS
				TAT/RPT
/023334		*CLEAR	B432	
/023334		CLOSE	B432	
/152717	(320)	CROSS		#SP160304898

Incident History for: #SP160303918 Xref: #SC160302886

Entered 08/15/16 22:23:32 BY 91119 911184
Closed 08/15/16 22:23:32

Initial Type: INFO Final Type: INFO (INFORMATION)
Initial Priority: 5 Final Priority: 5
Disposition: 15T Source: A Primary Unit:
Police BLK: SPA2WC
Group: P2 Beat: Map Page: 25
Loc: 820 N SUMMIT BL ,SPK btwn W BROADWAY AV & N SHERWOOD ST <1000> (V)
Loc Info: SUMMIT VIEW APTS
Name: 1a Addr: SAME Phone: 1c

/222332 (911184) ADVISD XREF #302886. TODAY BETWEEN 1500 AND 1530, COM
P SAW MALE HANGING OUT AT BACK OF BUILDING. HM
, EARLY 30S, HAD "BRENDA" TATTOO ON LEFT FOREA
RM. APPEARED TO BE WAITING FOR FEMALE THAT LIV
ES IN #1 TO GET HOME.
/222332 GDISPO D/15T
/222343 CROSS #SC160302886
/222545 SUPP TXT: FEMALE IS CHERYL, WF, LATE 20S. UNK WHERE
SHE IS. GILBERTO HAD BEEN SLEEPING AT LOC FOR
LAST WEEK. FEMALE ALSO HAD CHILDREN LIVING WI
TH HER. ALSO, XREF #300696 WAS HUSB AND GILBER
TO FIGHT. ###
/233027 (911181) CROSS #SP160303980

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-303980	
INCIDENT TYPE Arrest, Domestic Violence		INCIDENT CLASSIFICATION #1 COURT ORDER VIOLATION		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"/>	
RESPONDING TO (Officer Assault)				ASSIGNMENT (Officer Assault)	
REPORTED ON Tue 08/16/2016 02:05	DATE/TIME	OCCURRED ON Tue 08/16/2016 02:05	DATE/TIME	OCCURRED TO Tue 08/16/2016 02:06	DISTRICT
DISPATCH TIME 00:28	ARRIVED TIME 00:30	CLEARED TIME 02:20	REPORT DATE 08/16/2016	REPORT TIME 04:55	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE M-10.09.040(A)DV VIOL OF ORDER-DV					UCR/NIBRS CODE / 90Z
LOCATION OF INCIDENT 820 N Summit Blvd, Spokane, WA 99202				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS Suspect Arrested					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS none					
VICTIM/WITNESSES/OTHERS <small>B-Suspect, V-Victim - Individual, A-Arrested Person, VE-Victim - Business, M-Missing, MR-Person Mentioned, RO-Registered Owner, V-Deceased, PS-Passenger, PE-Pedestrian, PC-Pedestrian - Cyclist, D-Other, C-Complainant, IN-Institutional, G-Legal Guardian, D-Driver, W-Witness, CV-Complainant is Victim, CON-Contact, RU-Runaway, OW-Owner of Property</small>					
CODE A-1	NAME LAST, FIRST, MIDDLE Bercier, Joseph W			SEX M	RACE/ETHNICITY I-American Indian or
HEIGHT 6'00"	WEIGHT 180	BUILD Medium	HAIR Brown	EYES BRO - Brown	DATE OF BIRTH/AGE 11/27/1980 35
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP , Spokane, WA 99224			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
CHARGE LEVEL Misdemeanor		DESCRIPTION M-10.09.040(A)DV VIOL OF ORDER-DV			UCR/NIBRS CODE /90Z
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION # 6Z0880631	DATE 08/16/2016	TIME 02:19	BOOKED WHERE Spokane County Jail		DATE 08/16/2016
ARREST LOCATION 820 N Summit Blvd, Spokane, WA 99202		STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN		CHARGES <input checked="" type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED	
JUV. PAR/GRD Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		DATE & TIME NOTIFIED		NOTIFIED BY	
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO 4a	OTHER ID (ID Card) 4b	

ID NO / NAME OF REPORTING OFFICER #1290 - LeQuire, Christopher		DISTRIBUTION	
APPROVAL #994 - Bode, Christopher		DATE/TIME 08/16/2016 20:46	

Incident Report #1

08/16/2016 10:52:50 693

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION COURT ORDER VIOLATION		ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-303980	
CODE V-1	NAME: LAST, FIRST, MIDDLE 1a		SEX F	RACE/ETHNICITY I-American Indian or
HEIGHT	WEIGHT	BUILD	HAIR	DATE OF BIRTH/AGE 1b
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 1d		DESCRIPTORS	RESIDENTIAL STATUS
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS		OCCUPATION		PHONE 1c
ADDITIONAL PHONE# (Home) 1c		EMPLOYER PHONE		
RELATIONSHIP TO SUSPECT Victim was Mother		VICTIM OF Offns # M-10.09.040(A)DV VIOL OF ORDER-DV		OFNDR # A-1
NARRATIVE				

On 08/16/16 around 0031 hours, I responded to Dean and Cochran as perimeter unit for a male who ran from a traffic stop. The male was alleged to be a murder suspect from the day prior. I eventually moved to 820 N Summit Blvd #1 as more information developed.

I was in charge of taking any persons who came out of the house away from the scene. I took a male who identified himself as Joseph Bercier. There was an older female who exited after him who spoke with Ofc Brown. After I ran Joseph's name through Dispatch, he came back as the respondent on a valid and served DV no contact order. The petitioner was **1a**. I asked Joseph who the female was that was talking to Ofc Brown. He responded, '**1a**' his mother. It was determined that Joseph was in direct violation of the no contact order. He was placed under arrest. A criminal history check showed no prior DVOPV convictions. He was transported and booked for DVOPV.

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

C.LeQuire #1290

Incident Report #1

END OF INCIDENT REPORT

08/16/2016 20:52:50.974

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-303980	
REPORT PURPOSE			REPORTED ON DATE Tue 08/16/2016 00:00		INCIDENT XREF 16-304059
INCIDENT CLASSIFICATION #1 SUSP CIRCUMSTANCES		ATTEMPTED <input checked="" type="checkbox"/>		INCIDENT CLASSIFICATION #2 <input type="checkbox"/>	
INCIDENT CLASSIFICATION #3 <input type="checkbox"/>		ATTEMPTED <input type="checkbox"/>		INCIDENT CLASSIFICATION #4 <input type="checkbox"/>	
DISPATCH TIME	ARRIVED TIME	CLEARED TIME		REPORT DATE 08/16/2016	REPORT TIME 21:38
PRIMARY CHARGE					LCR/NIBRS CODE
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim, I-Individual, A-Arrested Person, VB-Victim Business, M-Missing, LBR-Person Mentioned, RO-Registered Owner, V-Occupant, PE-Passenger, PE-Pedestrian, PD-Pedestrian, Cyclist, O-Other, C-Complainant, IN-Institutional, G-Legal Guardian, D-Driver, W-Witness, CV-Complainant is Victim, CCN-Contact, RU-Runaway, OUA-Owner of Property</small>					
CODE C-1	NAME LAST, FIRST, MIDDLE 1a			SEX F	RACE/ETHNICITY W-White
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DATE OF BIRTH/AGE 1c
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS STREET, CITY STATE ZIP 1d			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (509) 1c					
CODE W-1	NAME LAST, FIRST, MIDDLE 1a			SEX F	RACE/ETHNICITY W-White
HEIGHT 5'04"	WEIGHT 180	BUILD Medium	HAIR Brown	EYES HAZ - Hazel	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 CON-2	NAME LAST, FIRST, MIDDLE Vielle, Udell L			SEX M	RACE/ETHNICITY I-American Indian or
HEIGHT 5'04"	WEIGHT 150	BUILD Heavy	HAIR Black	EYES BRO - Brown	DATE OF BIRTH/AGE 07/07/1992 24
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS STREET, CITY STATE ZIP 540 W Sinto, Spokane, WA 99205			RESIDENTIAL STATUS	PHONE 216-7640
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Home) (509) 218-2134, (Home) 216-7640					
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES Apparent Minor Injury				TYPE OF VICTIM	
HOSPITAL TAKEN TO Deaconess North				MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO	
TAKEN BY SO/SPD Escort by		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY		ATTENDING PHYSICIAN	SUICIDE NOTE FOUND? <input type="checkbox"/>
ID NO./NAME OF REPORTING OFFICER #713 - Hamilton, Craig			DISTRIBUTION		
APPROVAL #445 - Cordis, Tyler			DATE/TIME 08/17/2016 06:48		

Supplemental Report #1

08/17/2016 06:53:44 956

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION SUSP CIRCUMSTANCES	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-303980
NARRATIVE		

On 08-16-16 at about 0000 hours, I responded to a call where the complainant, **1a** reported that the double homicide suspect from earlier in the day (#16-302886), with the suspect being Gilberto Delgado, was just seen in the area.

1a reported a tenant in the building saw the suspect 20 minutes prior, which she named as, "Gilberto." She claimed he was the homicide suspect and they saw "Brenda" tattooed on his wrist. He was visiting "Sheryl" in apartment #1. He was seen in a white Pontiac Grand Am with no license plate. She claimed he had been sleeping around there for the past week. She said Sheryl left with Gilberto in the white Grand Am and she had a duffel bag with her. She also claimed there were two other people in the car when they left.

1a wanted the police to check the area, which a few of us did. We were all wearing the uniform of the day and driving fully marked Spokane Police vehicles. I was driving my fully marked "Spokane Police K9" SUV.

When we got to the Summit location, there were about 6 people outside. They all claimed to see Gilberto and were positive it was him. They said they saw the broadcast on the news and recognized him as the guy sleeping around the property and visiting Sheryl in #1. We spoke with one of the witnesses, **1a** who claimed to see the tattoo on his wrist. She said her husband had gotten into an altercation with him earlier in the week as well.

We checked the property and found no signs of a transient camp. There was no direct evidence that they saw Gilberto there but we didn't have any reason to disbelieve them either, we really had no idea. However, just as we were clearing the location and walking back to our patrol cars parked on Summit, the white Pontiac Grand Am drove past us with 3 females and one male in the car. The front license plate was also missing, which matched what we were being told. The suspect vehicle drove past all of us and our marked patrol cars.

As we made our way to our patrol cars, the vehicle sped off E/B on Broadway. It made a quick left turn N/B on Lindeke, stopped in the middle of the road and the male took off running E/B down the alley just north of Broadway. It was very dark and Ofc. Betts was the marked patrol car that had turned on his overhead emergency lights just prior to it stopping. I was right behind Ofc. Betts but never saw the fleeing male.

All the females were out of the car by the time I pulled up and got out. They didn't run but they weren't cooperative either. Everything happened very quick and there were only a few of us there. We gathered the females, advised radio we believed the homicide suspect just fled on foot and a perimeter was set. All three of the females denied knowing who the male was at first. However, eventually, Sheryl Bercier, said she knew the guy as Ken Lewis. She said he was a black male. I had no reason to believe Sheryl and I thought she could have easily been covering for Delgado because now the original complainant's version was matching up.

Supplemental Report #1

CONTINUED ON NEXT PAGE

08/17/2016 08:53:45 130

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION SUSP CIRCUMSTANCES	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-303980
--	---------------------------------------	-------------------------------------

With the information the original complainant gave us, along with **1a** and the other residents at 820 N. Summit, then with the Grand Am running from us and the only male in the car fleeing on foot, I felt we had to treat it like this was Delgado. After the perimeter was set, I decided to track for the fleeing suspect for the following reasons:

THREAT:

The information we had at the time was this was very likely the double homicide suspect, Gilberto Delgado. Delgado was believed to have intentionally killed two people with a gun earlier in the day. He posed an extreme risk to the public, nearby residents, and the officers in the area. He was still believed to be armed and very desperate. Delgado has a lengthy violent criminal history and was known to run from the police.

CRIME:

There was probable cause to arrest Delgado for 1st Murder (x2).

RESISTANCE:

The suspect was actively resisting arrest by fleeing on foot and hiding in the dark of the night. He also failed to give up to the numerous K9 announcements made over the patrol car PA systems.

I yelled a loud K9 announcement/warning and then several officer's and I began tracking E/B in the N/E alley of Broadway and Lindeke. We tracked down the alley then made our way S/B through some yards and out onto Broadway. A resident yelled at us and asked if we were looking for a black male? He told us that the suspect was sitting on his porch and he chased him off E/B down Broadway on the north side of the road. He said he told the guy to head over to the police cars but he went the opposite direction instead.

The description of the black male was fitting because Delgado appeared to me as though he could be seen as a black male, especially in the dark. In the mean time, I had asked SPD Radio several times to do some digging on the name Ken Lewis. The Ken Lewis they were able to find only had a misdemeanor warrant, which didn't appear to be enough to run from the police for. I still had to treat the suspect like it was Delgado, till I learned further.

After the resident told us the suspect was last seen heading E/B on Broadway, we again began tracking in that same direction. We crossed Cochran on the north side of Broadway. When we got to the west fence of 2332 W. Broadway, Leo had a big change of behavior, which led me to believe the suspect was close and most likely in that yard somewhere. However, it was extremely dark and I had to get into the back yard so we wouldn't give him another chance to flee without having him located first. I asked an officer to stay on the west side of the fence, while we attempted to work our way through the front yard, clearing as we went. Leo jumped a small 3' wooden fence bordering the front yard, went past the front door of the house and then past the small wooden fence that went along

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 4

INCIDENT CLASSIFICATION SUSP CIRCUMSTANCES	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-303980
--	---------------------------------------	-------------------------------------

the sidewalk. The fence was short but I couldn't see through it, let alone it was too dark. I had worked up closer to Leo on the line because we were working so close to the houses but we were also dealing with an extremely dangerous and armed suspect so it was a "catch 22." However, Leo went around the fence and located a male sitting on a step in the walkway. It was very dark and I never saw him till I too made it around the fence. With the male sitting down, he was hidden by the fence.

After I made the turn, I saw a figure in the dark, I noticed Leo had made contact with someone and I assumed it was the suspect but then saw he was holding a large beer can in one of his hands. I immediately ordered Leo to release and he did so. I was not positive this was the male we were looking for, but the race was still not fully clear to me. Ofc. Brooks told me he knew who this male was and said it wasn't our suspect.

A supervisor and additional officers were requested to help deal with this male who was later identified as Udell L. Vielle. I requested medics to respond and tend to Vielle's apparent minor injuries. I asked that photos be taken and a supervisor to deal with this, while we continued with our search.

Vielle appeared very intoxicated but mentioned he knew where the guy we were looking for went. However, he never cooperated enough to tell us and we moved on after the other officers tended to his needs.

The tracking team eventually went back to the original stop to regroup and come up with a plan. At that time, I was told that Sheryl said she did know Delgado and he had been at her house and was likely there. She claimed the male that ran was Kenneth Lewis still. We had no way of knowing exactly what was true and I didn't want to give up our perimeter, which likely had the suspect contained. We did slow things down and discussed several options. Spokane County Sgt. Justin Elliot was now at the original stop with us and also in contact with their Major Crimes Unit. We had plans to page out SWAT, use multiple K9's, and Air1. However, as time went on, things became more clear that the fleeing male was in fact Kenneth Lewis and there was another male back at Sheryl's apartment as well. Eventually, we determined this had nothing to do with the homicide suspect and the original complainant and witnesses had to be mistaken. The perimeter was cleared and other officers made contact at Sheryl's house. They made a DVOPV arrest but the male was not Delgado. Sheryl claimed Lewis ran because he had drugs on him.

During this whole ordeal, Vielle, had wondered down to the original stop and refused to leave. He was extremely intoxicated and not cooperative. I was told he even refused to allow the pictures to be taken of his minor injury. By Vielle failing to leave the traffic stop location, he was eventually arrested for obstructing. When I learned that, I asked that he be transported to Deaconess hospital where his injuries could be tended to.

Supplemental Report #1

CONTINUED ON NEXT PAGE

08/17/2016 06:53:45 239

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 5

INCIDENT CLASSIFICATION SUSP CIRCUMSTANCES	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-303980
--	---------------------------------------	-------------------------------------

At the hospital, I saw that he had a contact location on his left outer thigh with some rake marks. Leo slipped off his leg and was holding onto Vielle's shorts only.

Cpl. Bode took photos of the minor injury.

Lt. Sprague tried talking to Vielle but he claimed he didn't remember what happened. Vielle was very intoxicated and at one point told me the last thing he remembered was the Maple St. Bridge. He did not belong at the house where we located him drinking his beer on the front step in the dark. He was only one block away from a perimeter car, which made a PA K9 announcement and had its emergency lights activated. Vielle was in a position to easily hear the warnings and see the police vehicle and activity.

Ofc. Walker later booked Vielle into the SCSO jail for obstructing after he was released from Deaconess.

TIME: Less than 10 seconds (with Leo slipping to his clothing)
DISTANCE: About 5'

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

Ofc. Craig Hamilton 713
K-14

Supplemental Report #1

END OF ADDITIONAL REPORT

08/17/2016 08:53:45 348

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-303980	
REPORT PURPOSE			REPORTED ON DATE Tue 08/16/2016 02:33		INCIDENT XREF
INCIDENT CLASSIFICATION #1 SUSP CIRCUMSTANCES		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 08/16/2016		REPORT TIME 05:06
PRIMARY CHARGE					UCR/NIBRS CODE
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim, I-Individual, A-Arrested Person, VS-Victim - Business, M-Missing, HIR-Person Mentioned, RO-Registered Owner, V-Deceased, PS-Passenger, PE-Pedestrian, PC-Pedestrian - Cyclist, O-Other, C-Complainant, IH-Institutional, O-Legal Guardian, W-Witness, DV-Complainant is Victim, CDW-Contact, RU-Runaway, OIW-Owner of Property</small>					
CODE V-1	NAME, LAST, FIRST, MIDDLE Vielle, Udell L			SEX M	RACE/ETHNICITY I-American Indian or
HEIGHT 5'04"	WEIGHT 150	BUILD Heavy	HAIR Black	EYES BRO - Brown	DATE OF BIRTH/AGE 07/07/1992 24
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP Transient			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES NONE					
NARRATIVE					

On 08/15/2016 at approximately 2336 hours, I was dispatched the area of 2300 W. Broadway to assist other officers. Several officers were dispatched to check for the wanted murder suspect in the area.

Once on scene I was mobile in the area when K-9 Officer Hamilton advised he needed a patrol car at 2332 W. Broadway.

While enroute to that location he advised his K-9 contacted a male at that location.

The male was later identified as Udell Vielle by his WA State Identification card.

When I arrived on scene, Vielle was laying on the front steps of 2332 W. Broadway with his hands up. I asked Vielle what his name was but, his speech was very slurred and hard to understand. Laying next to him on the ground was beer can that he had been drinking from. He admitted to drinking at a BBQ he came from.

I asked Vielle where the dog bite him and he pointed to his left thigh. He was wearing a pair of long pants and athletic shorts under those. His long pants were falling down around his ankles.

Vielle showed me his left thigh, there was a visible injury with bruising to his leg.

Vielle was extremely intoxicated and had a hard time standing up. Vielle said his leg was starting to sting. I advised him that Spokane Fire Medics were on their way to treat him.

ID NO NAME OF REPORTING OFFICER #1263 - Thompson, Gregory		DISTRIBUTION	
APPROVAL #950 - Everly, John	DATE/TIME 08/16/2016 06:55		

Supplemental Report #1

08/16/2016 07:02:49.931

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION SUSP CIRCUMSTANCES	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-303980
--	---------------------------------------	-------------------------------------

Once medics were on scene they treated his injury. They advised Vielle that he needed to be taken to the hospital to get a tetanus shot. Medics advised him of this several times, but he refused.

Several more attempts were made at getting Vielle to go to the hospital. He refused again and wanted to fight police and medics.

Medics confirmed they could not force him to go to the hospital for the tetanus shot. They asked him several questions to check his alertness. Vielle signed a waiver refusing medical attention and transport to the hospital.

Once medics left we asked Vielle to leave the area since he did not live at the above address. It was evident that Vielle was very intoxicated. He had trouble standing, walking and talking.

Vielle left the area on foot. There is body camera footage of the incident. A corporal was not available for photos, but you can see the injuries on body cam.

See Officer Hamilton's report for further detail.

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

G. Thompson
#1263 Team 13
08/16/2106

Supplemental Report #1

END OF ADDITIONAL REPORT

08/16/2016 07:02:50 AM

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-303980	
REPORT PURPOSE			REPORTED ON DATE Mon 08/15/2016	TIME 23:26	INCIDENT XREF
INCIDENT CLASSIFICATION #1 SUSP CIRCUMSTANCES		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 08/16/2016		REPORT TIME 03:10
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 08-15-2016 at approximately 2336 hours, I was dispatched to 820 N. Summit Blvd in reference to a Suspicious Person.

1a was calling in stating the murder suspect, Gilberto Delgado, was at the location 20 minutes ago. He left in a white Pontiac with no license plates on it.

Upon arrival I checked the area with other Officer's but did not find Gilberto or the white Pontiac with no license plates. I went around to the front of the building where I made contact with Sara who was with a group of people.

1a told me the following:

She saw a male that she recognized as Gilberto from the news. He was wearing a dark grey sweat shirt with the hood over his head. The male had been sleeping by the front door of apartment # 1 on and off for the past week.

She saw the male walk to apartment #1 and talk to the female who lives there. She identified the female as Sheryl Bercier. Shortly after the male talked to Sheryl, the male left with Sheryl in a white Pontiac car with no license plates on it. They had left about 20 minutes prior to my arrival.

She was confident that the male was Gilberto because she saw the name "Brenda" tattooed on his forearm. (End of **1a** Statement)

While I was standing at the scene talking with the other officers, I observed a white Pontiac with no license plates approaching from the west. As the white Pontiac passed me I observed a male in the back seat wearing a dark grey sweatshirt with the hood pulled over his head.

I got into my patrol car to initiated a traffic stop and the vehicle turned north onto A Street. The vehicle then turned east on Broadway Ave. I caught up to the vehicle as it turned north onto Lindeke St. The male was already jumping out of the vehicle and starting to run. I activated my overhead lights and got out of my vehicle chasing the suspect. The suspect ran east in the alleyway. As I turned the corner into the alley I observed the suspect turn south cutting through the yard of a house.

ID NO / NAME OF REPORTING OFFICER #1266 - Betts, David		DISTRIBUTION	
APPROVAL #766 - Dahle, Zachary	DATE/TIME 08/16/2016 05:07		

Supplemental Report #1

08/16/2016 05:14:03.714

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION SUSP CIRCUMSTANCES	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-303980
--	---------------------------------------	-------------------------------------

Due to the suspect potentially being Gilberto who was known to be armed, I stopped chasing him. K-9 Officer Hamilton was on scene and initiated a K-9 track. See K-9 Officer Hamilton's report for more details.

There were also three other females in the vehicle with the male.

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.

D. Betts #1266

Supplemental Report #1

END OF ADDITIONAL REPORT

05/16/2016 05:14:03 808

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-303980	
REPORT PURPOSE			REPORTED ON DATE Tue 08/16/2016		TIME 00:26
INCIDENT CLASSIFICATION #1 OBSTRUCT OFFICER		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 08/16/2016	REPORT TIME 01:50
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

ON 08-26-16 at approximately 0026 hours, I responded to assist Officers in the area of Broadway/Lindeke. It had been reported that a wanted murder suspect had been seen in the area, and Officers were investigating. A foot pursuit had begun in the area, and Officers were setting a perimeter for a K9 track.

I arrived on scene and took a position at College/Nettleton. I was relieved from this position, and responded to 2332 W Broadway. It was reported that the K9 had made contact with a male at this location.

I arrived on scene and was advised that the male was VIELLE, UDELL LEE I/M 07-07-1992. The K9 had made contact with Vielle's left thigh area. I could see that his thigh was scratched and bruised, and his shorts were torn.

I asked Vielle what had happened. He reported that he had been at a BBQ at this address. I explained that I was asking about the when he was bit by the dog. Vielle was not able to answer. I asked if he had heard all the announcements made by Police, and he stated that he had heard the warnings. Vielle stated at first that his leg hurt, but later reported that it did not hurt.

It should be noted that Vielle was very intoxicated, and refused transport to the hospital. SFD responded and advised that he should go to the hospital to get a shot. Vielle refused and signed the SFD refusal. It appeared that Vielle was escalating, and he refused to wait for photos to be taken. Vielle then left the scene.

I advised Lt. Sprague of the situation.

I have no further information to report.

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.
Z.DAHLE #766 L271

ID NO/NAME OF REPORTING OFFICER #766 - Dahle, Zachary		DISTRIBUTION	
APPROVAL #326 - Anderson, Jon D.	DATE/TIME 08/16/2016 05:09		

Supplemental Report #1

08/16/2016 05:14:32Z

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page: 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-304059	
INCIDENT TYPE Arrest		INCIDENT CLASSIFICATION #1 OBSTRUCT OFFICER		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	
		INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>	
RESPONDING TO (Officer Assault)				ASSIGNMENT (Officer Assault)	
REPORTED ON Tue 08/16/2016 01:50	DATE/TIME	OCCURRED ON Tue 08/16/2016 01:50	DATE/TIME	OCCURRED TO Tue 08/16/2016 01:50	DISTRICT
DISPATCH TIME 01:50	ARRIVED TIME 01:50	CLEARED TIME 01:50	REPORT DATE 08/16/2016	REPORT TIME 02:25	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE M-10.07.032 OBSTRUCTING					UCR/NIBRS CODE /
LOCATION OF INCIDENT W Broadway Avenue & N Lindeke Street, Spokane, WA 99201				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS Suspect Arrested					
RELATED INCIDENT NUMBERS					INCIDENT XREF 16-303980
ADDITIONAL REPORTING OFFICERS None					
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim, I-Individual, A-Arrested Person, VB-Victim - Business, M-Missing, MR-Person Mentioned, RO-Registered Owner, V-Deceased, PS-Passenger, PE-Pedestrian, PC-Pedestrian - Cyclist, O-Other, C-Complainant, IH-Institutional, G-Legal Guardian, D-Driver, W-Witness, CV-Complainant is Victim, CON-Contact, RU-Runaway, OW-Owner of Property</small>					
CODE A-1	NAME LAST, FIRST, MIDDLE Vielle, Udell L			SEX M	RACE/ETHNICITY I-American Indian or
HEIGHT 6'00"	WEIGHT 220	BUILD Heavy	HAIR Black	EYES BRO - Brown	DATE OF BIRTH/AGE 07/07/1992 24
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP 540 W Sinto Avenue, Spokane, WA 99201			RESIDENTIAL STATUS	PHONE 216-7640
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES (Home) (509) 218-2134, (Home) 216-7640					
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION M-10.07.032 OBSTRUCTING				UCR/NIBRS CODE
WARRANT #	BAIL	TYPE OF ARREST On-View of Arrest			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CITATION # 6Z0636170	DATE 08/16/2016	TIME 03:00	BOOKED WHERE Spokane County Jail		DATE 08/16/2016
ARREST LOCATION 1100 W Mallon Avenue, Spokane, WA 99260			STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN		
CHARGES <input checked="" type="checkbox"/> ADMITTED <input checked="" type="checkbox"/> DENIED			SUSPECT ARMED WITH		
JUV. PAR/CRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED		NOTIFIED BY
DISPOSITION OF JUVENILE					

On 08/16/2016 while performing a K9 track for a possible homicide suspect, a male later identified as Udell L. Vielle approached officers. There were approximately fifteen Police vehicles in the immediate area with the overhead red, white and blue lights activated performing a perimeter for the suspect. Udell was highly intoxicated as I noticed his speech was slurred, he could barely stand on his own and eyes were bloodshot.

ID NO /NAME OF REPORTING OFFICER #1190 - Brooks, Winston	DISTRIBUTION	
APPROVAL #766 - Dahle, Zachary	DATE/TIME 08/16/2016 04:37	

Incident Report #1

08/16/2016 04:43:40 126

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION OBSTRUCT OFFICER	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-304059
--	---------------------------------------	-------------------------------------

Udell was asked to walk in a different direction other than where Police activity was taking place. Udell insisted on walking through where officers were performing their duties. Udell starting saying obscenities towards officers on scene and flipping officers off as he was frustrated that he could not walk through the perimeter. Udell was given several warnings to walk in a different direction to his destination. At one point, Udell took a fighting stance and challenged officers on scene to a fight. Due to his intoxication level, Udell was still asked to listen to officers on scene which he refused. Udell was given ample time to leave the scene and was given several warnings that he would be placed under arrest for Obstructing Law Enforcement if he chose to walk through the perimeter.

Udell layed on the ground as he insisted on not leaving. Udell then stood back up and attempted to walk through the perimeter and at this time I placed him under arrest for Obstructing LE. I placed Udell in my handcuffs and escorted him to my patrol vehicle.

Prior to this contact, Udell was unintentionally contacted by an SPD K9 dog performing a track for the original suspect and. Udell was treated for his wounds by AMR personnel at the scene. Due to Udell being contacted prior, I transported him to Deaconess Hospital to be treated for his wounds. Udell was cleared by hospital staff, released and transported to the Spokane County Jail where he was booked.

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.

W. Brooks #1190

Incident Report #1

END OF INCIDENT REPORT

08/16/2016 04:43:40 413

CRIMINAL

☐ TRAFFIC ☒ NON-TRAFFIC

LEA ORI#: WA0320400

COURT ORI#: WA032051J

CITATION #: 6Z0636170

REPORT #: 16-304059

IN THE ☐ DISTRICT ☒ MUNICIPAL COURT OF
☐ STATE OF WASHINGTON ☐ COUNTY OF

SPOKANE MUNICIPAL COURT

☒ CITY/TOWN OF SPOKANE

PLAINTIFF VS. NAMED DEFENDANT

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON

DRIVER'S LICENSE NO. **4b** STATE **WA** EXPIRES **07-07-19** PHOTO ID MATCHED ☒ YES ☐ NO NAME LAST **VIELLE** FIRST **UDELL** ABOCILE **L** SFX **L** CDL/CLP ☐ YES ☒ NO
 ADDRESS **TRANSIENT** ☐ IF NEW ADDRESS CITY **SPOKANE** STATE **WA** ZIP CODE **99201**

EMPLOYER **EMPLOYER LOCATION**
 DATE OF BIRTH **07-07-92** RACE **I** SEX **M** HEIGHT **6'00"** WEIGHT **230** EYES **BRO** HAIR **BLK** RESIDENTIAL PHONE NO. CELL/PAGER PHONE NO. WORK PHONE NO.
 VIOLATION DATE **08/16/2016 02:32** INTERPRETER NEEDED ☐ AT LOCATION **W BROADWAY AVE** M.P. **N LINDEKE ST** CITY/COUNTY OF **SPOKANE/SPOKANE**
 ON OR ABOUT **08/16/2016 02:32** LANG.

DID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE ON A PUBLIC HIGHWAY AND

VEHICLE NO. STATE EXPIRES VEH YR MAKE MODEL STYLE COLOR
 TR #1 LIC NO. STATE EXPIRES TR YR TR #2 LIC NO. STATE EXPIRES TR YR

OWNER/COMPANY IF OTHER THAN DRIVER

ADDRESS CITY STATE ZIP CODE

ACCIDENT BAG COMMERCIAL VEHICLE ☐ YES ☒ NO 16 PASS ☐ YES ☒ NO HAZMAT ☐ YES ☒ NO EXEMPT VEHICLE ☐ FIRE ☐ UTA

DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES

1. VIOLATION/STATUTE CODE **10.07.032** ☐ D V OBSTRUCTING OFFICER
 2. VIOLATION/STATUTE CODE ☐ D V
 3. VIOLATION/STATUTE CODE ☐ D V
 4. VIOLATION/STATUTE CODE ☐ D V
 5. VIOLATION/STATUTE CODE ☐ D V

MANDATORY COURT APPEARANCE APPEARANCE DATE TIME RELATED # DATE ISSUED **08-16-16**

☒ TICKET SERVED ON VIOLATOR ☐ TICKET REFERRED TO PROSECUTOR
☐ TICKET SENT TO COURT FOR MAILING ☒ BOOKED

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE
 ISSUED THIS ON THE DATE AND AT THE LOCATION ABOVE, THAT I HAVE PROBABLE CAUSE TO BELIEVE
 THE ABOVE NAMED PERSON COMMITTED THE ABOVE OFFENSE(S), AND I AM ENTERING MY AUTHORIZED
 USER ID AND PASSWORD TO AUTHENTICATE IT

OFFICER **W. BROOKS**# **1190**

COMPLAINT CITATION ABSTRACT OF JUDGMENT	CHG #	RESPONSE	CHC	DISPOSITION	FINES	SUSPENDED	SUB TOTAL	FINDING/JUDGMENT DATE	TO SERVE DAYS
	1	G	NG	G NG 0	\$	\$	\$		W
	2	G	NG	G NG 1	\$	\$	\$	ABSTRACT MLD TO OLYMPIA	CREDITING 2ND YR
	3	G	NG	G NG 0	\$	\$	\$		IC SURF 01
	4	G	NG	G NG 0	\$	\$	\$	TOTAL COSTS	REC NONEX EMISION OF
	5	G	NG	G NG 0	\$	\$	\$	\$	SURF 1 YR

SEE EXPEDITER REPORT

Officer's Report for Citation/Notice of Infraction # 6Z0636170.

The information contained in and attached to this citation/notice of infraction is incorporated by reference into this report.

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

Signature: W. BROOKS # 1190

Date and Place: 8/16/2016 City/Town of Spokane, County of SPOKANE

TRAFFIC		WEATHER		STREET		LIGHT	
WITNESS NAME (LAST, FIRST, M.I.)		PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE	ZIP	ADDRESS	CITY	STATE	ZIP
WITNESS NAME (LAST, FIRST, M.I.)		PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE	ZIP	ADDRESS	CITY	STATE	ZIP
WITNESS NAME (LAST, FIRST, M.I.)		PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE	ZIP	ADDRESS	CITY	STATE	ZIP
WITNESS NAME (LAST, FIRST, M.I.)		PHONE		WITNESS NAME (LAST, FIRST, M.I.)		PHONE	
ADDRESS	CITY	STATE	ZIP	ADDRESS	CITY	STATE	ZIP

PAGE 2 OF 2

VIELLE, UDELL L 070792

CHELAN COUNTY DISTRICT COURT
STATE OF WASHINGTON

EC50 OCT12'15PM 3:37

OCA 15 2170

☒ STATE OF WASHINGTON
☐ CITY OF WENATCHEE

vs.

CAUSE NO: 520761329 chs

DOMESTIC VIOLENCE NO CONTACT ORDER

☐ Pre-Trial☒ Post-Conviction☒ Replacement Order (paragraph 10)Joseph W Berrier
Defendant (First, Middle, Last Name)

No-Contact Order

1. Protected Person's Identifiers:

1a
Name (First, Middle, Last)
1b F W
DOB Gender Race

If a minor, use initials
instead of name, and
complete a Law
Enforcement Information
Sheet (LEIS).

Defendant's Identifiers:

Date of Birth	
11/27/80	
Gender	Race
M	W

2. Defendant:

- A. do not cause, attempt, or threaten to cause bodily injury to, assault, sexually assault, harass, stalk, or keep under surveillance the protected person.
- B. do not contact the protected person, directly, indirectly, in person or through others, by phone, mail, or electronic means, except for mailing or service of process of court documents through a third party, or contact by the defendant's lawyers.
- C. do not knowingly enter, remain, or come within 300 feet (if no distance entered) of the protected person's residence, school, workplace, other:
- D. other:

3. Firearms and Weapons, Defendant:

- ☐ do not obtain or possess a firearm, other dangerous weapon or concealed pistol license. (Pre-Trial, RCW 9.41.800. See findings in paragraph 7, below.)
- ☐ do not obtain, own, possess or control a firearm. (Post Conviction or Pre-Trial, RCW 9.41.040.)
- ☐ shall immediately surrender all firearms and other dangerous weapons within the defendant's possession or control and any concealed pistol license to the following law enforcement agency: _____ (Pre-Trial Order, RCW 9.41.800.)

4. This no-contact order expires on: 10/12/17 Two years from today if no date is shown.

Warning: Violation of the provisions of this order with actual notice of its terms is a criminal offense under chapter 28.50 RCW and will subject a violator to arrest. Any assault, drive-by shooting, or reckless endangerment that is a violation of this order is a felony. You can be arrested even if the person protected by this order invites or allows you to violate the order's prohibitions. You have the sole responsibility to avoid or refrain from violating the order's provisions. Only the court can change the order upon written application. (Additional warnings on page 2 of this order.)

Copies: Original retained by Court Yellow: Protected Party File LEA Goldenrod: Defendant

Domestic Violence No-Contact Order (NOCON) - Page 1 of 2
WFF NC 02.0100 (1/2011) - RCW 10.99.040, .045.050

10/12/2015 15:33 1096676679

CHELAN CO DIST CT

PAGE 02/02

Findings of Fact

5. Based upon the record both written and oral, the court finds that the defendant has been charged with, arrested for, or convicted of a domestic violence offense, and the court issues this Domestic Violence No-Contact Order under chapter 10.99 RCW to prevent possible recurrence of violence.
6. The court further finds that the defendant's relationship to a person protected by this order is an
☐ Intimate partner (former/current spouse; parent of common child; or former/current cohabitants as intimate partners) or ☒ Other family member as defined by RCW 10.99: grandmother
7. ☐ (Pretrial Order) For crimes not defined as a serious offense, the court makes the following mandatory findings pursuant to RCW 9A.41.800: ☐ The defendant used, displayed, or threatened to use a firearm or other dangerous weapon in a felony. ☐ The defendant is ineligible to possess a firearm due to a prior conviction pursuant to RCW 9A.41.040; or ☐ Possession of a firearm or other dangerous weapon by the defendant presents a serious and imminent threat to public health or safety, or to the health or safety of any individual.

Additional Warnings to Defendant. This order does not modify or terminate any order entered in any other case. The defendant is still required to comply with other orders.

Willful violation of this order is punishable under RCW 28B.01.110. State and federal firearm restrictions apply. 18 U.S.C. § 922(g)(8)(9); RCW 9A.41.040.

Pursuant to 18 U.S.C. § 2285, a court in any of the 50 states, the District of Columbia, Puerto Rico, any United States territory, and any tribal land within the United States shall accord full faith and credit to the order.

Additional Orders

8. ☒ Civil standby: The appropriate law enforcement agency shall, at a reasonable time and for a reasonable duration, assist the defendant in obtaining personal belongings located at 1d
9. The clerk of the court shall forward a copy of this order on or before the next judicial day to ☒ Chelan County Sheriff's Office or ☐ Wenatchee Police Department where the case is filed, which shall enter it in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.
10. ☒ This order replaces all prior no-contact orders protecting the same person issued under this cause number.

Dated: 10/12/15 at in open court with the defendant present

I acknowledge receipt of a copy of this order.

Joe Macier
Defendant

Rs. F
Judge/Pro Tem

The protected person shall be provided with a certified copy of this order.

I am a certified or registered interpreter or found by the court to be qualified to interpret in the _____ language, which the defendant understands. I translated this order for the defendant from English into that language.

Signed at (city) _____ (state) _____ on (date) _____

Interpreter: _____ Print name: _____

Copies: Original retained by Court Yellow: Protected Party Pink: LEA Goldenrod: Defendant
 Domestic Violence No-Contact Order (NOCN) - Page 2 of 2
 WFF NC 02.0100 (1/2011) - RCW 10.99.040, .043, .050

SEARCH CONSENT WAIVER FORM

Report # 16-303960

- ☒ Spokane Police Department
☐ Spokane County Sheriff's Department
☐ Spokane Valley Police Department

Date: 8-16-16 Time: 0154 Location: 820 N Summit Blvd #1

I hereby give permission, voluntarily, without threats or promises of any kind from a law enforcement officer, to search the premises, vehicle and/or other property listed below.

1. I understand I have a right to refuse this search;
2. I understand that if I consent to the search, I may revoke that consent at any time;
3. I understand that I may limit the scope of the consent to certain areas of the premises, vehicle or property to be searched; and
4. I understand that evidence found during this search may be used in a court against me or any other person.

Signed: [Signature]

Print Name Here: Sheryl Berger

Witnessed: ERIK GOLLADAY #257

108

REV 06/09

DESCRIPTION OF PLACE SEARCHED

Report # 16-30398D

Address or physical location of premises: 820 W Summit Blvd #1

Vehicle Make: _____ License #: _____

Registered Owner: _____ Color: _____

Type and Description of other kinds of property searched: _____

Person granting consent: Sheryl Bercier DOB: 9-9-84

Address: 820 W. Summit Blvd #1

Relationship to property searched: Owner/Refar

REV 05/09

108

AGENCY NAME		CROSBY REFERENCE NUMBER(S)		INCIDENT NUMBER	
Spokane Police Department				16-303980	
INCIDENT CLASSIFICATION		LOCATION OF ORIGINAL INCIDENT		PHOTO DATE	
Obstruct Officer		Broadway and Lindeke		08-16-16	
PHOTOGRAPHER BY		LOCATION PHOTOS TAKEN			
C. BODE #994		Deaconess North			
NAME LAST, FIRST MIDDLE		RACE	SEX	DOB	
VIELLE, UDELL LEE		White	Male	07-07-92	

[illegible]