



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 Tyler Cordis

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
9/16/2016	9/16/2016	14:00
Record ID #	Incident No	IA No
9431	16-347059	F16-078
Date/Time Entered		
9/25/2016 09:38		

Incident Summary

Officers contacted Eric French and were going to arrest him on outstanding felony warrants. French was listed as armed and dangerous, information had been received that French has been contacted with a gun on prior contacts with the police. When he was told he was under arrest, he refused to follow verbal commands to place his hands behind his back. He tensed up his arms and attempted to use his strength to keep officers from placing them behind his back. As he continually refused to place his hands behind his back he kept going towards the front of his waistband. Officer Lyons used a Level 1 neck restraint to try and get compliance. Officers were able to control French which allowed him to be handcuffed without any injury to the officers, citizens or suspect. At no time did French go unconscious.

In compliance with policy per Major King 10/20/16.

Incident Location

- 2211 Central AV, Direction: E, Spokane, WA 99217 - : Northeast

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Resisting Arrest	Call for Service	
Weather Condition	Lighting Condition	Distance to Citizen
Clear	Daylight	a-0-3 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
No	No	Yes
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Medium	5'7" to 5'9"	
Officer Assessment of Citizen Condition During Incident		
Unknown		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Reporting/Involved Citizen Information

Eric Q French

DOB: 12/23/1977 Race: Black Gender: Male

Address

- 9712 Newgrove AV, Direction: SW, Tacoma, WA 98498

Types of Resistance Citizen Used Against Officer(s)

- Active Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
No injuries noted or visible		

Charges against this citizen

- Warrant

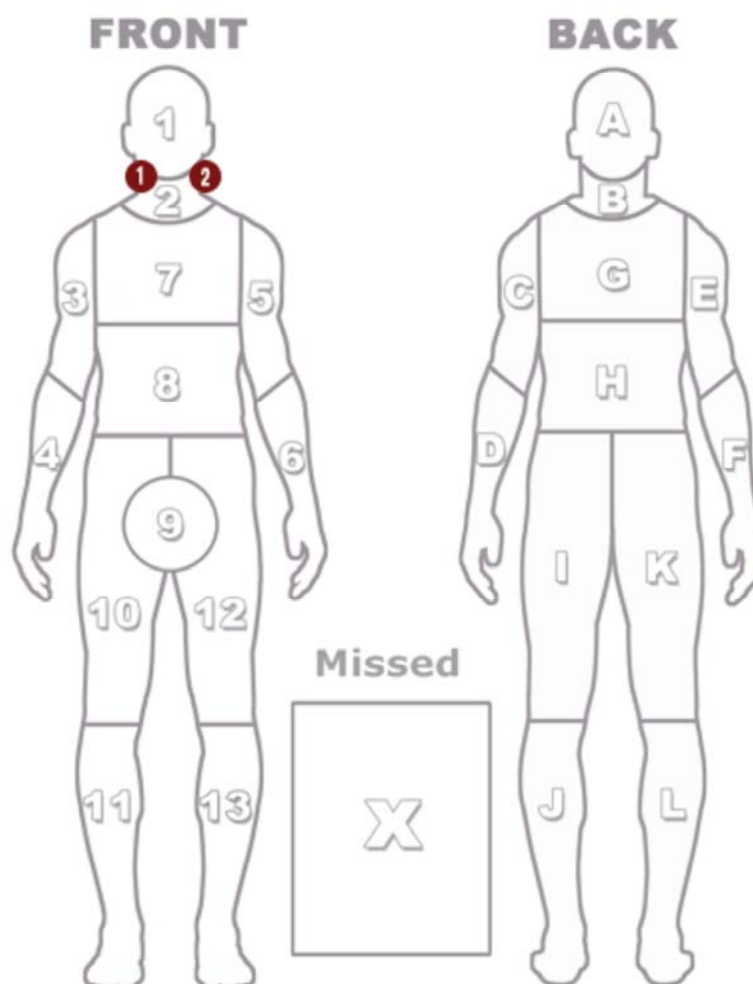
Involved Officers

Officer Cory Lyons - Payroll Number: 14321

Force used by this officer against the citizen

- LNR-Level 1 - Was force effective: Yes

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



Injuries sustained by this officer

Injury	Regions	Injury Locations
No injuries noted or visible		

Officer Witnesses

Sergeant Tyler Cordis - Payroll Number: 11532

Officer Daryl Groom - Payroll Number: 20898

Officer Holton Widhalm - Payroll Number: 14832

Attachments

Date Attached	Attachment Description	Attachment Type
9/26/2016	CAD and Officer Reports	pdf
9/26/2016	UOF Additional - Sgt. Cordis	pdf
9/26/2016	BWC Groom	
9/26/2016	BWC Lyons	
10/12/2016	BWC Lyons	
10/13/2016	UOF Additional - S. Arredondo	doc

Chain of Command History

Sent Dt	From	To	CC	Approved
9/26/2016	Internal Affairs	Internal Affairs	Lieutenant Alan Arnzen	<input checked="" type="checkbox"/>
Sender's Instructions: Officer Lyons Level 1 neck restraint use of force.				
Recipient's Comments/Response: [Forwarded by Sergeant Daniel Waters]				
9/26/2016	Sergeant Daniel Waters	Lieutenant Rex Olson	(none)	<input type="checkbox"/>
Sender's Instructions: Lt., Here is a use of force for your review.				
Recipient's Comments/Response: Incident routing was closed out by IAPro user Ms Michelle Reiner and the incident was re-routed to Lieutenant Alan J Arnzen [095]				
9/27/2016	Ms Michelle Reiner	Lieutenant Alan Arnzen	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Routed to Lt. Olson in error.				
Recipient's Comments/Response: Officer Lyons use of force was within policy and reasonably objective. Lt. Arnzen 095				
9/27/2016	Lieutenant Alan Arnzen	Captain Daniel Torok	(none)	<input type="checkbox"/>
Sender's Instructions: For your review and recommendations. Lt. Arnzen 095				
Recipient's Comments/Response: Sgt. Cordis was involved in the use of force. Even though the force he used was not "reportable", it is necessary to have a non-involved supervisor complete the review.				
10/4/2016	Captain Daniel Torok	Lieutenant Alan Arnzen	(none)	<input type="checkbox"/>
Sender's Instructions: see comments				
Recipient's Comments/Response: Sgt. Arredondo review Lyon's use of force. Lt. Arnzen				
10/6/2016	Lieutenant Alan Arnzen	Sergeant Stephen Arredondo	Sergeant Tyler Cordis	<input checked="" type="checkbox"/>
Sender's Instructions: Sergeant Arredondo please review Lyon's use of force. Lt. Arnzen 095				
Recipient's Comments/Response: Review of Lyons Level 1 use of force				
10/7/2016	Sergeant Stephen Arredondo	Lieutenant Alan Arnzen	(none)	<input type="checkbox"/>
Sender's Instructions: My review of Sgt Cordis blue team				
Recipient's Comments/Response: Sgt. Arredondo returning after our conversation. Lt. Arnzen 095				
10/7/2016	Lieutenant Alan Arnzen	Sergeant Stephen Arredondo	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: For your addt review. Lt. Arnzen 095				
Recipient's Comments/Response: UOF additional has been completed. Investigative Summary was added as I was unable to remove/edit the original additional dated 10-07-16. I also included Ofc Lyon's body camera video.				
10/14/2016	Sergeant Stephen Arredondo	Lieutenant Alan Arnzen	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: UOF additional has been completed. Investigative Summary was added as I was unable to remove/edit the original additional dated 10-07-16. I also included Ofc Lyon's body camera video.				
Recipient's Comments/Response: Officer Lyon's use of force was within policy and reasonable. Lt. Arnzen 095				
10/14/2016	Lieutenant Alan Arnzen	Captain Daniel Torok	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: Captain Torok for your review and recommendations. Lt. Arnzen 095				
Recipient's Comments/Response: I concur that the use of force was within policy.				
10/19/2016	Captain Daniel Torok	Major Kevin King	(none)	<input checked="" type="checkbox"/>

Sender's Instructions: for review

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

Entering Officer Signature Line

Sergeant Tyler Cordis

Chain of Command Signature Lines

Sergeant Daniel Waters

Lieutenant Rex Olson

Lieutenant Alan Arnzen

Captain Daniel Torok

Sergeant Stephen Arredondo

Major Kevin King



Spokane Police Department
Internal Affairs



Use of Force
Additional

Incident #: 16-347059

Date: 9-16-16

Involved Officer(s) BWC Y/N: Officer Lyons- Yes,

Reviewing Supervisor: Sgt. Arredondo #679

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:

Officers contacted Eric French and were going to arrest him on outstanding felony warrants. French was listed as armed and dangerous, information had been received that French has been contacted with a gun on prior contacts with the police. When he was told he was under arrest, he refused to follow verbal commands to place his hands behind his back. He tensed up his arms and attempted to use his strength to keep officers from placing them behind his back. As he continually refused to place his hands behind his back he kept going towards the front of his waistband. Officer Lyons used a Level 1 neck restraint to try and get compliance. Officers were able to control French which allowed him to be handcuffed without any injury to the officers, citizens or suspect. At no time did French go unconscious.

Officer Interview Summary: All officer statements and interviews were consistent with their reports, see their reports for a complete statement.

Subject Interview Summary:

I was not present at this time and I was not able to interview the subject.

Witness Interview Summary:

Witness Officer Interview Summary BWC Y/N:

Officer Widhalm- His statements are consistent with his report, his body camera did not show the incident.

Officer Groom- His statements are consistent with his report, his body camera did show the incident.

Sgt. Cordis- His statements are contained within his report.

Any Relevant Clarifying Information and Observations:

Sergeant Findings: Based on French's history and his immediate resistance and his refusal to follow verbal commands, Officers Lyons application of the Level 1 neck restraint, resulted in efficient and an effective arrest of a dangerous suspect. Officer Lyon's application of the Level 1 Neck Restraint was reasonable and within department training and procedures.



**Spokane Police Department
Internal Affairs**

**Use of Force
Additional**



Incident #: 16-347059

Date: 9-16-16

Involved Officer(s) BWC Y/N: Officer Lyons- Yes,

Reviewing Supervisor: Sgt. Cordis 445

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:

Officers contacted Eric French and were going to arrest him on outstanding felony warrants. French was listed as armed and dangerous, we also had information he had been contacted with a gun on prior contacts with the police. When he was told he was under arrest he tense up and used his muscles to keep officers from placing them behind his back. He was also drawing his hands toward his waist area, an area where people have put guns to have access to them. Officer Lyons used a Level 1 neck restraint to try and get compliance. Officers were able to get better arm control which allowed him to be handcuffed without any injury to the officers or suspect. At no time did French go unconscious.

Officer Interview Summary: All officer statements and interviews were consistent with their reports, see their reports for a complete statement.

Subject Interview Summary:

Witness Interview Summary:

Witness Officer Interview Summary BWC Y/N:

Officer Widhalm- His statements are consistent with his report, his body camera did not show the incident.

Officer Groom- His statements are consistent with his report, his body camera did show the incident.

Sgt. Cordis- My statements are contained within my report.

Any Relevant Clarifying Information and Observations:

Sergeant Findings: Based on French's history and his immediate resistance when he was told he was under arrest officer Lyons use of the Level 1 was appropriate and minimized risk of injury to the officers and suspect. It fell within the department policy and state law.

Incident History for: #SP160347059 Xref: #SP160347102

Entered 09/16/16 13:23:57 BY 91121 911138
Dispatched 09/16/16 13:25:12 BY PCC01 1144
Enroute 09/16/16 13:25:12
Onscene 09/16/16 13:25:12
Closed 09/16/16 20:59:07

Initial Type: SUSPER Final Type: SUSPER (SUSPICIOUS PERSON)
Initial Priority: 3 Final Priority: 3
Disposition: 1E Source: A Primary Unit: A248
Police BLK: SPB4HI
Group: P4 Beat: Map Page: 31
Loc: 2211 E CENTRAL AV ,SPK btwn N CRESTLINE ST & N STONE ST <5900> (V)
Name: ANON Addr: ANON Phone: ANON

/132357 (911138) ENTRY FRENCH, ERIC C 29YO B/M HAS WARRANTS OUT OF PIERCE COUNTY. DRIVING BLU VW PASSAT. NOT KNOWN TO BE ARMED. KNOWN TO BE AT THE CENTRAL ADDRESS 5 AGO. ###
/132439 SUPP NO FURTHER INFORMATION
/132510 (1144) MISC ,NOT FINDING ERIC FRENCH IN LOCALLY
/132512 DISPOS BC1 #BC BC
/132513 MISC BC1 ,BROADCAST NORTH BY MDT
/132516 CLEAR BC1 DSP: 14D
/132516 CLOSE BC1
/135235 (911196) SUPP TXT: COMP CB: COMP IS SPEAKING WITH OFFICER AT NE COMMUNITY CENTER NOW ABOUT THIS. ###
/135243 CALLBK T/PCC05
/135516 (1144) REOPEN ,PLEASE SEE LAST SUP
/135521 DISPOS L286 ,NO MORE INFORMATION
/135545 ASSTER A244 #445 CORDIS, TYLER
[2211 E CENTRAL AV ,SPK]
#929 LYONS, CORY
/135550 NEWLOC L286 [COOK/PROVIDENCE]
/135554 CHGLOC A244 [COOK/PROVIDENCE]
/135650 (620) *ASSTER B123 [COOK/PROVIDENCE]
#620 ATKINS, RICHARD
/135736 (676) CALLBK L286 T/PCC01
/SEND SOMEONE UP TO 2211 E CENTRAL, 'ERIC'S BLUE PASSAT BACKED INTO THE BACKYARD.. NEED TO SEE IF THE CAR IS THERE.
[2211 E CENTRAL AV ,SPK]
[2211 E CENTRAL AV ,SPK]
[COOK/PROVIDENCE]
#1180 GROOM, DARYL
/135909 *CHGLOC B127 [2211 E CENTRAL]
/135942 (1144) \$CROSS #SP160347102
/135942 DUP #SP160347102
/140020 (676) REMINQ L286 WANT,L286,,,,,,FRENCH,ERIC,QUINTON,1977,12,23
,,,,,,1
/140208 MISC L286 ,PIERCE COUNTY HAS CONFIRMED STAT 1'S..
/140353 CALLBK L286 T/PCC01
/ANOTHER ROOMMATE JEFF IS THERE, WM HEAVY SET,
AND THE SUSPECTS GIRLFRIEND, NO ALLEY ACCESS
/140403 REMINQ L286 LIC,L286,AXZ1475,,,,
/140432 MISC ,09/16/16 14:04:27 Message To: PCC02 From: PCC02
/140432 MISC ,09/16/16 14:04:05 FROM ACCESS - DATABASE ID:

/140432 MISC
/140432 MISC
/140432 MISC
/140432 MISC
/140432 MISC
/140432 MISC
/140432 MISC
/140432 MISC
/140432 MISC
/140432 MISC
/140432 MISC
/140506 CALLBK L286
/140507 (1180) *ONSCNE B127
/140602 (676) CALLBK L286
/140610 (929) *REMINQ A244
/140611 (1182) *ASSTER A248
/140627 (620) *REMINQ B123
/140643 *ONSCNE B123
/140733 (1144) NEWLOC B123
/140737 NEWLOC B127
/140749 (676) MISC L286
/140805 (626) *ASSTER A247
/140809 (1144) MISC B127
/140824 ASSTER A246
/140837 (676) MISC L286
/140847 (1144) MISC L286
/140932 (929) *ONSCNE A244
/141023 (1180) *MISC B127
/141028 (1144) MISC L286
/141032 MISC A244
/141034 MISC A244
/141144 (989) *ONSCNE A246
/141150 (626) *ONSCNE A247
/141302 (676) REMINQ A244

3c

T/PCC01
,IN STALKING CONTACT W/PIERCE COUNTY HE WAS AR
MED W/A GUN

T/PCC01
,FROM THE AMW WEBSITE, NOTABLE TATTOO ON HIS N
ECK: 'CHOSEN ONE' FOR DOL PIC, OLN/

4b
MWANT,,,,,,,,, 5
[2211 E CENTRAL AV ,SPK]
#1182 ECKERSLEY, DAVID
#1276 MARQUEZ, TIMOTHY

4b
MWANT,,,,,,,,, 5

[WEST]
[EAST]
,STAT 1 OUT OF DOC FOR ESCAPE ORIG CHG, CONTRO
LLED SUBSTANCE, STAT 1 FROM PIERCE COUNTY FOR
CONT SUBSTANCE X 2, DWLS 3 .. ORDER PROTECTING
1a SERVED.

[EAST]
#626 KERNKAMP, MICHELE
,LOT OF FOOT TRAFFIC BACK AND FORTH ACROSS THE
STREET
[EAST]
#989 WIDHALM, HOLTON
,AKA'S FROM AMW FOR ERIC INCLUDE 'REDD' 'YE' '
EMMANUEL' 'MARCUS STEVENS'
,BM, 510/170, WHI TANKTOP, BLU SHORTS, DREADLO
CKS UP ON BACK OF HEAD LIKE A PONYTAIL

,IM PARKED ON STONE COVERING THE EAST
,GOOD CONFIRMATION THAT HIS THERE,
,HE IS OUT FRONT
,RESTRICTED

WANT,A244,,,,,,WILLIAMS,SAMRE,L,1978,12,19,,
,,,,,0

FILE	DATE	TIME	STATUS	LOCATION	DESCRIPTION
/141414	(1144)	)	MISC	A246	,ONE IN CUSTODY
/141510			ONSCNE	A248	
/141518	(216)	)	*ASSTER	L166	[COOK/PROVIDENCE]
					#216 WALKER, JOEY
/141518	(1144)	)	MISC	L286	,WILL BE LEG RESTRAINING HIM
/141809			MISC	L286	,UNRESTRICT
/141828	(676)	)	CALLBK	L286	T/PCC01
					,PIERCE COUNTY DOES NOT NEED THE CAR
/141839	(1144)	)	CALLBK	L286	T/PCC02
					,SEND WARRANTS FOR PIERCE CO AND DOC
/141939	(676)	)	CALLBK	L166	T/PCC01
					,DOC IS CONFIRMED .. WILL NEED LOCOATE
/142228			REMINQ	A247	WANT,A247,,,,,,MAYFIELD,TEVITA,R,1978,10,06,,
					,,,,,,
/142628	(216)	)	*ONSCNE	L166	
/142648	(676)	)	CALLBK		T/PCC01
					,PIERCE COUNTY CONF/SENT
/143042	(989)	)	*TRANS	A246	[JAIL] M/0.0
/143043	(1267)	)	CALLBK	L286	T/PCC02
					,ADV JAIL WE'RE ENRT W/AN UNCOOPERATIVE MALE
/143047	(929)	)	*CHGLOC	A244	[FOLLOW A246 TO JAIL]
/143156	(1144)	)	CALLBK	L286	T/PCC01
					,JAIL ADVISED
/143321			REMINQ	A248	GUN,A248,39196M1,,,,,,,,,3
/143331	(216)	)	*CLEAR	L166	,PSTAT/ASST
/143409	(1144)	)	MISC	A248	,SMITH AND WESSON REVOLVER, MODEL POLICE POSIT
					IVE, .38
/143423	(1182)	)	*CHGLOC	A248	[JAIL]
/143758	(626)	)	*MISC	A247	,PSTAT/ASST PSTAT/VIDY
/143805			*CLEAR	A247	
/144111	(620)	)	*CLEAR	B123	,PSTAT/ASST PSTAT/VIDY
/144243	(1180)	)	*NEWLOC	B127	[PAPER/CAR]
/144615	(1144)	)	MISC	A248	,PIERC CO CASE NUMBER: 1616901257
/144627			MISC	A248	,253-591-5952/5694
/145152	(929)	)	*ONSCNE	A244	
/145236	(989)	)	*TRANSC	A246	[JAIL] M/5.8
/145349	(1182)	)	*ONSCNE	A248	
/145409	(445)	)	*CHGLOC	L286	[1]
/145916	(1144)	)	MISC	A248	,PIERCE CO DOESN'T NEED THE GUN, AND IT WAS A
					SEMI-AUT PISTOL ACCORDING TO THEIR REPORTS ON
					THE STALKING CONTACT
/150353	(1182)	)	*CHGLOC	A248	[8014 N DIVISION]
/150404	(1180)	)	*CLEAR	B127	,PSTAT/ASST PSTAT/RPT PSTAT/VIDY
/150509	(445)	)	*ONSCNE	L286	
/152401			*CLEAR	L286	,PSTAT/ASST PSTAT/RPT
/152432	(1182)	)	*ONSCNE	A248	
/155121	(929)	)	*CHGLOC	A244	[PROPERTY]
/155817	(989)	)	*CHGLOC	A246	[WC]
/162228	(1182)	)	*CHGLOC	A248	[PROPERTY]
/162342	(929)	)	REMINQ	A244	WANT,A244,,,,,,FRENCH,ERIC,Q,1977,12,23,,,,,
					,,,
/163144	(455)	)	\$CROSS		#SP160347355
/163156			\$PREMPT	A248	
/163206			ASSTOS	A248	[PROPERTY]
					#1182 ECKERSLEY, DAVID
					#1276 MARQUEZ, TIMOTHY
/170804	(929)	)	*REMINQ	A244	MVEH,9D9884,,,,,,,,,,,,,,,,,,,,,
/171647			*CHGLOC	A244	[WC]
/171828			*REMINQ	A244	MWANT,,,,,,MAYFIELD,TEVITAR,1978,10,06,,,,,
					,,,,,

/171839	(1182	)	*CHGLOC	A248	[WC]
/172229	(929	)	*ONSCNE	A244	
/173218	(455	)	MISC	A248	,09/16/16 17:29:38 MESSAGE TO: PCC02 FROM: A24
					8 CAN YOU DO A TRIPPLE III FOR MAYFIELD,TEVITA
					R,1978,10,06 AND FRENCH,ERIC,QUINTON,1977,12,2
					3
/173753			REMINQ	A248	CHRI,A248,C,1182,WOFF,160332232,,,,,MAYFIELD,
					TEVITA,B,M,1978,10,06,,,,,
/173802			REMINQ	A248	CHRI,A248,C,1182,WOFF,160332232,,,,,MAYFIELD,
					TEVITA,F,B,1978,10,06,,,,,
/173829			REMINQ	A248	CHRI,A248,C,1182,WOFF,160332232,,,,,,,,,,,,,
					,,991438NB
/174320			REMINQ	A248	CHRI,A248,C,1182,WOFF,160332232,,,,,FRENCH,ER
					ICQ,M,B,1977,12,23,,,,,
/174351			REMINQ	A248	CHRI,A248,C,1182,WOFF,160332232,,,,,,,,,,,,,
					,,684863FB
/174902	(1182	)	*ONSCNE	A248	
/180619	(929	)	*REMINQ	A244	MWANT,,,,,,,,FRENCH,ERICQ,1977,12,23,,,,,,,,
					''
/181859	(1182	)	*REMINQ	A248	MWANT,,,,,,,,MAYFIELD,TEVITAR,1978,10,06,,,,,,,,
					''''''
/182828	(1210	)	\$PREMPT	A246	
/184026	(989	)	*ASSTOS	A246	[WC]
					#989 WIDHALM, HOLTON
/185451	(1182	)	*CHGLOC	A248	[2211 E CENTRAL AV]
/190922			*ONSCNE	A248	
/191151	(1210	)	MISC	A248	,** UNRELATED TO OUR CALL, TO NORTH OF US, ABO
					UT 4 SHOTS?
/192646	(1182	)	*NEWLOC	A248	[CAR PAPER]
/201537	(929	)	*MISC	A244	,PSTAT/CFS PSTAT/FEL PSTAT/FEL PSTAT/MISD PSTA
					T/MISD PSTAT/WAR PSTAT/WAR PSTAT/WAR PSTAT/RPT
					PSTAT/VIDY
/201628	(1210	)	CLEAR	A244	DSP: 14D --> 1E
/201909	(989	)	*CLEAR	A246	,PSTAT/ASST PSTAT/VIDY PSTAT/RPT
/202403	(1182	)	*CHGLOC	A248	[JAIL]
/203433			*ONSCNE	A248	
/205907			*CLEAR	A248	,PSTAT/ASST PSTAT/VIDY
/205907			CLOSE	A248	

Spokane Police/Spokane County Sheriff

SPokane Police/Spokane County Sheriff				EVIDENCE NUMBER		INCIDENT NUMBER 16-347059							
AGENCY NAME/SUBSTATION SPD				INCIDENT TYPE Arrest, Drug Involved, Gun Involved		INCIDENT CLASSIFICATION #1 DRUGS-POSSESS		ATTEMPTED <input type="checkbox"/>		INCIDENT CLASSIFICATION #2 OBSTRUCT OFFICER		ATTEMPTED <input type="checkbox"/>	
						INCIDENT CLASSIFICATION #3 FALSE STATEMENT		ATTEMPTED <input type="checkbox"/>		INCIDENT CLASSIFICATION #4 WARRANT ARREST		ATTEMPTED <input type="checkbox"/>	
				RESPONDING TO (Officer Assault)						ASSIGNMENT (Officer Assault)			
REPORTED ON Fri 09/16/2016 13:25		DATE/TIME		OCCURRED ON Fri 09/16/2016 13:25		DATE/TIME		OCCURRED TO Fri 09/16/2016 13:25		DATE/TIME		DISTRICT	
DISPATCH TIME 13:55		ARRIVED TIME 14:09		CLEARED TIME		REPORT DATE 09/16/2016		REPORT TIME 18:00		EST. TOTAL PROPERTY LOSS			
PRIMARY CHARGE 69.50.4013(1) CNTL SUB(POSS-FEL)										UCR/NIBRS CODE /35A			
ADDITIONAL CHARGES 69.50.4013(1) CNTL SUB(POSS-FEL), 9A.76.020 PUB OFFICER(OBSTRUCT), 9A.76.175 MAKING FALSE STATEMENT													
LOCATION OF INCIDENT 2211 E Central, Spokane, WA 99208								LOCATION NAME (IF APPLICABLE)					
SOLVABILITY FACTORS PC Affidavit Completed, Suspect Arrested, Useful Physical Evidence													
RELATED INCIDENT NUMBERS										INCIDENT XREF 16-347355			
ADDITIONAL REPORTING OFFICERS Sgt. Cordis, Ofc. Widhalm													
VICTIM/WITNESSES/OTHERS <small>S-Suspect, V-Victim, I-Individual, A-Arrested Person, VI-Victim - Business, MA-Missing, UH-Unknown, H-Registered Owner, RS-Responsible, PD-Pedestrian, PC-Pedestrian, Cyclist, O-Other, C-Complainant, II-Institutional, G-Legal Guardian, D-Driver, WF-Witness, CA-Consent/Assent Is Victim, DDN-Dead, RU-Roadway, R-Deceased, OW-Owner of Property</small>													
CODE A-1		NAME: LAST, FIRST, MIDDLE French, Eric Q						SEX M		RACE/ETHNICITY B-Black		DATE OF BIRTH/AGE 12/23/1977 38	
HEIGHT 5'08"		WEIGHT 170		BUILD Medium		HAIR Brown		EYES BRO - Brown		DESCRIPTORS			
CONFIDENTIALITY <input type="checkbox"/>		ADDRESS: STREET, CITY STATE ZIP 9712 Newgrove Ave SW, Tacoma, WA 98498						RESIDENTIAL STATUS		PHONE			
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS								OCCUPATION		EMPLOYER PHONE			
ALIAS NAMES (MONIKERS) Williams, Samre L , Williams, Marcus								GANG AFFILIATIONS/HOW KNOWN					
CHARGE LEVEL Felony Class C		DESCRIPTION 69.50.4013(1) CNTL SUB(POSS-FEL)								UCR/NIC CODE /35A			
WARRANT #		BAIL		TYPE OF ARREST Taken Into Custody						MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>			
CHARGE LEVEL Felony Class C		DESCRIPTION 69.50.4013(1) CNTL SUB(POSS-FEL)								UCR/NIC CODE /35A			
WARRANT #		BAIL		TYPE OF ARREST Taken Into Custody						MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>			
CHARGE LEVEL Gross Misdemeanor		DESCRIPTION 9A.76.020 PUB OFFICER(OBSTRUCT)								UCR/NIC CODE /90Z			
WARRANT #		BAIL		TYPE OF ARREST Taken Into Custody						MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>			
CHARGE LEVEL Gross Misdemeanor		DESCRIPTION 9A.76.175 MAKING FALSE STATEMENT								UCR/NIC CODE /90Z			
WARRANT #		BAIL		TYPE OF ARREST Taken Into Custody						MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>			
ID NO./NAME OF REPORTING OFFICER #929 - Lyons, Cory										DISTRIBUTION			
APPROVAL #331 - Overhoff, David													
DATE/TIME 09/16/2016 20:22													

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09/16/2016 20:23:45,651

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION DRUGS-POSSESS		ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 16-347059	
CITATION #	DATE	TIME	BOOKED WHERE Spokane County Jail	DATE 09/16/2016	TIME 14:52
ARREST LOCATION 2211 E Central, Spokane, WA 99208			STATEMENT: <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES: <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED	SUSPECT ARMED WITH
JUV. PAR/GRD Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED		DATE & TIME NOTIFIED	NOTIFIED BY	DISPOSITION OF JUVENILE
NARRATIVE					

On 091616 at approximately 1409 hours, I responded to 2211 E. Central regarding a male with several felony warrants. It should be noted that I was driving a marked Spokane Police patrol vehicle equipped with overhead light bar and wearing my duty uniform.

Sgt. Cordis was out with a complainant who advised that Eric Q. French was at the residence. Police Radio advised that Eric had several felony warrants for his arrest, which were confirmed. Police Radio also advised that on one of their contacts, Eric was armed with a gun. Sgt. Cordis advised that Eric was a black male, approximately 5'10" and 170 pounds, wearing a white tank top, blue shorts, and had his hair in dread locks pulled up into a pony tail. Police Radio also advised that Eric had the tattoo "chosen one" on his neck.

I looked at Eric's DOL photo just prior to arriving onscene.

Upon arrival I saw a male walking from the back of the house to the front of the house. The male matched the description given by Sgt. Cordis of Eric other than he was wearing tan shorts, not blue shorts. As soon as the male saw me, he turned and started walking back towards the back of the house. I asked the male to come talk to me and he complied. The male walked to me and I had him sit on the curb. The male was initially cooperative. I looked at the males neck and could see that he had a tattoo of money on the left side of his neck. I advised the male why we were there and asked him if he was Eric French. The male advised that he was not, and that Eric was inside. I asked the male for his name and he advised that it was Samre L. Williams with a date of birth of 121978. As I started to check the name given, the male became verbally uncooperative and began to swear and raise his voice.

Sgt. Cordis arrived and advised that the male was Eric. We moved in and I took right arm control of Eric. We stood Eric up and I attempted to pull his right arm behind his back. Eric immediately balled up his right fist, tensed his arm, and tried to pull it towards his mid-section. I could see Sgt. Cordis struggling to control Eric's left hand.

At this point Eric was wanted for several confirmed felony warrants. I also had probable cause to arrest Eric for obstructing and false or misleading statements.

Eric was approximately 5'08" with a muscular build. Eric had not been searched and was attempting to pull his arms towards his mid-section, which is a common place where weapons are kept. Police Radio had also given us information about Eric being armed with a gun on a prior

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INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION DRUGS-POSSESS	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-347059
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contact in Pierce County. Eric's right fist was balled up, his right arm was tensed up, and he was attempting to pull free. I feared that Eric was either attempting to access a weapon to harm me or other Officer's, or to assault myself or other Officer's.

Eric ignored several commands to comply from myself and Sgt. Cordis, balled up his right fist, tensed his arm, and tried to pull way from me.

I placed Eric in a level 1 lateral neck restraint from the front and pulled him backward to the ground. Once on the ground, Eric became momentarily cooperative. I released the neck restraint and took a hold of Eric's right arm. Eric immediately started to tense up again and attempt to pull his arm towards his mid-section. I could also see that Sgt. Cordis did not have control of Eric's left arm.

Eric was still wanted for several confirmed felony warrants. I also still had probable cause to arrest Eric for obstructing and false or misleading statements.

Eric was approximately 5'08" with a muscular build. Eric had still not been searched and was attempting to pull his arms towards his mid-section, which is a common place where weapons are kept. Police Radio had also given us information about Eric being armed with a gun on a prior contact in Pierce County. Eric's right fist was still balled up, his right arm was still tensed up, and he was still attempting to pull free. I feared that Eric was either still attempting to access a weapon to harm me or other Officer's, or still trying to assault myself or other Officer's.

Eric was continuing to ignore lawful commands to comply with Police. Eric was still balling up his fist, still tensing his arm, and still attempting to pull away from me. I could also see Sgt. Cordis struggling to control Eric's left arm.

I placed Eric into a level 1 lateral neck restraint from behind and advised him that if he did not stop I would render him unconscious. This was immediately effective and Officer Widhalm and Sgt. Cordis were able to pull Eric's arms behind his back and place him into handcuffs. Once Eric was in handcuffs, I released the neck restraint.

We stood Eric up and walked him to the back of a patrol vehicle. Eric continued to yell. I had Eric face the back of the car and spread his feet. Once at the car I advised Eric that he was under arrest for Obstructing. As we searched Eric, he turned and started to yell back at the house and pushed back towards me. I pushed Eric towards the car and told him to stop. Eric yelled, "Man I aint gotta stop shit" and tried to turn. I took a hold of the back of Eric's head to control his head so that he could not spit at me or bite me and using his arm and head, I pushed him against the trunk of the car. Eric continued to yell and started kicking. We warned Eric to stop fighting and he continued to yell and struggle with us. We talked to Eric using a de-escalation technique and got him to calm down. I advised Eric that if he would cooperate, we would allow him to stand up and we would finish our search. I advised Eric that if he became un-cooperative again, he would be taken to the ground

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09/16/2016 20:23:46.026

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

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INCIDENT CLASSIFICATION DRUGS-POSSESS	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-347059
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and placed in leg restraints. Eric advised that he would cooperate. we completed our search of Eric. Ofc. Widhalm searched Eric's right side and I watched him remove a pill container and a cigarette package from Eric's right side.

We told Eric to get in the back of the patrol vehicle and he ignored us and kept yelling. I told Eric again to get in the car and he still ignored me, continued to yell, and advised that he was Eric.

I moved to Eric's property and looked inside the pill container. Inside the pill container and found a small baggy that contained a white crystal substance, a small baggy that contained a green vegetable matter, and an even smaller baggy that contained residue. I looked in the cigarette package and located a dollar bill that was folded up and contained a white powder and a pen cap that had white powder residue on it. We went through Eric's wallet and located the following: A Washington driver's license for Samari T. Williams and a Washington Qwest card with a signature on the back that looked like Samari Williams. [REDACTED] 4c

[REDACTED] 4c
[REDACTED] 4c
[REDACTED] 4c Two VISA debit cards with no names on them and a Famous Footware card. Eric also had \$304.00 cash on his person and several Pawn 1 pawn slips, in which one of them was for a gun.

I field-tested the white crystal substance and it tested positive for meth. I field-tested the white powder and it tested positive for cocaine.

Due to the drugs, the pawn slips, and the multiple ID's and credit cards that did not belong to Eric we collected his money as evidence.

As I finished searching Eric's items, Ofc. D. Eckersley advised me that he was told that Eric and his girl-friend Tevita Mayfield had pawned a gun a few days prior. (See Ofc. D. Eckersley's report under 16-347355)

Ofc. Widhalm transported Eric to the Spokane County Jail and I followed.

We were not able to contact any of the people that the ID's or credit cards belonged to and none of them had any local history.

I booked Eric into Spokane County Jail for PCS: meth, PCS: heroin, obstructing, and false or misleading statements. I also booked Eric for his 3 warrants, which included 2 counts of possession of controlled substance, DWLS 3rd degree, fail to register as a sex offender, and a DOC warrant.

I responded to Police Property and placed the following items on as evidence: The baggy with the white crystal substance, the dollar bill with the white powder, the baggy with the green

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06/16/2016 20:23:46 C88

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

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INCIDENT CLASSIFICATION
DRUGS-POSSESSATTEMPTED
☐INCIDENT NUMBER
16-347059

vegetable matter, the pill bottle with the baggy with the residue, the cigarette box with the pen cap with the white residue, the \$304.00 cash, and all of the ID's and credit cards on as evidence.

I gave Ofc. D. Eckersley the Pawn 1 pawn slips for his investigation of unlawful possession of a firearm (16-347355).

I reviewed my body camera and found that when i initially asked Eric for his name he advised that he was Marcus Williams. It should also be noted that during the struggle with Eric my body camera was knocked off of me and onto the roadway.

C. Lyons #929

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

Incident Report #1

END OF INCIDENT REPORT

09/16/2016 20:23:46 151

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-347059	
REPORT PURPOSE			REPORTED ON DATE Fri 09/16/2016	TIME 13:23	INCIDENT XREF
INCIDENT CLASSIFICATION #1 WARRANT ARREST		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 09/17/2016		REPORT TIME 08:33
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 9-16-16 I was contacted about a male, Eric Q French, who was at his house, 2211 E Central, and had a warrant. Eric is a family member who showed up after years saying someone was after him. He then heard from his aunt that Eric was one of Washingtons most wanted. Eric has been acting violent and refuses to get his life together. I had radio search to confirm Eric had warrants. Eric was described as a b/m 510 170 lbs with braided hair up in a pony tail and wearing a white shirt and shorts. Radio advised Eric did have seveal felony warrants and is considered armed and dangerous with prior contacts where he had a gun.

I had officers go and start watching it to make sure Eric did not leave. When officers were there my complainant said that he was still there. As I started up there officers contacted him outside. When I arrived he was talking to officers and saying he was someone else. He had the clothing on and his hair was the same that was described. He also had tattoos that matched. Based on his history of being contacted with firearms, listed as armed and dangerous and not being patted down I indicated to ofc Lyons that we were going to arrest him. When I went to take ahold of his left hand/wrist he was yelling to not touch him and immediately tensed up and flexed his muscles so we could not place his arms behind him. He was being told not to tense and to put his hands behind him. Instead of complying he pulled his hands away and toward his front and center where, in my experience guns are kept in a waistband and under a shirt.

To gain better control ofc Lyons tried to use a level 1 neck restraint and we took him to the ground so he was sitting. He continued to yell and scream about giving his girlfriend phone and money. Even after we told him we would work with him he continued to pull his hands toward him. Due to his skin being sweaty and slippery along with his strength I lost control twice. I had to use both hands to get his one behind him. Officer Lyons use of the Level 1 was no deterrent for him to stop his actions. We were finally able to get him handcuffed with no injuries.

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

ID NO /NAME OF REPORTING OFFICER #445 - Cordis, Tyler		DISTRIBUTION	
APPROVAL #436 - Adams, David L.	DATE/TIME 09/17/2016 16:02		

Supplemental Report #1

09/17/2016 16:02:56 869

SUPPLEMENTAL REPORT**Spokane Police/Spokane County Sheriff**

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AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 16-347059	
REPORT PURPOSE		REPORTED ON DATE Fri 09/16/2016	TIME 13:23	INCIDENT XREF
INCIDENT CLASSIFICATION #1 DRUGS-POSSESS	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 OBSTRUCT OFFICER		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3 WARRANT ARREST	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4 PERSONS-FOUND/SETTLED		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE 09/16/2016	REPORT TIME 16:09
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 9/16/16 at approximately 1408hrs, I was dispatched to 2211 E Central to assist with taking Eric French into custody for felony warrants and DOC escape. Police Dispatch advised that Pierce County was reporting that Mr. French was armed with a gun on a contact over there.

When I arrived Officer Lyons was out front with a subject who matched Mr. French's description. He was being loud and obnoxious. He was denying that he was Eric French but said he was inside the house. Sgt. Cordis and Officer Lyon went to arrest Mr. French but he tensed up on the officers and wouldn't put his hands behind his back as he was being instructed to do. It looked like he was trying to get his hands to his waste so I tried to help gain control of him. He was actively pulling away from the other officers and I had trouble getting ahold of him. The times I did have any kind of grip on him, I could feel that he was very tense and obviously did not want to put his hands behind his back as he was being instructed to do so over and over. Finally I got a good grip on his arm and was able to handcuff him. I then double locked the handcuffs and helped stand Mr. French up.

I assisted searching Mr. French with Officer Lyons. I checked his right side and located a blank prescription pill bottle in his right front pocket. There was also some cash, a cigarette box and some receipts. I gave these to Officer Lyons. I then transported Mr. French to the Spokane County Jail and he was booked for his warrants and new charges.

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

Widhalm #989
Team 8 A246
9/16/16

ID NO./NAME OF REPORTING OFFICER #989 - Widhalm, Holton		DISTRIBUTION
APPROVAL #331 - Overhoff, David	DATE/TIME 09/16/2016 19:36	
Supplemental Report #1		09/16/2016 19:43:23.517

SUPPLEMENTAL REPORT**Spokane Police/Spokane County Sheriff**

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-347059	
REPORT PURPOSE			REPORTED ON DATE Fri 09/16/2016	TIME 13:23	INCIDENT XREF
INCIDENT CLASSIFICATION #1 PERSONS-SUSP		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 WARRANT ARREST		ATTEMPTED <input type="checkbox"/>
INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>
DISPATCH TIME	ARRIVED TIME	CLEARED TIME		REPORT DATE 09/16/2016	REPORT TIME 14:43
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 09/16/2016 I (Officer Groom) was dispatched to 2211 E Central in Spokane WA, reference a suspicious person that had several warrants out of Pierce County. It was reported that the male, Eric French, was at the location. It was reported that Eric would be at the house if a blue VW Passat with WA license plate #AXZ1475 was in the back yard.

I arrived on scene around 1405 hours and parked on N Stone to cover the east side of the house. As I was getting parked Officer Lyons arrived on scene and advised that a male matching the description was in the front yard.

I drove my patrol car up to just in front of the house on the street. Due to the severity of the warrants and it was aired that during other contacts Eric had a gun, I deployed my long rifle. The male that was contacted in the front yard advised that Eric was still in the house and that he was not Eric.

I circled around to the SW corner of the house just in case Eric was still in the house. There was a female in the backyard and she advised that the male that was out front was Eric. Officer Lyons advised Eric that he was under arrest and as he approached to apply handcuffs Eric began to resist and tensed up.

I went over to assist and slung my rifle on my back and used my right hand to grab the back of Eric's neck to pull him up, because he was trying to lay down on his back and keep his hands in front. Eric had not been searched and it was advised that he has carried guns in the past.

Officer Lyons, Officer Widhalm and SGT Cordis were able to get Eric detained in handcuffs. Eric was escorted to the patrol car and searched incident to arrest. See there reports for further.

I put my patrol rifle back into my patrol car and helped assist other officers with the scene.

I conducted no further investigation.

OFFICER/NUMBER/CALL SIGN
D.Groom/1180/B127

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE

ID NO /NAME OF REPORTING OFFICER #1180 - Groom, Daryl		DISTRIBUTION	
APPROVAL #216 - Walker, Joe	DATE/TIME 09/16/2016 15:12		

Supplemental Report #1

09/16/2016 15:22:59.583

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION

PERSONS-SUSP

ATTEMPTED



INCIDENT NUMBER

16-347059

OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT. I WAS EQUIPPED WITH A BODY CAMERA, AND IT WAS ACTIVE DURING THIS INCIDENT.

Supplemental Report #1

END OF ADDITIONAL REPORT

09/16/2016 15:22:59 672

SPOKANE POLICE DEPARTMENT

2016 SEP 17 AM 7 50

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

DATE: 091616

REPORT NUMBER:16-347059

CHARGES REQUESTED: PCS: Meth, PCS: Cocaine, Obstructing, False or Misleading Statements

DEFENDANT: French, Eric Q (122377) B/M

STATUS:In Custody

VICTIM(S):

DATE/TIME OF CRIME: 091616 / 1410

LOCATION OF CRIME: 2211 E. Centrail

INVESTIGATOR: Ofc. C. Lyons #929

APPROVED BY:

J. Gerhoff #331

WITNESSES

Ofc. C. Lyons #929

Ofc. H. Widhalm

ADDRESS

1100 W. Mallon

1100 W. Mallon

PHONE #

242-8400

242-8400

EVIDENCE CONSISTS OF: Statements, body camera footage, white crystal substance, white powder substance.

SUBMITTED TO PROSECUTORS OFFICE

RECEIVED BY: _____ DATE: _____ TIME: _____

**STATEMENT OF INVESTIGATING OFFICER
AFFIDAVIT OF FACTS**

STATE OF WASHINGTON
COUNTY OF SPOKANE

REPORT NUMBER: 16-347059

DEFENDANT: French, Eric Q (122377) B/M

The undersigned, a law enforcement officer, competent to testify, states as follows: That he believes a crime was committed by the above named defendant/defendants in the City and County of Spokane, State of Washington, because:

Ofc. C. Lyons #929 can testify that:

- On 091616 at approximately 1410 hours, he responded to 2211 E. Central regarding a male with a warrant.
- He was driving a marked Spokane Police Patrol vehicle equipped with overhead light bar and wearing his duty uniform.
- Police Radio advised that the Defendant, who had several felony warrants for his arrest, was at the residence and was described as a black male, 5'10", 170 pounds, wearing a white tank top, blue shorts, and dreadlock braided hair pulled up like a pony tail.
- As he arrived he saw the Defendant walk from the back of the house towards the front of the house.
- The Defendant matched the description given perfectly, other than having tan shorts on, not blue.
- He contacted the Defendant who was initially cooperative and had him sit on the front curb.
- The Defendant denied being Eric French, and advised that Eric French was inside.
- The Defendant gave the name of Samre L. Williams with a date of birth of 121978.


- Sgt. Cordis arrived and advised that the Defendant was Eric French.
- He took right arm control of the Defendant and had him stand up.
- The Defendant immediately began to tense his arm and attempted to pull his arm towards his mid-section.
- He placed the Defendant into a level 1 lateral neck restraint from the front and pulled him backward to the ground.
- Once on the ground the Defendant advised that he would comply.
- He again took right arm control of the Defendant and attempted to pull his arm behind his back.
- The Defendant continued to struggle, tense up, and attempt to move his right hand towards his mid-section, despite numerous commands from Officer's to stop resisting.
- He again placed the Defendant in a level 1 lateral neck restraint, this time from behind, and advised that the Defendant that if he did not comply he would be rendered unconscious.
- The Defendant complied and was taken into custody.
- Once standing the Defendant admitted that he was Eric French.
- He searched a pill bottle removed from the Defendant while searching him incident to arrest and located a baggy with a white crystal substance.
- He searched a cigarette pack removed from the Defendant while searching him incident to arrest and found money folded up that contained a white powder substance.
- He field-tested a white crystal substance found on the Defendant that tested positive for meth.
- He field-tested a white powder substance found on the Defendant and it tested positive for cocaine.
- He booked the Defendant into Spokane County Jail.
- He responded the Police Property and placed the white crystal substance and the white powder substance on as evidence.

Ofc. H. Widhalm can testify that:

- On 091616 at approximately 1410 hours, he responded to 2211 E. Central regarding a male with a warrant.
- He was driving a marked Spokane Police Patrol vehicle equipped with overhead light bar and wearing his duty uniform.
- He observed the Defendant tensing up and trying to pull away while Officer's attempted to take him into custody.
- He took a hold of the Defendant's right arm and could feel him tensing up and trying to pull away.
- He assisted in searching the Defendant incident to arrest and located a pill bottle and a cigarette pack in the Defendant's front right pants pocket.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (9A.72.085)

DATE: 091616 PLACE: SPOKANE, WASHINGTON SIGNATURE: _____

 #922
C. LYONS

16-342059

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A large black rectangular redaction box covering the right side of the page.

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16-347059

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16-342059



4c

16-347059

4c

16-347059

4b

☒ PROPERTY RECEIPT/RELEASE FORM

D A T A	AGENCY NAME <i>Spokane Police Dpt</i>		CROSS REFERENCE NUMBER(S) <i>16-347355</i>		INCIDENT NUMBER <i>16-347059</i>	
	DATE <i>9-16-16</i>		INCIDENT CLASSIFICATION <i>A felon in possession of firearm</i>		LOCATION OF INCIDENT <i>8014 N. Division</i>	
	OFFICER NAME/ID NUMBER (PRINT) <i>D. Eckersley #1182</i>		EVIDENCE TECH/DATE/TIME		PROPERTY LOCATION DO NOT USE	
	ARRESTED NAME: LAST, FIRST MIDDLE <i>French, Eric</i>		RACE <i>B</i>	SEX <i>M</i>	DOB/AGE <i>12-23-77</i>	INVOLVEMENT: <input type="checkbox"/> COMPLAINANT <input type="checkbox"/> FINDER <input type="checkbox"/> OTHER <input checked="" type="checkbox"/> SUSPECT <input type="checkbox"/> VICTIM
STREET ADDRESS APT# CITY STATE ZIP CODE PHONE						

TYPE OF CLASS:		D - DESTROYED	E - EVIDENCE	F - FOUND	S - SAFEKEEPING
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ITEM #	DESCRIPTIONS	QUANTITY	PROPERTY USE ONLY
1	Hand Gun		WT. IN. WT. OUT
CLASS	BRAND	MODEL	SERIAL NUMBER/OAN
E	Smith and Wesson	Police Positive	39196M1
CALIBER	BARREL LENGTH	ACTION	FINISH
	.38	Revolver	Blued
<input type="checkbox"/> OWNER <input type="checkbox"/> UNKNOWN (NAME: LAST, FIRST MIDDLE DOB) STREET ADDRESS APT# CITY STATE ZIP CODE PHONE <i>Owner 1 8014 N. Division Spokane WA 99208 487-8888</i>			

ITEM #	DESCRIPTIONS	QUANTITY	PROPERTY USE ONLY
			WT. IN. WT. OUT
CLASS	BRAND	MODEL	SERIAL NUMBER/OAN
CALIBER	BARREL LENGTH	ACTION	FINISH
<input type="checkbox"/> OWNER <input type="checkbox"/> UNKNOWN (NAME: LAST, FIRST MIDDLE DOB) STREET ADDRESS APT# CITY STATE ZIP CODE PHONE			

ITEM #	DESCRIPTIONS	QUANTITY	PROPERTY USE ONLY
			WT. IN. WT. OUT
CLASS	BRAND	MODEL	SERIAL NUMBER/OAN
CALIBER	BARREL LENGTH	ACTION	FINISH
<input type="checkbox"/> OWNER <input type="checkbox"/> UNKNOWN (NAME: LAST, FIRST MIDDLE DOB) STREET ADDRESS APT# CITY STATE ZIP CODE PHONE			

ITEM #	DESCRIPTIONS	QUANTITY	PROPERTY USE ONLY
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CLASS	BRAND	MODEL	SERIAL NUMBER/OAN
CALIBER	BARREL LENGTH	ACTION	FINISH
<input type="checkbox"/> OWNER <input type="checkbox"/> UNKNOWN (NAME: LAST, FIRST MIDDLE DOB) STREET ADDRESS APT# CITY STATE ZIP CODE PHONE			

ITEM #	DESCRIPTIONS	QUANTITY	PROPERTY USE ONLY
			WT. IN. WT. OUT
CLASS	BRAND	MODEL	SERIAL NUMBER/OAN
CALIBER	BARREL LENGTH	ACTION	FINISH
<input type="checkbox"/> OWNER <input type="checkbox"/> UNKNOWN (NAME: LAST, FIRST MIDDLE DOB) STREET ADDRESS APT# CITY STATE ZIP CODE PHONE			

<input checked="" type="checkbox"/> ADVISED OF LEGAL PROCEDURE TO CLAIM PROPERTY. SEE REVERSE SIDE OF THE FORM. CALL THE EVIDENCE FACILITY AT 625-4130. <input type="checkbox"/> REQUEST FOR CLAIM SIGNED BY CLAIMANT AND ATTACHED TO PROPERTY SHEET.	
I HAVE BEEN ADVISED OF MY RIGHTS AND THE REQUIREMENTS TO CLAIM FOUND PROPERTY PRINTED ABOVE.	
SIGNATURE OF PERSON DELIVERING THE PROPERTY	SIGNATURE OF PERSON RECEIVING THE PROPERTY
<i>[Signature]</i>	<i>D. Eckersley #1182</i>
IF THIS IS A RECEIPT FOR PROPERTY TAKEN FROM YOU, QUESTIONS AS TO DISPOSITION OF THE PROPERTY SHOULD BE DIRECTED TO THE EVIDENCE FACILITY, SPOKANE POLICE DEPARTMENT, 1100 W MALLON AV, SPOKANE, WA 99260, OR PHONE (509) 625-4130.	