



SPOKANE POLICE DEPARTMENT



Internal Affairs Exemption Log

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

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

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| #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) |

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| #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) |

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| #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 Thomas Lee

Incident Details

| | | |
|--------------------------|---------------------------|---------------------------|
| Date Received | Date of Occurrence | Time of Occurrence |
| 10/13/2016 | 10/7/2016 | 23:45 |
| Record ID # | Incident No | IA No |
| 9455 | 2016-20002751 | F16-083 |
| Date/Time Entered | | |
| 10/13/2016 17:01 | | |

Incident Summary

Officers detained a suspicious person on a Terry Stop. He attempted to flee and fought with officers. Manual force and a Level I LNR were used to control the subject.

In compliance with policy per Major King 12/27/16.

Incident Location

- 3033 Division ST, Direction:N, Spokane, WA 99205 - : Nevawood

Use of Force Specific Information

| | | |
|--|-------------------------------------|----------------------------|
| Reason for Use of Force | Service Being Rendered | |
| Assaulting Officer | Self Initiated | |
| Weather Condition | Lighting Condition | Distance to Citizen |
| Clear | Exterior Lighting | |
| Citizen Injured | Citizen Taken to Hospital | Citizen Arrested |
| Yes | Yes | Yes |
| More than 1 Citizen Involved | | |
| No | | |
| Citizen's Build | Citizen's Height | |
| Medium | 5'10" to 6'0" | |
| Officer Assessment of Citizen Condition During Incident | | |
| Unknown | | |
| Officer(s) Injured | Officer(s) Taken to Hospital | |
| Yes | No | |

Reporting/Involved Citizen Information

Carl M Garza

DOB: 3/22/1977 Race: White Gender: Male

Address

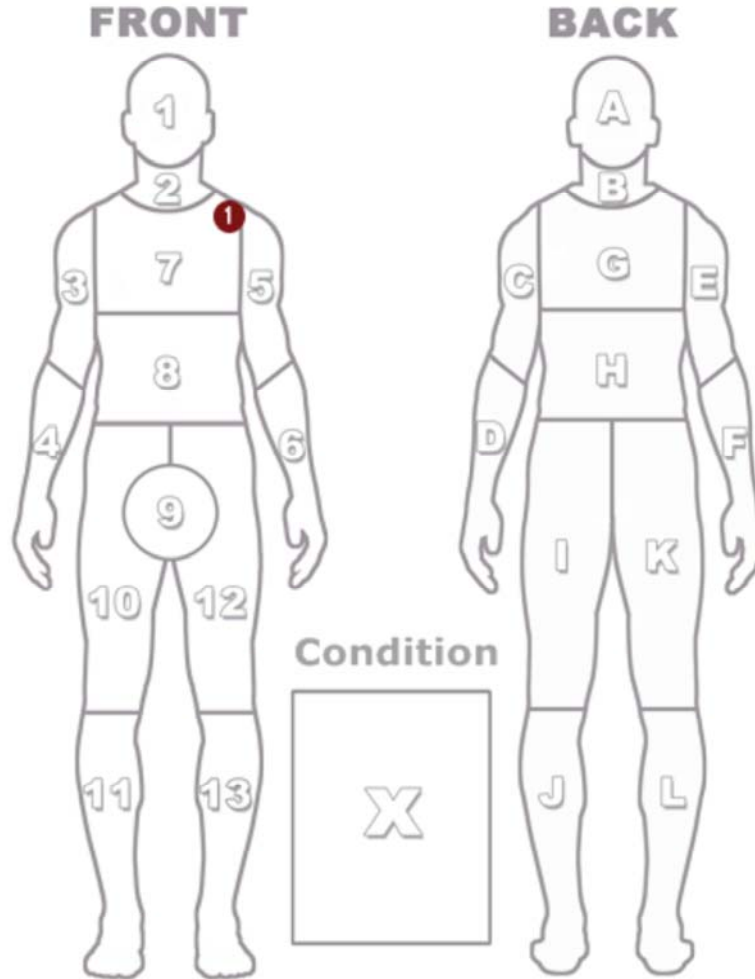
- 1051 County Crossing WY, Direction:E, Sun Tan Valley, AZ, WA 85143

Types of Resistance Citizen Used Against Officer(s)

- Assaultive

Injuries sustained by this citizen

| Injury | Regions | Injury Locations |
|----------------------|---------|------------------|
| a-Complaiant of Pain | 7 | 1 |



Charges against this citizen

- Felony - Person Crime
- Felony - Property Crime

Involved Officers

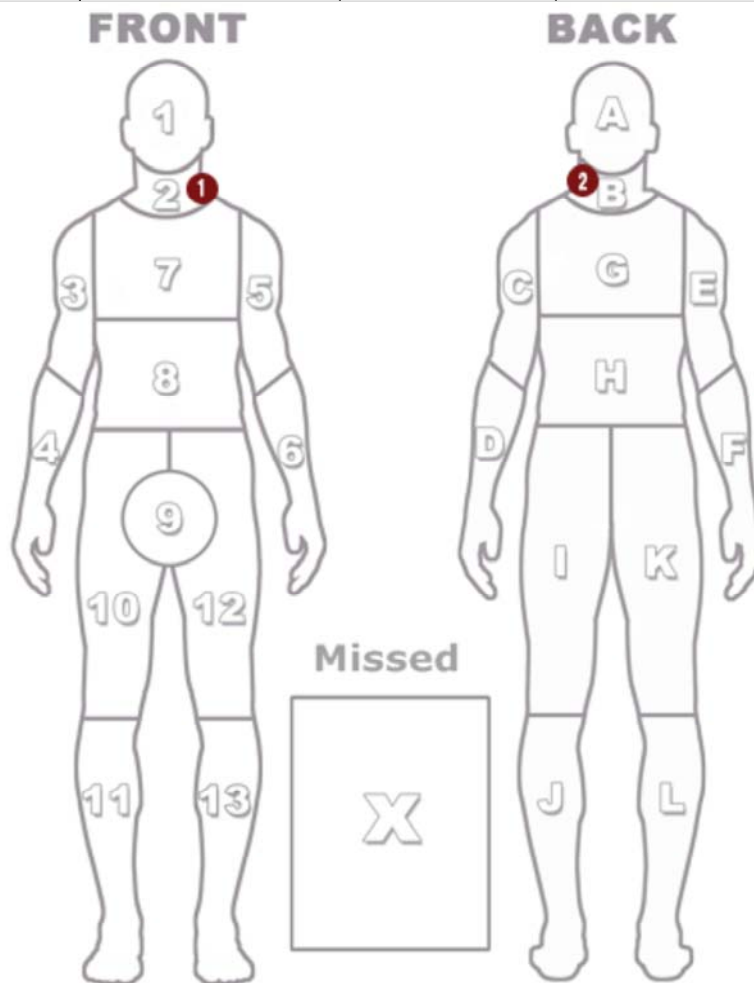
Officer Corrigan Mohondro - Payroll Number: 20937

Force used by this officer against the citizen

- LNR-Level 1 - Was force effective: Yes

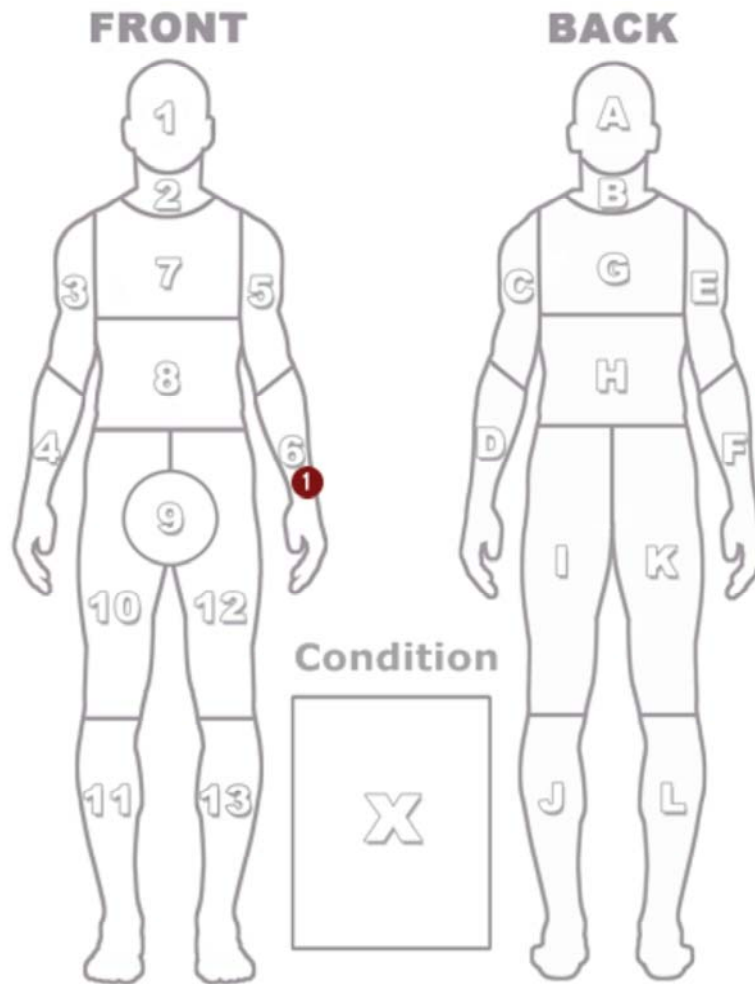
| Force Used | Effective? | Regions | Points of contact |
|------------|------------|---------|-------------------|
| | | | |

| | | | |
|-------------|-----|------|------|
| LNR-Level 1 | Yes | 2, B | 1, 2 |
|-------------|-----|------|------|



Injuries sustained by this officer

| Injury | Regions | Injury Locations |
|----------------|---------|------------------|
| a-Minor Injury | 6 | 1 |



Officer Witnesses

- Officer Jerry Anderson - Payroll Number: 12385**
- Officer Winston Brooks - Payroll Number: 20975**
- Officer Jordan Brown - Payroll Number: 20934**
- Officer Brett Spring - Payroll Number: 21426**

Attachments

| Date Attached | Attachment Description | Attachment Type |
|---------------|----------------------------|-----------------|
| 10/31/2016 | Supervisor Review | pdf |
| 11/29/2016 | 16101121_161013143928_0001 | JPG |
| 11/29/2016 | 16101121_161013143934_0002 | JPG |
| 11/29/2016 | 16101121_161013144456_0003 | JPG |
| 11/29/2016 | 16101121_161013144503_0004 | JPG |
| 11/29/2016 | 16101121_161013144519_0005 | JPG |
| 11/29/2016 | 16101121_161013144524_0006 | JPG |
| 11/29/2016 | 16101121_161013144648_0007 | JPG |
| 11/29/2016 | 16101121_161013144747_0008 | JPG |
| 11/29/2016 | 16101121_161013144754_0009 | JPG |
| 11/29/2016 | 16101121_161013144805_0010 | JPG |
| 11/29/2016 | 16101121_161013144818_0011 | JPG |

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|------------|----------------------------|-----|
| 11/29/2016 | 16101121_161013144830_0012 | JPG |
| 11/29/2016 | 16101121_161014073040_0013 | JPG |
| 11/29/2016 | 16101121_161014073046_0014 | JPG |
| 11/29/2016 | 16101121_161014073126_0015 | JPG |
| 11/29/2016 | 16101121_161014073134_0016 | JPG |
| 11/29/2016 | IMG_0001 | JPG |
| 11/29/2016 | IMG_0002 | JPG |
| 11/29/2016 | IMG_0003 | JPG |
| 11/29/2016 | IMG_0004 | JPG |
| 11/29/2016 | IMG_0005 | JPG |
| 11/29/2016 | IMG_0006 | JPG |
| 11/29/2016 | IMG_0007 | JPG |
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| 11/29/2016 | IMG_0031 | JPG |
| 11/29/2016 | IMG_0032 | JPG |
| 11/29/2016 | IMG_0033 | JPG |
| 11/29/2016 | IMG_0034 | JPG |
| 11/29/2016 | IMG_0035 | JPG |
| 11/29/2016 | IMG_0036 | JPG |
| 11/29/2016 | IMG_0037 | JPG |
| 11/29/2016 | IMG_0038 | JPG |
| 11/29/2016 | IMG_0039 | JPG |
| 11/29/2016 | IMG_0040 | JPG |
| 11/29/2016 | IMG_0041 | JPG |
| 11/29/2016 | BWC Brooks | |
| 11/29/2016 | BWC Mohandro | |
| 11/29/2016 | BWC Kirby | |
| 11/29/2016 | BWC J Anderson | |
| 12/17/2016 | Reports | pdf |
| 12/27/2016 | CAD View | pdf |

Chain of Command History

| Sent Dt | From | To | CC | Approved |
|------------|---------------------|-------------------------|--------|----------|
| 10/31/2016 | Sergeant Thomas Lee | Lieutenant Dean Sprague | (none) | |

| | | | | |
|--|-------------------------|-------------------------|------------------------|-------------------------------------|
| | | | | <input type="checkbox"/> |
| Sender's Instructions: Lt. Sprague, Please rview with UOF report. Thank you. | | | | |
| Recipient's Comments/Response: Was there BWC footage from any of the officers on this incident? Were there any digital photos taken? If so, could you please have them attached and re-submit? | | | | |
| 11/15/2016 | Lieutenant Dean Sprague | Sergeant Thomas Lee | (none) | <input checked="" type="checkbox"/> |
| Sender's Instructions: Please attach any media if available and re-submit. | | | | |
| Recipient's Comments/Response: Lt. I am returning this to you per your email request. | | | | |
| 11/22/2016 | Sergeant Thomas Lee | Lieutenant Dean Sprague | (none) | <input type="checkbox"/> |
| Sender's Instructions: Lt. I am returning this to you per your email request. | | | | |
| Recipient's Comments/Response: Request for attachment of BWC footage and digital photos taken at the scene. | | | | |
| 11/24/2016 | Internal Affairs | Internal Affairs | (none) | <input checked="" type="checkbox"/> |
| Sender's Instructions: Please attach BWC footage and photos taken at the scene and return to me for review. | | | | |
| Recipient's Comments/Response: Lt., the photos and video have been linked. Thanks! | | | | |
| 11/29/2016 | Sergeant Daniel Waters | Lieutenant Dean Sprague | (none) | <input checked="" type="checkbox"/> |
| Sender's Instructions: Lt., the pictures and video have been linked. Thanks! | | | | |
| Recipient's Comments/Response: Use of force consistent with training, case law, department policy and use of force guidelines. Suspect initiated resistance by attempting to flee first, then resisting control by officers as part of a lawful arrest. | | | | |
| 12/15/2016 | Lieutenant Dean Sprague | Captain Thomas Hendren | (none) | <input checked="" type="checkbox"/> |
| Sender's Instructions: Forward through patrol chain of command. Of c. Brooks' BWC is the most helpful in terms of the use of force at its outset, although it falls off. Of c. Mohondro's BWC is most helpful with dealing with resistance after takedown. | | | | |
| Recipient's Comments/Response: The use of force was reasonable and within policy. IA did not attach any video for Officer Brown which was noted to have existed by Sgt. Lee. I did not see any video on file for him under this incident. I will discuss that issue with his chain of command to identify why there is no video. Regardless, the remaining video and officer statements document the incident and use of force. Hendren | | | | |
| 12/16/2016 | Captain Thomas Hendren | Major Kevin King | (none) | <input type="checkbox"/> |
| Sender's Instructions: Use of force for your review. Hendren | | | | |
| Recipient's Comments/Response: Please rescan Officer Mohondro's report and resubmit directly to me. | | | | |
| 12/16/2016 | Major Kevin King | Sergeant Thomas Lee | (none) | <input checked="" type="checkbox"/> |
| Sender's Instructions: See comments | | | | |
| Recipient's Comments/Response: I have re-attached all of the officer reports including an updated one from Mohondro. Also... I reviewing the video files from this incident, I also don't find one from Brown. I did find one from Kirby that I had previously reviewed and added markers. I believe I mistakenly listed Brown rather than Kirby in my Use of force additional. T. Lee | | | | |
| 12/17/2016 | Sergeant Thomas Lee | Major Kevin King | Captain Thomas Hendren | <input checked="" type="checkbox"/> |
| Sender's Instructions: I have attached a complete copy of the officer reports including Mohondro's as requested by Major King. Also... In reviewing the video files from this incident I don't find one from Brown. There is one from Kirby to which I previously added markers. It appears I incorrectly listed Brown instead of Kirby as having video when I wrote my additional. T. Lee | | | | |
| Recipient's Comments/Response: This use of force was within policy and state and federal laws. | | | | |

Entering Officer Signature Line

Sergeant Thomas Lee

Chain of Command Signature Lines

Lieutenant Dean Sprague

Sergeant Thomas Lee

Sergeant Daniel Waters

Captain Thomas Hendren

Major Kevin King



Spokane Police Department
Internal Affairs



**Use of Force
Supervisor Review**

Incident #: 2016-20002751

Date: 10/07/16

Involved Officer: Mohondro

Reviewing Supervisor: Lee

BWC Footage of the incident:

YES NO

IF yes, BWC Officer's Name:

Mohondro

Brooks

Kirby

INCIDENT Summary:

Ofc. Brooks went to the Motel 6 at 3033 N. Division to conduct a prowler check. Numerous problems requiring SPD response have happened here since the motel was re-branded from Howard Johnson Inn. Brooks saw a suspicious van in a rear corner of the parking lot that was occupied by a male. He conducted a Terry Stop to investigate and was soon joined by Ofc. Brown. The suspect was evasive about his presence and lied about his name. The van was a rental and it was undetermined if the suspect was the renter.

When Brooks and Brown advised the suspect he was being detained, he made a sudden furtive movement as if trying to flee. He resisted attempts to handcuff him and then began fighting. He was taken to the ground where he continued to fight. Ofc. Mohondro arrived and administered a level one lateral neck restraint. The suspect then bit Ofc. Mohondro on the arm but stopped resisting/fighting.

The suspect was then identified as Carl M. Garza, 03-22-77, who was wanted on felony charges in Arizona.

Officers Brooks, Brown, Mohondro, J. Anderson and Benesch had body cameras that were activated. I reviewed all of their videos. Cameras worn by Anderson and Benesch offer no value as they began recording at the time of handcuffing – post UOF. I added markers to the other videos. Brooks' camera was knocked to the ground during the struggle.

I interviewed all of the above officers at the scene. Their statements were no different than what they wrote in their reports. The reports are attached including supplementals I had some of them

write later to add Graham factors. Due to days off and one officer going on vacation, I did not receive the last report until today (Oct 31).

OFFICER Interview not documented in police reports:

(Do not summarize police reports, only document information not contained in police report)

SUBJECT(s) Interview not documented in police reports:

I interviewed suspect Carl Garza at the scene. He told me he resisted and fought because he didn't think the officers had a right to detain him and he was worried he'd get arrested on his warrants. He said his shoulder hurt but denied other injury. He was hyper-ventilating and at times appeared to be having trouble catching his breath. I summoned medics to evaluate him. Although he was cleared by the medics on scene, I had officers take him to a hospital for further evaluation.

WITNESS(s) Interview not documented in police reports:

There no known citizen witnesses.

Any Relevant Clarifying Information and Observations:

(Do not summarize police reports, only document information not contained in police report)

Sergeant Findings:

Within policy

Not within policy

CFS: 7525

Call Type: SUSPER Priority: 3 Caller Phone: Extension:
 Nature of Call: Primary Unit: B438
 Location: 3033 N DIVISION ST - Venue: Spokane
 Common Name: Howard Johnson Inn
 Cross Streets: W EUCLID AVE, E EUCLID AVE / E DALTON AVE
 Beat: SPD-North District:
 Police ORI: WA0320400 Fire FDID: Station:
 Call Date/Time: 10/07/2016 23:40:13 Dispatch Date/Time: 10/08/2016 00:41:53 Arrive Date/Time: 10/08/2016 03:22:15
 Report Required: No Cleared Time: 10/08/2016 06:22:58 Fire Controlled Time:
 Dispositions: P1 Report (5), P3 Rpt-Ev/Prop/Photo (2), R2 Self-Initiated (1), R3 Assis/Backup (7), A1 Officer Contact (1), E6 Arrest-Felony (2), E9 Arrest-Warrant (1), VIDYES (4), VIDNO (2)

Narratives: 12 rows

| Date/Time | Narrative | User |
|---------------------|---|--------------------|
| 10/07/2016 23:45:34 | fighting with 1 | sleslie |
| 10/07/2016 23:48:31 | not able to copy b438's traffic | sleslie |
| 10/07/2016 23:49:08 | c4 | TbErG |
| 10/07/2016 23:49:25 | photo | TbErG |
| 10/07/2016 23:49:25 | Narrative added from associated Call #: 7536 - photo | TbErG |
| 10/07/2016 23:49:25 | Narrative added from associated Call #: 7536 - Call Number 7536 was created from Call Number 7525 | TbErG |
| 10/08/2016 00:01:15 | medic for male sore shoulder hx of stroke | TbErG |
| 10/08/2016 00:17:27 | evd uhaut | kblashill |
| 10/08/2016 00:20:16 | evd tow sent apro | kblashill |
| 10/08/2016 01:27:23 | az warrant confirmed will extradite | IPOUNCEY |
| 10/08/2016 03:55:59 | b438time check | prruitt |
| 10/08/2016 04:22:06 | Reviewed SW prior to sending to judge. Firearm recovered in vehicle. | SPOKANECITY\zdahle |

Vehicles: 1 rows

| Vehicle Role | Type | Make | Model | Plate | State |
|-----------------|------|------|-------|---------|-------|
| Suspect Vehicle | | | | AH17160 | AZ |

Persons: 1 rows

| Role | Name | Address | Primary Caller |
|---------|---------------------|---------|----------------|
| Suspect | Garza, Carl Michael | | |

Incidents: 1 rows

| ORI | Incident Number | Incident Type | Case Number |
|-----------|-----------------|---------------|-------------|
| WA0320400 | 2016-20002751 | | |

Units: 13 rows

| ORI | Unit Number | Status | Dispatch Time | En Route Time | Arrived Time | Cleared Time | Incident Number | Staged Time | T |
|-----------|-------------|-----------|---------------------|---------------------|---------------------|---------------------|-----------------|-------------|---|
| WA0320400 | A318 | Off Shift | 10/07/2016 23:47:08 | | | 10/07/2016 23:54:01 | | | |
| WA0320400 | B326 | Off Shift | 10/08/2016 00:25:31 | | | 10/08/2016 00:26:14 | | | |
| WA0320400 | B327 | Off Shift | 10/07/2016 23:46:30 | 10/07/2016 23:47:57 | 10/07/2016 23:48:01 | 10/08/2016 02:41:00 | | | 1 |
| WA0320400 | L271 | Off Shift | 10/08/2016 03:13:32 | | 10/08/2016 03:32:06 | 10/08/2016 04:23:10 | | | 0 |
| WA0320400 | L244 | Off Shift | | | 10/08/2016 00:04:36 | 10/08/2016 00:58:33 | | | |
| WA0320400 | P303 | Off Shift | 10/08/2016 03:45:48 | 10/07/2016 23:52:26 | 10/07/2016 23:57:41 | 10/08/2016 04:59:23 | | | |
| WA0320400 | A445 | Off Shift | 10/08/2016 04:11:12 | | | 10/08/2016 04:11:25 | | | |
| WA0320400 | A447 | Off Shift | 10/07/2016 23:46:09 | | 10/07/2016 23:48:56 | 10/07/2016 23:50:53 | | | |
| WA0320400 | B432 | Off Shift | | 10/07/2016 23:40:19 | | 10/07/2016 23:40:50 | | | |
| WA0320400 | B434 | Off Shift | 10/08/2016 01:55:37 | | 10/07/2016 23:47:10 | 10/08/2016 02:25:18 | | | |
| WA0320400 | B437 | Off Shift | | 10/08/2016 00:57:08 | 10/08/2016 01:08:19 | 10/08/2016 05:24:06 | | | |
| WA0320400 | B438 | Off Shift | 10/08/2016 00:41:53 | 10/08/2016 03:14:31 | 10/08/2016 03:22:15 | 10/08/2016 06:22:58 | 2016-20002751 | | |
| WA0320400 | LOGA | Off Shift | | 10/07/2016 23:47:32 | 10/08/2016 00:20:57 | 10/08/2016 01:12:11 | | | |



SPOKANE POLICE

CASE# 2016-20002751

FIELD CASE SUPPLEMENT

| | | | |
|-------|---|------------------------|------------------------|
| EVENT | REPORTED DATE/TIME 10/13/2016 | OCURRED INCIDENT TYPE | LOCATION OF OCCURRENCE |
| | OCURRED FROM DATE/TIME | OCURRED THRU DATE/TIME | |

| | STATUTE/DESCRIPTION | COUNTS | ATTEMPT/COMMIT |
|----------|---|--------|----------------|
| OFFENSES | 01 9.41.040 F UNLAWFUL POSSESSION OF FIREARMS | 1 | Commit |
| | 02 10.88.320 F FUGITIVE-LOCAL WARRANT OF ARREST ISSUED | 1 | Commit |
| | 03 9A.36.031 F ASSAULT-3D | 1 | Commit |
| | | | |
| | | | |

| | | | | | | | |
|-----------------|---------------------|-----------------------------------|--|-----------------|-------|-----|--|
| SUBJECT | JACKET/SUBJECT TYPE | NAME (LAST, FIRST, MIDDLE SUFFIX) | | | | | |
| | Adult Arrestee | Garza, Carl M | | | | | |
| | DOB | AGE or AGE RANGE | ADDRESS (STREET, CITY, STATE, ZIP) | | | | |
| | 03/22/1977 | 39 | 1051 E Country Crossing WAY San Tan Valley, AZ 85143 | | | | |
| | RACE | SEX | HEIGHT or RANGE | WEIGHT or RANGE | HAIR | EYE | |
| White | Male | 5'9 | 185 | Brown | Brown | | |
| DL NUMBER/STATE | PRIMARY PHONE | PHONE #2 | PHONE #3 | | | | |
| | 4b | | | | | | |

| | | | | | | | |
|---------|---------------------|-----------------------------------|------------------------------------|-----------------|------|-----|--|
| SUBJECT | JACKET/SUBJECT TYPE | NAME (LAST, FIRST, MIDDLE SUFFIX) | | | | | |
| | DOB | AGE or AGE RANGE | ADDRESS (STREET, CITY, STATE, ZIP) | | | | |
| | RACE | SEX | HEIGHT or RANGE | WEIGHT or RANGE | HAIR | EYE | |
| | DL NUMBER/STATE | PRIMARY PHONE | PHONE #2 | PHONE #3 | | | |
| | | | | | | | |

| | | | | | | | |
|---------|---------------------|-----------------------------------|------------------------------------|-----------------|------|-----|--|
| SUBJECT | JACKET/SUBJECT TYPE | NAME (LAST, FIRST, MIDDLE SUFFIX) | | | | | |
| | DOB | AGE or AGE RANGE | ADDRESS (STREET, CITY, STATE, ZIP) | | | | |
| | RACE | SEX | HEIGHT or RANGE | WEIGHT or RANGE | HAIR | EYE | |
| | DL NUMBER/STATE | PRIMARY PHONE | PHONE #2 | PHONE #3 | | | |
| | | | | | | | |

| | | | |
|-------------------|------------|------------------|------------|
| REPORTING OFFICER | DATE | REVIEWED BY | |
| 1190 Brooks | 10/13/2016 | Dahle, Zachary M | 10/18/2016 |



SPOKANE POLICE

CASE# 2016-20002751

FIELD CASE SUPPLEMENT

NARRATIVE

This additional is to clarify the incident that occurred on 10/07/2016 at Motel 6 located at 3033 N Division St. The arrestee, Carl M. Garza 03/22/1977 complained of shoulder pain after he was in custody. Factors that led to Carl being detained and eventually arrested were as follows:

Carl was contacted in the Motel 6 parking in which I have arrested several individuals on numerous criminal acts to include possession of stolen motor vehicles, drugs and wanted subjects. On contact, Carl was sitting in the back of a UHaul van parked in a secluded area of the parking lot. There were no other individuals around or in the vehicle at this time. Carl was not able to access the driver's compartment from where he was located in the vehicle which I thought was suspicious. Carl initially provided the name "Carl Michael" which he later changed to "Carl Michaels". I checked the name provided on my MDT and did not get a return to any person. I requested Dispatch to check the name provided and still nothing. At one point, Carl made an evasive move as if he was attempting to flee. Therefore the decision to detain him was made. I went to grab Carl's left arm as Ofc. J. Brown went to grab his right arm. Carl immediately started to resist detention by pulling away. The decision to escort Carl to the ground to be handcuffed was as follows:

Crime:

- Providing False Information
- Resisting Arrest

Threat:

- Carl was contacted and to this point, had not been pat searched for weapons which was unknown
- Carl continued to reach into his pants pockets after being told not to several times
- Carl became abusive towards officers on scene
- Carl refused to listen to my commands and made a hasty move in an attempt to escape detention

Resistance:

- Carl began pulling away after the decision to detain him was made
- Carl kicked and flailed violently to escape detention
- Ofc. Mohondro arrived on scene to help detain Carl when he was bit by Carl on the arm

Carl was later detained and arrested for Providing False Information to LE, Resisting Arrest and Assault 3rd.

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.

| | | | |
|-------------------|------------|------------------|------------|
| REPORTING OFFICER | DATE | REVIEWED BY | |
| 1190 Brooks | 10/13/2016 | Dahle, Zachary M | 10/18/2016 |



SPOKANE POLICE

CASE# **2016-20002751**

FIELD CASE SUPPLEMENT

NARRATIVE (continuation)

W. Brooks #1190

| | | | |
|--------------------|-------------------|-------------------------|-------------------|
| REPORTING OFFICER | DATE | REVIEWED BY | |
| 1190 Brooks | 10/13/2016 | Dahle, Zachary M | 10/18/2016 |

3 OF 3



SPOKANE POLICE

CASE# 2016-20002751

FIELD CASE REPORT

| | | | |
|--------------|--|--|---|
| EVENT | REPORTED DATE/TIME 10/7/2016 23:40 | OCCURRED INCIDENT TYPE WPN-Unlaw Poss | LOCATION OF OCCURRENCE 3033 N DIVISION ST Spokane, WA |
| | OCCURRED FROM DATE/TIME 10/07/2016 23:40 | OCCURRED THRU DATE/TIME 10/07/2016 23:45 | |

| OFFENSES | STATUTE/DESCRIPTION | COUNTS | ATTEMPT/COMMIT |
|-----------------|--|---|----------------|
| | 01 | 9.41.040 F UNLAWFUL POSSESSION OF FIREARMS | 1 |
| 02 | 10.88.320 F FUGITIVE-LOCAL WARRANT OF ARREST ISSUED | 1 | Commit |
| 03 | 9A.36.031 F ASSAULT-3D | 1 | Commit |
| | | | |
| | | | |

| | | | | | | | |
|----------------|--|---|---|-------------------------------|----------------------|---------------------|--|
| SUBJECT | JACKET/SUBJECT TYPE Adult Arrestee | NAME (LAST, FIRST, MIDDLE SUFFIX) Garza, Carl M | | | | | |
| | DOB 03/22/1977 | AGE or AGE RANGE 39 | ADDRESS (STREET, CITY, STATE, ZIP) 1051 E Country Crossing WAY San Tan Valley, AZ 85143 | | | | |
| | RACE White | SEX Male | HEIGHT or RANGE 5'9 | WEIGHT or RANGE 185 | HAIR Brown | EYE Brown | |
| | DL NUMBER/STATE 4b | PRIMARY PHONE | PHONE #2 | PHONE #3 | | | |

| | | | | | | | |
|----------------|--|--|--|-----------------|------|-----|--|
| SUBJECT | JACKET/SUBJECT TYPE Adult Victim | NAME (LAST, FIRST, MIDDLE SUFFIX) C. Mohondro, #1188 | | | | | |
| | DOB 5b | AGE or AGE RANGE | ADDRESS (STREET, CITY, STATE, ZIP) 1100 W Mallon AVE Spokane, WA 99260 | | | | |
| | RACE White | SEX Male | HEIGHT or RANGE | WEIGHT or RANGE | HAIR | EYE | |
| | DL NUMBER/STATE | PRIMARY PHONE Work (509)242-8400 | PHONE #2 | PHONE #3 | | | |

| | | | | | | | |
|----------------|---------------------|-----------------------------------|------------------------------------|-----------------|------|-----|--|
| SUBJECT | JACKET/SUBJECT TYPE | NAME (LAST, FIRST, MIDDLE SUFFIX) | | | | | |
| | DOB | AGE or AGE RANGE | ADDRESS (STREET, CITY, STATE, ZIP) | | | | |
| | RACE | SEX | HEIGHT or RANGE | WEIGHT or RANGE | HAIR | EYE | |
| | DL NUMBER/STATE | PRIMARY PHONE | PHONE #2 | PHONE #3 | | | |

| | | | |
|---|--------------------------|---|-------------------|
| REPORTING OFFICER 1190 Brooks | DATE 10/7/2016 | REVIEWED BY Schaal, Jeffrey D | 10/08/2016 |
|---|--------------------------|---|-------------------|



SPOKANE POLICE

CASE# 2016-20002751

CASE REPORT

VEHICLES as INVOLVED

| | | | | |
|------------------|--|---|---------------------------|------------------------------|
| INVOLVED VEHICLE | VEHICLE ROLE Suspect Vehicle | | | |
| | VEH YR 2016 | TYPE/MAKE/MODEL Ford ECONOLINE E250 | | STYLE CARGO VAN |
| | PLATE / STATE AH17160 / AZ | VIN 1FTYR1ZM6GKB35499 | TOP COLOR White | BOTTOM COLOR White |
| | ADDITIONAL DESCRIPTIVE INFORMATION | | | |
| | | | | |

| | | | | |
|------------------|------------------------------------|-----------------|-----------|--------------|
| INVOLVED VEHICLE | VEHICLE ROLE | | | |
| | VEH YR | TYPE/MAKE/MODEL | | STYLE |
| | PLATE / STATE | VIN | TOP COLOR | BOTTOM COLOR |
| | ADDITIONAL DESCRIPTIVE INFORMATION | | | |
| | | | | |

VEHICLES as PROPERTY

| | | | | |
|------------------|------------------------------------|-----------------|-----------|--------------|
| PROPERTY VEHICLE | PROPERTY CODE | | | VALUE |
| | VEH YR | TYPE/MAKE/MODEL | | STYLE |
| | PLATE / STATE | VIN | TOP COLOR | BOTTOM COLOR |
| | ADDITIONAL DESCRIPTIVE INFORMATION | | | |
| | | | | |

| | | | | |
|------------------|------------------------------------|-----------------|-----------|--------------|
| PROPERTY VEHICLE | PROPERTY CODE | | | VALUE |
| | VEH YR | TYPE/MAKE/MODEL | | STYLE |
| | PLATE / STATE | VIN | TOP COLOR | BOTTOM COLOR |
| | ADDITIONAL DESCRIPTIVE INFORMATION | | | |
| | | | | |

| | | | | |
|------------------|------------------------------------|-----------------|-----------|--------------|
| PROPERTY VEHICLE | PROPERTY CODE | | | VALUE |
| | VEH YR | TYPE/MAKE/MODEL | | STYLE |
| | PLATE / STATE | VIN | TOP COLOR | BOTTOM COLOR |
| | ADDITIONAL DESCRIPTIVE INFORMATION | | | |
| | | | | |

| | | | |
|---|--------------------------|---|-------------------|
| REPORTING OFFICER 1190 Brooks | DATE 10/7/2016 | REVIEWED BY Schaal, Jeffrey D | 10/08/2016 |
|---|--------------------------|---|-------------------|



SPOKANE POLICE

CASE# 2016-20002751

CASE REPORT

NARRATIVE

On 10/0/2016 while on routine patrol, I checked the parking lot of Motel 6 located at 3033 N Division St. I know this area to be filled with criminal activity associated with drugs, prostitution, weapons and wanted individuals. As I pulled into the parking lot, I noticed a U-Haul van parked in the south parking lot of the business. As I approached the vehicle, a male suspiciously popped his head up from the rear of the van. There is no access to the driver's compartment from the rear of the van which I thought was suspicious. There was no one else around the vehicle at this time. I noticed as the male exited the rear, a chair strapped to the center of the van with some sort of bungee cords holding the chair in place on a blue tarp. I also noticed more blue tarp, zip ties, duck tape and a black backpack inside. I asked the male what was he doing in the vehicle in the parking lot which he replied "Talking on the phone". The male began acting strange as if he had something to hide. The male immediately reached into the vehicle and stated he was getting the paperwork to the van. I looked at the paperwork and did not notice the male's name on it. I asked the male what was his name and he stated "Carl Michael".

I checked the name the male provided on my MDT and did not find him. I asked the male again what was his name and he got very defensive. The male then stated his name was "Carl Michaels". The male then produced a Arizona ID card. I informed the male that providing false information to LE was a crime. While checking the name with dispatch and waiting on the return, the male made a sudden move as if he was going to run. Ofc. J. Brown and I began to detain the male. At this point, the male began resisting violently in an attempt to get away. I told the male to stop resisting and to put his hands behind his back. The male began kicking and biting at myself and Ofc. Brown. We held the male down until more officers arrived on scene. Ofc. C. Mohondro attempted to help restrain the male when he bit Ofc. Mohondro's right arm.

Afer a short altercation, we were able to take the male into custody for Providing False Information, Resisting and Assault 3rd on Law Enforcement. During a search incident to arrest, the male stated he had a "clip" in his right pants pocket to a gun. He then stated there was a gun in the U-Haul van. I located a single magazine with six .380 Federal Auto rounds inside.

AMR was requested for a evaluation of Carl as he complained of shoulder pain. Carl was eventually transported to Deaconess Hospital for an evaluation. After he was evaluated, he was transported to the Spokane County Jail by Ofc. Spring and booked on his outstanding warrant.

After running a name check, I was informed Carl M. Garza D.O.B 03/22/1977, had an outstanding full extradition Felony warrant (Burglary 2nd) out of the state of Arizona. A criminal history check showed Carl was convicted on Assault 4th Domestic Violence

| | | | |
|-------------------|-----------|-------------------|------------|
| REPORTING OFFICER | DATE | REVIEWED BY | |
| 1190 Brooks | 10/7/2016 | Schaal, Jeffrey D | 10/08/2016 |



SPOKANE POLICE

CASE# 2016-20002751

CASE REPORT

NARRATIVE (continuation)

07/1996 which prohibits him from carrying any guns and/or ammunition.

I seized the U-Haul van Carl was in and applied for a search warrant. After completing the search warrant, I contacted Judge S. Cozza and requested he view and sign the warrant. Judge Cozza signed the search warrant (attached) and emailed back to me. I executed the warrant in the presence of Ofc. Brown, Cpl. Daniel and Sgt. Z. Dahle. The execution of the warrant was performed at 0355 hours. Located in the driver's door of the vehicle was a Cobra .380 handgun which was seized as evidence. The magazine loaded with the six rounds was a match to the handgun located in the vehicle.

I went to the jail and booked Carl for Unlawful Possession of a Firearm 2nd, Assault 3rd and Fugitive from Justice. There is probable cause to arrest Carl for Providing False Information and Resisting Law Enforcement.

I completed the charging document.

W. Brooks #1190

| | | | |
|-------------------|-----------|-------------------|------------|
| REPORTING OFFICER | DATE | REVIEWED BY | |
| 1190 Brooks | 10/7/2016 | Schaal, Jeffrey D | 10/08/2016 |



SPOKANE POLICE

CASE# 2016-20002751

ARREST INFORMATION SHEET

| | | | |
|----------------|---|-------------------------------|---|
| DETAILS | ARREST DATE/TIME 10/07/2016 23:45 | ARREST TYPE On-View | LOCATION OF ARREST 3033 N DIVISION ST |
| | ARRESTING OFFICER(S) 1190 Brooks | | Spokane, |

ARRESTEE

| | | | | |
|-----------------|------------------------------|---|---|----------------------|
| ARRESTEE | JACKET TYPE Adult | NAME (LAST, FIRST, MIDDLE SUFFIX) Garza, Carl M | | |
| | DOR 03/22/1977 | AGE 39 | ADDRESS (STREET, CITY, STATE, ZIP) 1051 E Country Crossing WAY San Tan VALley, AZ 85143 | |
| | RACE White | SEX Male | HEIGHT 5'9 | WEIGHT 185 |
| | DL NUMBER/STATE 4b | | HAIR Brown | EYE Brown |

CHARGES

| | STATUTE / DESCRIPTION | COURTS | ATTEMPT/COMMIT |
|-----------|--|----------|----------------|
| 01 | 9.41.040 F UNLAWFUL POSSESSION OF FIREARMS | 1 | Commit |
| 02 | 10.88.320 F FUGITIVE-LOCAL WARRANT OF ARREST ISSUED | 1 | Commit |
| 03 | 9A.36.031 F ASSAULT-3D | 1 | Commit |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

NARRATIVE

On 10/0/2016 while on routine patrol, I checked the parking lot of Motel 6 located at 3033 N Division St. I know this area to be filled with criminal activity associated with drugs, prostitution, weapons and wanted individuals. As I pulled into the parking lot, I noticed a U-Haul van parked in the south parking lot of the business. As I approached the vehicle, a

ADDITIONAL CHARGES and NARRATIVE MAY BE PRINTED ON FOLLOWING PAGES
For Law Enforcement Use Only. Not For Public Dissemination.

| | | | |
|---|---------------------------|--|---------------------------|
| REPORTING OFFICER 1190 Brooks | DATE 10/07/2016 | REVIEWED BY Dahle, Zachary M | DATE 10/08/2016 |
|---|---------------------------|--|---------------------------|



SPOKANE POLICE

CASE# 2016-20002751

ARREST INFORMATION SHEET

NARRATIVE (continuation)

male suspiciously popped his head up from the rear of the van. There is no access to the driver's compartment from the rear of the van which I thought was suspicious. There was no one else around the vehicle at this time. I noticed as the male exited the rear, a chair strapped to the center of the van with some sort of bungee cords holding the chair in place on a blue tarp. I also noticed more blue tarp, zip ties, duck tape and a black backpack inside. I asked the male what was he doing in the vehicle in the parking lot which he replied "Talking on the phone". The male began acting strange as if he had something to hide. The male immediately reached into the vehicle and stated he was getting the paperwork to the van. I looked at the paperwork and did not notice the male's name on it. I asked the male what was his name and he stated "Carl Michael".

I checked the name the male provided on my MDT and did not find him. I asked the male again what was his name and he got very defensive. The male then stated his name was "Carl Michaels". The male then produced a Arizona ID card. I informed the male that providing false information to LE was a crime. While checking the name with dispatch and waiting on the return, the male made a sudden move as if he was going to run. Ofc. J. Brown and I began to detain the male. At this point, the male began resisting violently in an attempt to get away. I told the male to stop resisting and to put his hands behind his back. The male began kicking and biting at myself and Ofc. Brown. We held the male down until more officers arrived on scene. Ofc. C. Mohondro attempted to help restrain the male when he bit Ofc. Mohondro's right arm.

Afrer a short altercation, we were able to take the male into custody for Providing False Information, Resisting and Assault 3rd on Law Enforcement. During a search incident to arrest, the male stated he had a "clip" in his right pants pocket to a gun. He then stated there was a gun in the U-Haul van. I located a single magazine with six .380 Federal Auto rounds inside.

AMR was requested for a evaluation of Carl as he complained of shoulder pain. Carl was eventually transported to Deaconess Hospital for an evaluation. After he was evaluated, he was transported to the Spokane County Jail by Ofc. Spring and booked on his outstanding warrant.

After running a name check, I was informed Carl M. Garza D.O.B 03/22/1977, had an outstanding full extradition Felony warrant (Burglary 2nd) out of the state of Arizona. A criminal history check showed Carl was convicted on Assault 4th Domestic Violence 07/1996 which prohibits him from carrying any guns and/or ammunition.

I seized the U-Haul van Carl was in and applied for a search warrant. After completing the search warrant, I contacted Judge S. Cozza and requested he view and sign the warrant.

For Law Enforcement Use Only. Not For Public Dissemination.

| REPORTING OFFICER | DATE | REVIEWED BY | DATE |
|-------------------|------------|------------------|------------|
| 1190 Brooks | 10/07/2016 | Dahle, Zachary M | 10/08/2016 |



SPOKANE POLICE

CASE# **2016-20002751**

ARREST INFORMATION SHEET

NARRATIVE (continuation)

Judge Cozza signed the search warrant (attached) and emailed back to me. I executed the warrant in the presence of Ofc. Brown, Cpl. Daniel and Sgt. Z. Dahle. The execution of the warrant was performed at 0355 hours. Located in the driver's door of the vehicle was a Cobra .380 handgun which was seized as evidence. The magazine loaded with the six rounds was a match to the handgun located in the vehicle.

I went to the jail and booked Carl for Unlawful Possession of a Firearm 2nd, Assault 3rd and Fugitive from Justice. There is probable cause to arrest Carl for Providing False Information and Resisting Law Enforcement.

I completed the charging document.

W. Brooks #1190

For Law Enforcement Use Only. Not For Public Dissemination.

| | | | |
|-------------------|------------|------------------|------------|
| REPORTING OFFICER | DATE | REVIEWED BY | DATE |
| 1190 Brooks | 10/07/2016 | Dahle, Zachary M | 10/08/2016 |

**Spokane Police Department
CHARGING REQUEST AND WITNESS LIST
Superior Court, State of Washington**

REQUEST DATE: 10/08/2016

REPORT # 2016-20002751

INVESTIGATOR: 1190 / Brooks, Winston

| |
|-----------------------|
| ADDITIONAL REPORT #'s |
|-----------------------|

DATE/TIME OF CRIME: 10/07/2016 23:45

LOCATION OF CRIME: 3033 N DIVISION ST Spokane, 99207
Howard Johnson Inn

| CHARGES REQUESTED | | |
|-------------------|---|-----------|
| 01 | 9A.36.031 F ASSAULT-3D | COUNTS= 1 |
| 02 | 10.88.330 F FUGITIVE-ARREST W/O WARRANT | COUNTS= 1 |
| 03 | 9.41.040 F UNLAWFUL POSSESSION OF FIREARMS | COUNTS= 1 |

| DEFENDANT - In Custody | | |
|-----------------------------------|----------|------------|
| NAME (LAST, FIRST, MIDDLE SUFFIX) | RACE/SEX | DOB |
| Garza, Carl, M | W M | 03/22/1977 |

| VICTIM(S) | | |
|-----------|--|-----------------|
| 01 | NAME (LAST, FIRST, MIDDLE SUFFIX) Mohondro, Corrigan, | RACE/SEX W M |
| | | DOB 5b |
| | NAME (LAST, FIRST, MIDDLE SUFFIX) | RACE/SEX DOB |
| | NAME (LAST, FIRST, MIDDLE SUFFIX) | RACE/SEX DOB |

| WITNESSES | | |
|-----------------------------------|----------|-----|
| NAME (LAST, FIRST, MIDDLE SUFFIX) | RACE/SEX | DOB |
| ADDRESS | PHONE | |
| NAME (LAST, FIRST, MIDDLE SUFFIX) | RACE/SEX | DOB |
| ADDRESS | PHONE | |
| NAME (LAST, FIRST, MIDDLE SUFFIX) | RACE/SEX | DOB |
| ADDRESS | PHONE | |
| NAME (LAST, FIRST, MIDDLE SUFFIX) | RACE/SEX | DOB |
| ADDRESS | PHONE | |
| NAME (LAST, FIRST, MIDDLE SUFFIX) | RACE/SEX | DOB |
| ADDRESS | PHONE | |

| EVIDENCE CONSISTS OF: |
|---|
| Cobra .380 Handgun, magazine w/six rounds |

**STATEMENT OF INVESTIGATING OFFICER
AFFIDAVIT OF FACTS**

STATEMENT OF WASHINGTON
COUNTY OF SPOKANE

REPORT # **2016-20002751**

ADDITIONAL REPORT #'s

DEFENDANT: **Garza, Carl, M**
DOB: **03/22/1977**

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

Ofc. W. Brooks shall testify to the following:

- I, Ofc. W. Brooks was working uniformed patrol for the City of Spokane Police Department on 10/07/2016
- I contacted a suspicious male at the Motel 6 located at 3033 N Division St
- The male identified himself as "Carl Michael" D.O.B 03/24/1977
- I checked the name on my MDT and it did not return
- I asked the male again for his name and he provided "Carl Michaels" with the same D.O.B
- I checked that name with dispatch and it too did not return
- The male produced an Arizona ID card with the name Carl M. Garza D.O.B 03/22/1977
- I informed the male that providing false information is a crime in Washington
- While checking the name, the male made several movements as if he was looking for a way to get away
- Ofc. Brown and I attempted to detain the male when he began to resist
- The male started kicking and swinging his arms in an attempt to break free
- The male was escorted to the ground until more officers arrived
- Ofc. Mohondro arrived on scene to assist with the arrest
- The male bit Ofc. Mohondro on his right arm during the arrest

I certify under the penalty of perjury under the laws of the State of Washington that all statements made herein are true and accurate and that I have entered my authorized user ID and password to authenticate it.

DATE: 10/08/2016 PLACE: Spokane County, WASHINGTON SIGNATURE: 1190/Brooks, Winston

STATEMENT OF INVESTIGATING OFFICER
AFFIDAVIT OF FACTS

STATE OF WASHINGTON
COUNTY OF SPOKANE

REPORT # 2016-20002751

ADDITIONAL REPORT #'S

DEFENDANT: Garza, Carl, M
DOB: 03/22/1977

CONTINUATION OF AFFIDAVIT OF FACTS:

- The male was taken into custody for Assault 3rd, Providing False Information and Resisting
- During search incident to arrest, I located a handgun magazine with six .380 rounds
- Dispatch informed me the male had an outstanding felony warrant out of the state of Arizona
- The male was convicted of a domestic violence charge 07/1997 which prohibits him from carrying any handguns and/or ammunition
- The male was booked into the Spokane County Jail
- I applied for a search warrant for the U-Haul van Carl was seen in
- Judge Cozza reviewed, signed and returned the warrant
- I executed the warrant at 0355 hours and located in the driver's door a Cobra .380 handgun
- I placed the handgun into property as evidence
- I booked Carl into the Spokane County Jail for Assault 3rd, Unlawful Possession of a Firearm 2nd and Fugitive from Justice
- There is probable cause to arrest Carl for Providing False Information and Resisting

Ofc. J Brown shall testify to the following:

- Ofc. Brown was working uniformed patrol for the City of Spokane when he responded to Ofc. Brooks' call located at 3033 N Division St
- Ofc. Brown attempted to detain the male along with Ofc. Brooks
- The male began to resist arrest after providing false information to Law Enforcement
- Ofc. Brown helped place the male into custody

Ofc. C. Mohondro shall testify to the following:

- Ofc. Mohondro was working uniformed patrol for the City of Spokane when he responded to Ofc. Brooks' call located at 3033 N Division St
- Ofc. Mohondro attempted to help place the male under arrest
- During the arrest, the male bit Ofc. Mohondro on his right arm

I certify under the penalty of perjury under the laws of the State of Washington that all statements made herein are true and accurate and that I have entered my authorized user ID and password to authenticate it.

DATE: 10/08/2016 PLACE: Spokane County, WASHINGTON SIGNATURE: 1190/Brooks, Winston



SPOKANE POLICE

CASE# 2016-20002751

FIELD CASE SUPPEMENT

VEHICLES as INVOLVED

| | | | | |
|------------------|------------------------------------|-----------------|-----------|--------------|
| INVOLVED VEHICLE | VEHICLE ROLE | | | |
| | VEH YR | TYPE/MAKE/MODEL | | STYLE |
| | PLATE / STATE | VIN | TOP COLOR | BOTTOM COLOR |
| | ADDITIONAL DESCRIPTIVE INFORMATION | | | |

| | | | | |
|------------------|------------------------------------|-----------------|-----------|--------------|
| INVOLVED VEHICLE | VEHICLE ROLE | | | |
| | VEH YR | TYPE/MAKE/MODEL | | STYLE |
| | PLATE / STATE | VIN | TOP COLOR | BOTTOM COLOR |
| | ADDITIONAL DESCRIPTIVE INFORMATION | | | |

VEHICLES as PROPERTY

| | | | | |
|------------------------------------|--------------------------|----------------------------|--------------|------------------|
| PROPERTY VEHICLE | PROPERTY CODE | | | VALUE |
| | Seized | | | |
| | VEH YR | TYPE/MAKE/MODEL | | STYLE |
| | 2016 | Ford ECONOLINE E250 | | CARGO VAN |
| PLATE / STATE | VIN | TOP COLOR | BOTTOM COLOR | |
| AH17160 / AZ | 1FTYR1ZM6GKB35499 | White | White | |
| ADDITIONAL DESCRIPTIVE INFORMATION | | | | |

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|------------------------------------|---------------|-----------------|-----------|--------------|
| PROPERTY VEHICLE | PROPERTY CODE | | | VALUE |
| | | | | |
| | VEH YR | TYPE/MAKE/MODEL | | STYLE |
| | PLATE / STATE | VIN | TOP COLOR | BOTTOM COLOR |
| ADDITIONAL DESCRIPTIVE INFORMATION | | | | |

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|------------------------------------|---------------|-----------------|-----------|--------------|
| PROPERTY VEHICLE | PROPERTY CODE | | | VALUE |
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| | VEH YR | TYPE/MAKE/MODEL | | STYLE |
| | PLATE / STATE | VIN | TOP COLOR | BOTTOM COLOR |
| ADDITIONAL DESCRIPTIVE INFORMATION | | | | |

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|-------------------|------------------|-------------------------|-------------------|
| REPORTING OFFICER | DATE | REVIEWED BY | |
| 1186 Brown | 10/7/2016 | Dahle, Zachary M | 10/08/2016 |



SPOKANE POLICE

CASE# 2016-20002751

FIELD CASE SUPPLEMENT

NARRATIVE

On 10-7-16 I was dispatched to the Motel 6 at 3033 N. Division at approximately 2340 hours, to assist Ofc. Brooks, who was out with a suspicious person.

I arrived on scene and Ofc. Brooks was on the south side of the building, at the west side of the parking lot. There was one Hispanic male (Later identified as Carl Garza) who was at the driver side of a U-Haul cargo van. As I approached the vehicle the male closed the driver side door and walked around to the passenger side, which was where I was.

Garza appeared to be nervous, asking why he had to provide his name. Garza continued to say that he did nothing wrong. Garza said that he was in a vehicle that was pulled over earlier in the evening.

Ofc. Brooks asked Garza his name again because dispatch was unable to find anything on the initial information he provided. Garza stated something along the lines of his last name was Michaels. Garza was asked if he had any warrants and he stated he did not know. Garza then reached into his pocket and pulled out his wallet. Garza handed his identification card to Ofc. Brooks. After handing over his identification Garza quickly looked to his left and then right, as if he was looking for an escape route. Garza then Juked to left like he was going to take off running.

Base on Garza's actions, providing a false name, looking for an escape route, and juking like he was going to run from us, I felt like there was a risk of him running from us. At this time I stepped toward Garza and took control of his right arm to detain him. Ofc. Brooks took control of Garza's left arm, see his incident report for more information.

Once I gained control of Garza's right arm, Garza immediately tensed up his right arm and upper body. Garza began attempting to pull away from Ofc. Brooks and I in an effort to flee. Garza was attempting to swing his arm to get out of the arm control I had on his right arm.

I attempted to do a straight arm bar take down on Garza however it was not successful due to him tensing his upper body and his continual effort to get out of my arm control. During the attempted arm bar take down, I observed a small black folding knife fall to the ground from Garza's person. Ofc. Brooks was able to get Garza to the ground, who landed on his side. We were able to get Garza to his stomach. Once Garza was on his stomach I had control of his left arm.

I informed dispatch that we were fighting with a subject, to get additional Officers on scene.

Garza was told multiple time to stop resisting and relax his arms. Garza continued to tense his left arm. Garza sucked his arms in tight to his core and would not put his arms behind his back, despite being told to do so. Garza began to push up from the ground as if he was doing a push up, in an attempt to get out of the arm control and stand up.

Due to Garza actively resisting and not complying with our commands, I attempted to put a level 1 neck restraint on him. I was unable to do because Garza continued to try and get up and I was unable to get my arm around

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|-------------------|-----------|------------------|------------|
| REPORTING OFFICER | DATE | REVIEWED BY | |
| 1186 Brown | 10/7/2016 | Dahle, Zachary M | 10/08/2016 |



SPOKANE POLICE

CASE# 2016-20002751

FIELD CASE SUPPLEMENT

NARRATIVE (continuation)

his neck. Garza was still not complying with our commands to put his arm behind his back.

Once additional Officers arrived on scene I dis engaged Garza and took a step back. Garza continued to lay on the ground and again would not follow commands to put his hands behind his back. I re engaged Garza along with Officers Anderson and Mohondro, see their reports for more information. I took control of Garza's legs while he was placed in handcuffs.

Once Garza was in handcuffs, he stated that there was a magazine to gun in one of his pockets. When asked where to gun was, Garza stated something along the lines of he wasn't sure and maybe it was in the car, referring to the U-Haul van he was contacted in.

I could observe a tarp laid out in the back of the U-Haul van. There was a chair located in the center of the tarp. There were four tie down straps, one from each corner of the chair stretched out and secured to the van in all four corners. It also appeared that there was a bag of black garbage bags or similar product in the van, which seemed odd.

Once Ofc. Brooks determined he was going to write a search warrant on the vehicle, I requested an evidence tow. APRO towing arrived on scene and I completed an impound form. I followed the vehicle to our property facility and entered the vehicle on as evidence.

Ofc. J. Brown #1186 / B437

I certify under the penalty of perjury under the laws of the State of Washington that all statements made herein are true and accurate and that I have entered my authorized user ID and password to authenticate it.

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|-------------------|-----------|------------------|------------|
| REPORTING OFFICER | DATE | REVIEWED BY | |
| 1186 Brown | 10/7/2016 | Dahle, Zachary M | 10/08/2016 |



SPOKANE POLICE

CASE# 2016-20002751

FIELD CASE SUPPLEMENT

| | | | |
|-------|---|-------------------------|------------------------|
| EVENT | REPORTED DATE/TIME 10/07/2016 | OCCURRED INCIDENT TYPE | LOCATION OF OCCURRENCE |
| | OCCURRED FROM DATE/TIME | OCCURRED THRU DATE/TIME | |

| OFFENSES | STATUTE/DESCRIPTION | COUNTS | ATTEMPT/COMMIT |
|----------|---------------------|--------|----------------|
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| SUBJECT | JACKET/SUBJECT TYPE | NAME (LAST, FIRST, MIDDLE SUFFIX) | | | | | |
| | DOB | AGE or AGE RANGE | ADDRESS (STREET, CITY, STATE, ZIP) | | | | |
| | RACE | SEX | HEIGHT or RANGE | WEIGHT or RANGE | HAIR | EYE | |
| | DL NUMBER/STATE | PRIMARY PHONE | PHONE #2 | PHONE #3 | | | |

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|---------|---------------------|-----------------------------------|------------------------------------|-----------------|------|-----|--|
| SUBJECT | JACKET/SUBJECT TYPE | NAME (LAST, FIRST, MIDDLE SUFFIX) | | | | | |
| | DOB | AGE or AGE RANGE | ADDRESS (STREET, CITY, STATE, ZIP) | | | | |
| | RACE | SEX | HEIGHT or RANGE | WEIGHT or RANGE | HAIR | EYE | |
| | DL NUMBER/STATE | PRIMARY PHONE | PHONE #2 | PHONE #3 | | | |

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|---------|---------------------|-----------------------------------|------------------------------------|-----------------|------|-----|--|
| SUBJECT | JACKET/SUBJECT TYPE | NAME (LAST, FIRST, MIDDLE SUFFIX) | | | | | |
| | DOB | AGE or AGE RANGE | ADDRESS (STREET, CITY, STATE, ZIP) | | | | |
| | RACE | SEX | HEIGHT or RANGE | WEIGHT or RANGE | HAIR | EYE | |
| | DL NUMBER/STATE | PRIMARY PHONE | PHONE #2 | PHONE #3 | | | |

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|--|---------------------------|--|-------------------|
| REPORTING OFFICER 1186 Brown | DATE 10/07/2016 | REVIEWED BY Harding, Raymond F | 10/19/2016 |
|--|---------------------------|--|-------------------|



SPOKANE POLICE

CASE# 2016-20002751

FIELD CASE SUPPLEMENT

NARRATIVE

I am writing this additional to clarify the facts of the arrest on 10-17-16, which took place at the Motel 6 at 3033 N. Division St.

The incident took place in the SW corner of the parking lot. This section of the parking lot is hard to see from the street and away from the main entrance to the building, which makes it secluded. . Due to my training and experience this location is a high crime area to include drug offenses, prostitution, and where wanted individuals are known to associate.

Carl Garza had previously been standing at the driver side door of a U-Haul van, which was backed into the parking spot in the far SW corner of the parking lot. Garza initially provided Ofc. Brooks with a false name. Garza then stated that his last name was something along the lines of Michaels. Garza turned his head both ways, as if he was looking to run. Garza made a quick move to his left as if he was going to run. At this time I moved in to take control of Garza's right arm, to detain him. Garza immediately tensed up his right arm and attempted to pull away from me.

I attempted a straight arm bar take down for the following reasons:

Crime- Providing a false statement, Resisting Arrest

Threat- Garza was tensing up his whole body in an attempt to get away, he was violently swinging his arms trying to break free from the arm control, despite being told to stop resisting and to relax. While struggling with Garza, I observed a black object which appeared to be a pocket knife fall from Garza's waistband to the ground. Had Garza broken free from my arm control, I feared he could have easily accessed the pocket knife and used it against myself or Ofc. Brooks.

Resistance / Flight- Garza displayed signs of being a flight risk by looking for an escape route and making a motion as if he was going to run. Once I took control of Garza's arm, he immediately tensed up his entire arm. Garza attempted to get away by swinging his arms and pulling away from me. Once taken to the ground, Garza continued to use his upper body strength trying to push up out of the prone position.

Ofc. J.Brown #1186 / B437

I certify under the penalty of perjury under the laws of the State of Washington that all statements made herein are true and accurate and that I have entered my authorized user ID and password to authenticate it.

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|-------------------|------------|--------------------|------------|
| REPORTING OFFICER | DATE | REVIEWED BY | |
| 1186 Brown | 10/07/2016 | Harding, Raymond F | 10/19/2016 |



SPOKANE POLICE

CASE# 2016-20002751

FIELD CASE SUPPLEMENT

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|--------------|---|-------------------------|------------------------|
| EVENT | REPORTED DATE/TIME 10/08/2016 | OCCURRED INCIDENT TYPE | LOCATION OF OCCURRENCE |
| | OCCURRED FROM DATE/TIME | OCCURRED THRU DATE/TIME | |

| OFFENSES | STATUTE/DESCRIPTION | COUNTS | ATTEMPTED/ADMIT | |
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| SUBJECT | JACKET/SUBJECT TYPE | NAME (LAST, FIRST, MIDDLE SUFFIX) | | | | | |
| | DOB | AGE or AGE RANGE | ADDRESS (STREET, CITY, STATE, ZIP) | | | | |
| | RACE | SEX | HEIGHT or RANGE | WEIGHT or RANGE | HAIR | EYE | |
| | DL NUMBER/STATE | PRIMARY PHONE | PHONE #2 | PHONE #3 | | | |
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| SUBJECT | JACKET/SUBJECT TYPE | NAME (LAST, FIRST, MIDDLE SUFFIX) | | | | | |
| | DOB | AGE or AGE RANGE | ADDRESS (STREET, CITY, STATE, ZIP) | | | | |
| | RACE | SEX | HEIGHT or RANGE | WEIGHT or RANGE | HAIR | EYE | |
| | DL NUMBER/STATE | PRIMARY PHONE | PHONE #2 | PHONE #3 | | | |
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| SUBJECT | JACKET/SUBJECT TYPE | NAME (LAST, FIRST, MIDDLE SUFFIX) | | | | | |
| | DOB | AGE or AGE RANGE | ADDRESS (STREET, CITY, STATE, ZIP) | | | | |
| | RACE | SEX | HEIGHT or RANGE | WEIGHT or RANGE | HAIR | EYE | |
| | DL NUMBER/STATE | PRIMARY PHONE | PHONE #2 | PHONE #3 | | | |
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|--|---------------------------|-------------|
| REPORTING OFFICER 750 Anderson | DATE 10/08/2016 | REVIEWED BY |
|--|---------------------------|-------------|



SPOKANE POLICE

CASE# 2016-20002751

FIELD CASE SUPPLEMENT

NARRATIVE

On 10-7-16, at approx. 2345 hrs, I was dispatched to 3033 N Division (Motel 6) to assist Ofc Brooks and Ofc Brown with a suspect who was fighting with them. Upon my arrival the male was on the ground in a semi seated position facing the officers. He was being given verbal commands to lay on his stomach, but was refusing to follow the instructions given by officers.

At this time I was aware that the suspect had already fought with officers which dictated the need for those officers to request expedited response from other officers. The suspect was in a position with a knee up and facing the officers which is a common position to in for people who have had some sort of ground fighting training. There were several other people milling around in the parking lot which added to the risk of this incident since we were unaware of who may be present that was associated with the suspect. The Best Western is an area of high crime with numerous arrested and police incidents taking place in that location.

I assisted by trying to roll the suspect into a prone handcuffing position however he began to struggle violently. I applied pressure to the back of his left leg between his knee and hip by using my right knee to control his lower body. Another officers was trying to control his upper body above his shoulders and below his jaw to keep the suspect from struggling so officers could apply handcuffs. The suspect had tucked his chin to his chest, which is a common tactic used to defeat this maneuver. I briefly attempted to apply slight pressure under his nose to his head would rock back so the restraint hold could be applied. This quickly began futile and I ceased my attempt, turning my attention to placing a handcuff on the suspect right wrist.

(See Ofc Mohondro's report.)

The suspect had his left arm tucked under his body near his waistline. I and other officers were continually issuing commands for the suspect to "stop fighting" and to "just relax" but he refused to cooperate. He kept his left arm under his body and refused to pull it out where the other wrist could be handcuffed. I began to use my expandable baton at that time to slide between his body and his upper arm to get his arm out from underneath his body. However before I even started to apply slight pressure he removed his arm and essentially ceased struggling. He was then easily detained his handcuffs.

The suspect had a loaded 380 caliber magazine in his pocket as well as claimed that there was a gun in the U-Haul van he was in. There was some very strange items that could clearly be seen from the outside of the van that indicated the suspect was potentially planning a serious criminal act.

(See other officer's reports.)

No further info.

Ofc JC Anderson #750

SPD - B434

I certify under the penalty of perjury under the laws of the State of Washington that all statements made herein

REPORTING OFFICER

750 Anderson

DATE

10/08/2016

REVIEWED BY



SPOKANE POLICE

CASE# **2016-20002751**

FIELD CASE SUPPLEMENT

NARRATIVE (continuation)

are true and accurate and that I have entered my authorized user ID and password to authenticate it.

REPORTING OFFICER

750 Anderson

DATE

10/08/2016

REVIEWED BY