



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 Stormi Koerner

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
10/22/2016	10/3/2016	11:20
Record ID #	Incident No	IA No
9460	16-370268	F16-086
Date/Time Entered		
10/22/2016 10:14		

Incident Summary

Sgt. Preuninger observed a group of approximately 5 to 6 people walking in the middle of the street, obstructing traffic and violating Spokane City Code 10.10.025. He also observed a female in the group who was visibly crying and believed she was in danger, or in a domestic dispute.

Sgt. Preuninger identified himself and Mr. Mitchell became immediately confrontational. Sgt. Preuninger told him to stop and that he was not free to leave. Mr. Mitchell refused to comply with his commands; violation of RCW46.61.022 Fail to Obey Police Officer. Mr. Mitchell threatened Sgt. Preuninger by running toward the driver's door of his police vehicle, and threatened to kick his ass.

Officer Lyons ordered Mr. Mitchell to sit on his buttocks. He told him he was under arrest and to put his hands behind his back. Mr. Mitchell's right arm tensed up and his right hand balled up into a fist. Officer Lyons attempted to pull Mr. Mitchell's right arm behind his back and Mr. Mitchell pulled his hand toward the front of his waist band and attempted to get up onto his feet. (Assaultive).

Officer Cedeno assisted Officer Lyons and tried to get control of Mr. Mitchell's right arm that was under his body and near his waist band. Officer Lyons applied a LVNR 1 from behind and used his body weight to push Mr. Mitchell to the ground and into a prone handcuffing position. Officer Lyons warned Mr. Mitchell that he would be rendered unconscious if he did not stop fighting. Mr. Mitchell's kept his right arm tense and kicked and bucked his body. He also kept his arm under his body near his waist band making it difficult for Officer Cedeno to maintain control of his right arm.

Once the LVNR 1 was applied Officer Cedeno was able to pull Mr. Mitchell's right arm away from his waist band and place him into handcuffs.

In compliance with policy per Major King 11/23/16.

Incident Location

- 1500 Sharp Ave, Direction: E, Spokane, WA 99204 - : Central

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Resisting Arrest	Self Initiated	
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

Medium

Citizen's Height

5'7" to 5'9"

Officer Assessment of Citizen Condition During Incident

None Detected

Officer(s) Injured

No

Officer(s) Taken to Hospital

No

Reporting/Involved Citizen Information

Robin L Mitchell

DOB: 3/4/1970 Race: White Gender: Male

Address

- 5408 Audobon ST, Direction: N, Spokane, WA 99205

Types of Resistance Citizen Used Against Officer(s)

- Active Resistance
- Assaultive

Injuries sustained by this citizen

Injury	Regions	Injury Locations
No injuries noted or visible		

Charges against this citizen

- Resisting Arrest
- Traffic Offense
- Misdemeanor - Person Crime

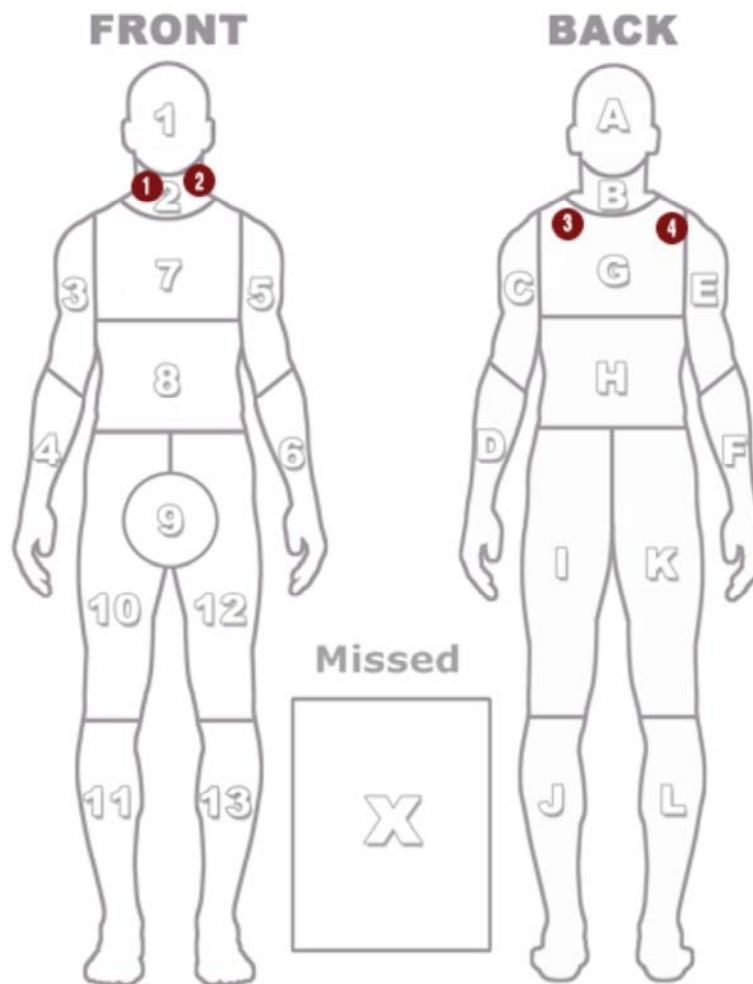
Involved Officers

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, G	1, 2, 3, 4



Injuries sustained by this officer

Injury	Regions	Injury Locations
No injuries noted or visible		

Officer Witnesses

Officer Julian Cedeno - Payroll Number: 16711

Sergeant Terry Preuninger - Payroll Number: 11280

Attachments

Date Attached	Attachment Description	Attachment Type
10/22/2016	16-370268 CAD	pdf
10/22/2016	16-370187 CAD	pdf
10/22/2016	16-354291 CAD	pdf
10/22/2016	Ofc. Report - Lyons	pdf
10/22/2016	Additional - Cedeno	pdf
10/22/2016	Citation 4078	pdf
10/22/2016	Citation 4079	pdf
10/22/2016	Additional - Preuninger	pdf
10/29/2016	Supervisory Review	doc

10/29/2016	BWC Ceden	
10/30/2016	BWC Lyons	
10/30/2016	BWC Ceden	

Chain of Command History

Sent Dt	From	To	CC	Approved
10/30/2016	Internal Affairs	Internal Affairs	Lieutenant Jon Anderson	<input checked="" type="checkbox"/>
Sender's Instructions: Incident #16-370268 Officer C. Lyons UOF - LNR1				
Recipient's Comments/Response: UOF review. There does not appear to be any photos.				
10/31/2016	Lieutenant David Staben	Lieutenant Alan Arnzen	(none)	<input checked="" type="checkbox"/>
Sender's Instructions: UOF review				
Recipient's Comments/Response: The force used by Officer Lyons was reasonable and within policy. Lt. Arnzen 095				
11/21/2016	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 reasonable and within policy.				
11/23/2016	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 Stormi Koerner

Chain of Command Signature Lines

Lieutenant David Staben

Lieutenant Alan Arnzen

Captain Daniel Torok

Major Kevin King



Spokane Police Department
Internal Affairs



Use of Force
Supervisor Review

Incident #: 16-370268
Date: October 3, 2016
Involved Officer: Cory Lyons #929
Reviewing Supervisor: Sgt. Koerner #399

BWC Footage of the incident:

YES X NO ☐

IF yes, BWC Officer's Name: Cory Lyons #929 & Jullian Cedeno #1218

INCIDENT Summary:

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Sgt. Preuninger identified himself and Mr. Mitchell became immediately confrontational. Sgt. Preuninger told him to stop and that he was not free to leave. Mr. Mitchell refused to comply with his commands; violation of RCW46.61.022 Fail to Obey Police Officer. Mr. Mitchell threatened Sgt. Preuninger by running toward the driver's door of his police vehicle, and threatened to kick his ass.

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Officer Cedeno assisted Officer Lyons and tried to get control of Mr. Mitchell's right arm that was under his body and near his waist band. Officer Lyons applied a LVNR 1 from behind and used his body weight to push Mr. Mitchell to the ground and into a prone handcuffing position. Officer Lyons warned Mr. Mitchell that he would be rendered unconscious if he did not stop fighting. Mr.

Mitchell's kept his right arm tense and kicked and bucked his body. He also kept his arm under his body near his waist band making it difficult for Officer Cedeno to maintain control of his right arm.

Once the LVNR 1 was applied Officer Cedeno was able to pull Mr. Mitchell's right arm away from his waist band and place him into handcuffs.

OFFICER Interview not documented in police reports:

Officer Lyons. Officer Cedeno and Sgt. Preuninger statements were consistent with their reports.

SUBJECT(s) Interview not documented in police reports:

I attempted to interview Mr. Mitchell at the scene and he was uncooperative and would only yell profanities through the window of the police vehicle.

WITNESS(s) Interview not documented in police reports:

There were not independent witnesses remaining at the scene when I arrived.

Any Relevant Clarifying Information and Observations:

Sergeant Findings:

Within policy

X

Not within policy

☐

10/22/16 06:48:56 PRINT REQUESTED BY TERMINAL PPTN03
Incident History for: #SP160370268 Xref: #SP160370187

Entered 10/03/16 11:59:09 BY PCC01 1267
Dispatched 10/03/16 11:59:09 BY PCC01 1267
Enroute 10/03/16 11:59:09
Onscene 10/03/16 11:59:09
Closed 10/03/16 16:27:26

Initial Type: PEDVIO Final Type: PEDVIO (PEDESTRIAN VIOLATION)
Initial Priority: 4 Final Priority: 4
Disposition: 1E Source: R Primary Unit: L230
Police BLK: SPC5GP
Group: P4 (P1) Beat: Map Page: 32
Loc: N HELENA ST/E SHARP AV ,SPK <1200,1500> (V)
Name: Addr: Phone:

/115909 (1267) \$OUTSRV ,NO MORE INFORMATION
/115909 DISPOS A244 #929 LYONS, CORY
/115925 ASSTOS D271 ,NO MORE INFORMATION
[JAIL]
#1218 CEDENO, JULIAN
/120034 CROSS #SP160370187
/120055 MISC ,THIS WILL BE THE FIGHT/STEP IT UP CALL FM THE
XREF
/120201 ASSTOS L230 [JAIL]
#349 PREUNINGER, TERRY
/120235 CHANGE LOC: JAIL --> N HELENA ST/E SHARP AV ,SPK,
DGP: P1 --> P5,
BLK: --> SPC5GP
/120238 (929) *REMINQ A244 MWANT,,,,,,MITCHELL,ROBINL,1970,03,04,,,,,,
/120246 (1267) CONTRL GRP: P5 --> P4
/120253 NEWLOC A244 [JAIL]
/120253 NEWLOC D271 [JAIL]
/120253 NEWLOC L230 [JAIL]
/122353 (1218) *CHGLOC D271 [LOGAN]
/122428 (929) *CHGLOC A244 [LOGAN UOF]
/123054 (1218) *ONSCNE D271
/123427 (929) *ONSCNE A244
/145845 (802) OK A244
/145847 OK D271
/145848 OK L230
/150043 (1218) *CLEAR D271 ,PSTAT/ASST PSTAT/VIDY PSTAT/RPT
/151235 (929) *MISC A244 ,PSTAT/ASST PSTAT/RPT PSTAT/MISD PSTAT/MISD PS
TAT/MISD PSTAT/RPT
/151354 *CLEAR A244 DSP: 1E
/162726 (802) CLEAR L230
/162726 CLOSE L230

10/22/16 06:49:10 PRINT REQUESTED BY TERMINAL PPTN03
Incident History for: #SP160370187 Xref: #SP160345291

Entered 10/03/16 10:36:25 BY PCC02 1008
Dispatched 10/03/16 10:36:25 BY PCC02 1008
Enroute 10/03/16 10:36:25
Onscene 10/03/16 10:36:25
Closed 10/03/16 15:38:20

Initial Type: VEHREC Final Type: VEHREC (VEHICLE, RECOVERED STOLEN)
Initial Priority: 3 Final Priority: 3
Disposition: 1J Source: R Primary Unit: I422
Police BLK: SPC5GP
Group: P4 (P10) Beat: Map Page: 33
Loc: 2101 E SPRINGFIELD AV ,SPK btwn N CRESTLINE ST & N LEE ST <700> (V)
Name: Addr: Phone:

/103625 (1008) \$OUTSRV ,NO MORE INFORMATION
/103625 DISPOS I422 #296 TOFSRUD, LONNIE
/103638 ASSTOS I419 ,NO MORE INFORMATION
[2101 E SPRINGFIELD]
#465 ERICKSON, JAMES
/103638 \$ASSTOS I400 [2101 E SPRINGFIELD]
/103638 \$ASSTOS I416 [2101 E SPRINGFIELD]
#295 BARRINGTON, JEFF
/103646 ASSTOS L230 [2101 E SPRINGFIELD]
#349 PREUNINGER, TERRY
/103650 MISC I422 ,10/03/16 10:35:45 FROM ACCESS - DATABASE ID:
/103650 MISC I422
/103650 MISC I422
/103650 MISC I422
/103650 MISC I422
/103650 MISC I422
/103650 MISC I422
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/103650 MISC I422
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/103722 CHANGE

/103736 ROTREQ I422
/103845 MISC I422
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,10/03/16 10:43:08 FROM ACCESS - DATABASE ID:

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/104418	MISC	I422
/104418	MISC	I422
/104418	MISC	I422
/104427	CROSS	
/104735	REMINQ	I422
/104741	MISC	I422

3h

,10/03/16 10:43:53 FROM ACCESS - DATABASE ID:

3h

,10/03/16 10:43:53 FROM ACCESS - DATABASE ID:

3h

#SP160345291

VEH,I422,,,,,,,,,JS1GV72A4M2100508,,,,,,,,,
,10/03/16 10:47:36 FROM ACCESS - DATABASE ID:

/104741 MISC I422
/104741 MISC I422
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/104741 MISC I422
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/104741 MISC I422

/104741 MISC I422
/104741 MISC I422
/104741 MISC I422

/104741 MISC I422
/104741 MISC I422
/104800 CALLBK I422

/104906 (761) MISC
/105209 (802) REMINQ I419
/105456 MISC I400
/111208 (1008) CHGLOC I400

/111208 CHGLOC I416

/111208 CHGLOC I419

/111208 CHGLOC I422

/111208 CHGLOC L230

/112034 (1267) NEWLOC L230
/112053 MISC L230

/112110 ASSTER A244

/112120 (494) *ASSTER N41

/112143 (772) *ASSTER A242

/112144 (701) *ASSTER C154

/112145 (1267) MISC L230
/112148 MISC L230
/112155 NEWLOC L230
/112204 (1218) *ASSTER D271

/112215 (1267) MISC L230

/112259 (106) *ASSTER I470

/112306 (1267) ONSCNE A244
/112311 (494) *ONSCNE N41
/112318 (667) *ASSTER B125

/112325 (1267) MISC L230
/112409 (667) *PREMPT B125
/112411 (701) *PREMPT C154
/112414 (1267) MISC L230
/112414 (106) *CLEAR I470

3h

T/PCC05

,SEE ABOVE, VERIFY... I422 WILL NOTIFY RO, EMAIL WAS SENT TO HIM W/OWNER INFO

,VFD H/A A/S

LIC,I419,ADG5125,,,,

,#####

[PROPERTY]

, FOLLOWING TOW

[PROPERTY]

, FOLLOWING TOW

[PROPERTY]

, FOLLOWING TOW

[PROPERTY]

, FOLLOWING TOW

[PROPERTY]

, FOLLOWING TOW

[MADELIA/BOONE]

,WE'RE SLOWLY MOVING NB -- IN GRP OF 5, ONE IS REFUSING TO FOLLOW COMMANDS

[MADELIA/BOONE]

#929 LYONS, CORY

[MADELIA/BOONE]

#494 O'BRIEN, JOHN

[MADELIA/BOONE]

#772 DOWNING, WAYNE

[MADELIA/BOONE]

#701 STEWART, JAMES

,STEP IT UP ALLEY SHARP/SINTO

,RESTRICTED

[SHARP/SINTO ALLEY]

[SHARP/SINTO ALLEY]

#1218 CEDENO, JULIAN

,HE WAS ATTACKING MY CAR, NOW WALKING AGAIN WB IN ALLEY

[SHARP/SINTO ALLEY]

#106 WILLARD, JOHN

[SHARP/SINTO]

[SHARP/SINTO]

#667 STRASSENBERG, DANIEL

,ONE STREET TO WEST IN THE ALLEY

,C4

/112426	(1267	)	NEWLOC	L230	[MADELIA/SHARP]
/112457	(772	)	*PREMPT	A242	
/112553	(1283	)	*ASSTER	A243	[SHARP/SINTO]
					#1283 WALKER, TREVOR
					#844 VANTASSEL, RONALD
/112557	(667	)	*ASSTER	B125	[SHARP/SINTO]
					#667 STRASSENBERG, DANIEL
/112600	(1267	)	MISC	A244	,RESTRICTED
/112602	(1272	)	*ASSTER	D274	[SHARP/SINTO]
					#1272 CLARK, MATTHEW
					#1216 MAPLETHORPE, BENJAMIN
/112607	(1267	)	ASSTER	I470	[MADELIA/SHARP]
					#106 WILLARD, JOHN
/112616	(772	)	*ASSTER	A242	[SHARP/SINTO]
					#772 DOWNING, WAYNE
/112633	(1267	)	MISC	A244	,NOW FIGHTING
/112640	(1182	)	*ASSTER	A248	[SHARP/SINTO]
					#1182 ECKERSLEY, DAVID
/112642	(667	)	*PREMPT	B125	
/112644	(1267	)	MISC	D271	,ONE DETAINED
/112645	(1272	)	*PREMPT	D274	
/112657	(1267	)	MISC		,HOUSE -- SLOW IT DOWN
/112716			ASSTOS	A241	[HELENA/SHARP]
					#704 ERHART, FRANK
/112731			CONTRL		GRP: P5 --> P4
/112748			NEWLOC	A244	[HELENA/SHARP]
/112816			CLEAR	A241	
/112822			NEWLOC	D271	[HELENA/SHARP]
/112837			CHGLOC	A242	[HELENA/SHARP]
/112837			CHGLOC	A243	[HELENA/SHARP]
/112837			CHGLOC	A248	[HELENA/SHARP]
/112846			NEWLOC	L230	[HELENA/SHARP]
/112850	(106	)	*ONSCNE	I470	
/112854	(1267	)	ASSTOS	L206	[HELENA/SHARP]
					#399 KOERNER, STORMI
/112902			NEWLOC	N41	[HELENA/SHARP]
/112910			NEWLOC	I470	[HELENA/SHARP]
/113026	(772	)	*PREMPT	A242	
/113108	(106	)	*REMINQ	I470	MVEH,AHD1872,,,,,,,,,,,,,,,,,,,,,
/113117			*REMINQ	I470	MWANT,,,,,,,,,,,,,,,,,4b,,,,,,,,,,,,,,,,,,,,,
					,,,,,,,,,,,,X
/113119			*REMINQ	I470	MWANT,,,,,,,,,,,,,,,,,4b,,,,,,,,,,,,,,,,,,,,,
					,,,,,,,,,,,,X
/113227	(1283	)	*ONSCNE	A243	
/113232	(1267	)	MISC	I470	,UNRESTRICT
/113246	(1008	)	REMINQ	D271	WANT,D271,,,,,,,,,MITCHELL,ROBIN,L,1970,03,04,,, ,
					,,,,,,,,
/113428	(1182	)	*PREMPT	A248	
/113728	(106	)	*CLEAR	I470	
/113851	(1008	)	MISC	I400	,AND I426 DROPPED THE MC OFF AT PROPERTY
/113901			CLEAR	I416	
/113903			CLEAR	I400	
/113947	(1283	)	*CLEAR	A243	,PSTAT/ASST
/114008	(1218	)	*TRANS	D271	[JAL] M/4321.4
					,MALE
/114146	(399	)	*CHGLOC	L206	[JAIL]
/114301	(929	)	*CHGLOC	A244	[JAIL]
/114317			*CHGLOC	A244	[JAILDTO L206/ WELCOME BY THE WAY:)]
/114325			*CHGLOC	A244	[JAI]
/114326			*CHGLOC	A244	[JAIL]

/115131	(494	)	*CLEAR	N41	,PSTAT/ASST PSTAT/VIDY
/115334	(929	)	*ONSCNE	A244	
/115525	(1218	)	*TRANSC	D271	[JAIL] M/4324.4
/115549	(1008	)	\$PREMPT	L206	
/115800	(1218	)	*MISC	D271	,327-8503 PHONE FOR SUSP
/115909	(1267	)	\$PREMPT	A244	
/115925			\$PREMPT	D271	
/120034			CROSS		#SP160370268
/120201			\$PREMPT	L230	
/125024	(296	)	REMINQ	I422	VEH,I422,C30142E,,,,,,,,,,,,,3
/125202			REMINQ	I422	WANT,I422,X,,,,,,,,,,,,,4b,,,,,,,,,7
/152655	(761	)	REMINQ	I419	VEH,I419,,,,,,,,,JH2MC0607CK003512,,,,,,,,,,,,,
/153800	(455	)	\$PREMPT	I419	
/153804			\$PREMPT	I422	
/153820	(1008	)	CLOSE	I422	

10/22/16 07:02:57 PRINT REQUESTED BY TERMINAL PPTN03
Incident History for: #SP160345291 Xref: #SP160370187

Entered 09/15/16 09:11:21 BY 91117 911206
Dispatched 09/15/16 09:17:30 BY PCC01 676
Enroute 09/15/16 09:17:30
Onscene 09/15/16 09:17:30
Closed 09/15/16 15:58:06

Initial Type: VEHTFT Final Type: VEHTFT (VEHICLE THEFT)

Initial Priority: 3 Final Priority: 3

Disposition: 1A Source: A Primary Unit: A110

Police BLK: SPB3NL

Group: P3 Beat: Map Page: 31

Loc: 1011 E SHARPSBURG AV #468 ,SPK -- CEDAR SPRINGS EST3 btwn N NEVADA ST & N

Name: HASSETT, MICHAEL A Addr: NOT AVAIL NOW 091377 Phone: 5097209930

/091121 (59) ENTRY AVAIL AFTER 1330. STOLEN IN PAST 2 DAYS. VEH:R
ED 91 SUZUKI KATANA MOTORCY CLE 1100 LIC#UNK.
VIN:JS1GV72A4M2100508. NO SUSPS. COMP GIVEN IN
C TO CALL WH EN AVAIL. ###

/091631 (676) HOLD

/091719 MISC

,09/15/16 09:17:09 FROM ACCESS - DATABASE ID:

/091719 MISC

/091719 MISC

/091719 MISC

/091719 MISC

/091719 MISC

/091719 MISC

/091719 MISC

/091719 MISC

/091719 MISC

/091719 MISC

/091730 DISPOS NRS

/091733 CLEAR NRS

DSP: 12D
,SUPERVISOR ADVISED

/091733 CLOSE NRS

/140913 (911206) REOPEN

,MICHAEL CB, IS NOW AT LOC AVAIL FOR CC. ###

/141358 (1144) HOLD

/150508 (268) *DISPER A110

#268 CARROLL, RICHARD (VIC)

/151333 *ONSCNE A110

/153417 (1144) MISC A110

,09/15/16 15:33:55 Message From: A110
,SIGNED STOLEN, REAR PLATE ONLY (MOTORCYCLE),
PERM TO SEARCH, NO TOW

/153417 MISC A110

/153722 (268) *NEWLOC A110

[CAR ON PAPER]

/155806 *CLEAR A110

DSP: 12D --> 1A
,PSTAT/CFS PSTAT/RPT

/155806 CLOSE A110

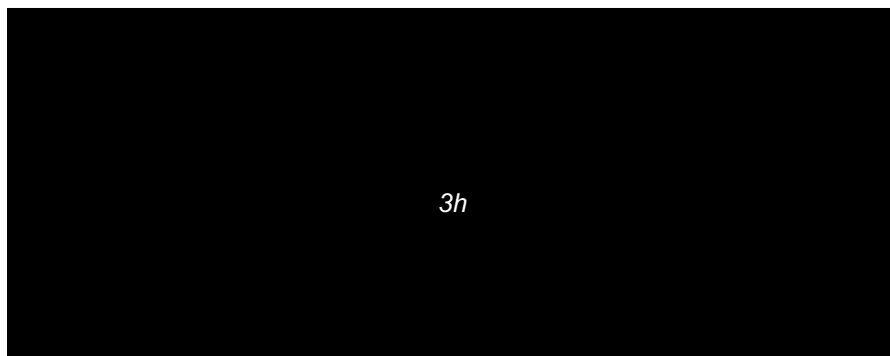
/162245 (455) MISC

,09/15/16 16:22:30 FROM ACCESS - DATABASE ID:

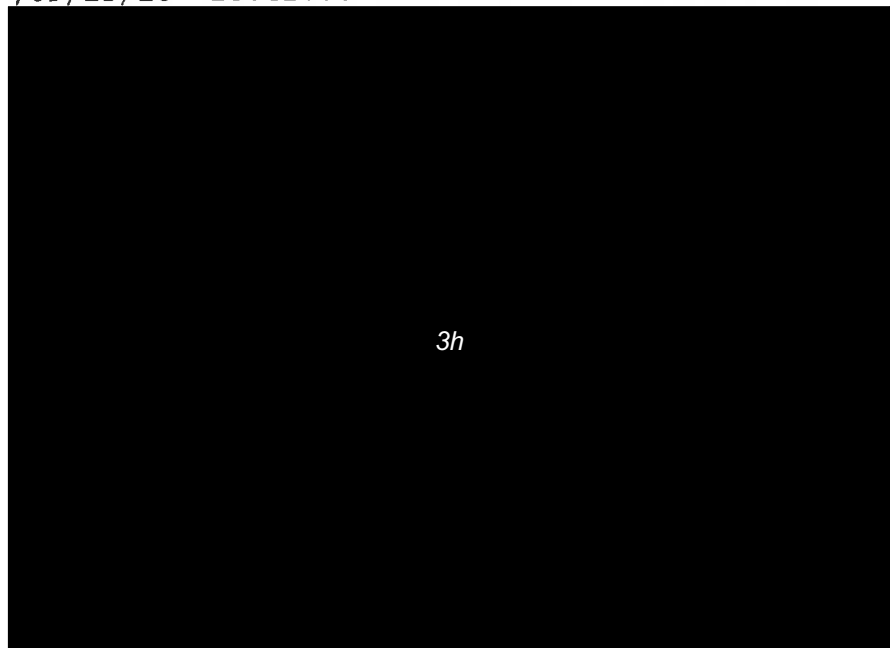
/162245 MISC

3h

/162245 MISC
/162245 MISC
/162245 MISC
/162245 MISC
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/162304 MISC
/162304 MISC
/162304 MISC
/162304 MISC
/162304 MISC
/162304 MISC
/162304 MISC
/162311 CALLBK
/162551 (456) MISC
*** New Date: 10/03/16 ***
/104427 (1008) CROSS



,09/15/16 16:22:30 FROM ACCESS - DATABASE ID:



T/PCC05
,VERIFY STOLEN ENTRY
,VERIFIED, HOT AUTO UPDATED, ROUTED TO AUTO SQ
#SP160370187

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-370268	
INCIDENT TYPE Arrest		INCIDENT CLASSIFICATION #1 DISORDERLY CONDUCT		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #2 RESISTING ARREST	
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #4	
		RESPONDING TO (Officer Assault)		ASSIGNMENT (Officer Assault)	
REPORTED ON Mon 10/03/2016 11:20	DATE/TIME	OCCURRED ON Mon 10/03/2016 11:20	DATE/TIME	OCCURRED TO Mon 10/03/2016 11:20	DISTRICT
DISPATCH TIME 11:20	ARRIVED TIME 11:20	CLEARED TIME	REPORT DATE 10/03/2016	REPORT TIME 13:08	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE M-10.10.025 CITY VAG:PED INTERFERENCE					UCR/NIBRS CODE /
ADDITIONAL CHARGES M-10.07.034 RESISTING ARREST, 46.61.020 REFUSE COOPERATE/GIVE INFO					
LOCATION OF INCIDENT Sharp & Helena			LOCATION NAME (IF APPLICABLE)		
SOLVABILITY FACTORS Suspect Arrested, Useful Physical Evidence					
RELATED INCIDENT NUMBERS					INCIDENT XREF 16-370187
ADDITIONAL REPORTING OFFICERS Ofc. Cedeno, Sgt. Preuninger					
<small>S-Suspect, V-Victim-Individual, A-Arrested Person, VB-Victim-Business, M-Missing, MR-Minor Person, RQ-Registered Owner, RP-Passenger, PE-Pedestrian, PC-Pedestrian-Cyclist, O-Other, C-Complainant, H-Habitual, G-Legal Guardian, D-Driver, W-Witness, CV-Complainant to Victim, CDN-Contact, RS-Roadway, VV-Deceased, OW-Owner of Property</small>					
CODE A-1	NAME: LAST, FIRST, MIDDLE Mitchell, Robin L			SEX M	RACE/ETHNICITY W-White
HEIGHT 5'09"	WEIGHT 190	BUILD Medium	HAIR Brown	EYES BRO - Brown	DATE OF BIRTH/AGE 03/04/1970 46
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP , Spokane, WA 99201			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES (Cell) (509) 879-6793, 327-8503					
CHARGE LEVEL Misdemeanor	DESCRIPTION M-10.10.025 CITY VAG:PED INTERFERENCE				UCR/NIC CODE
WARRANT #	BAIL	TYPE OF ARREST Taken Into Custody			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION M-10.07.034 RESISTING ARREST				UCR/NIC CODE
WARRANT #	BAIL	TYPE OF ARREST Taken Into Custody			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>
CHARGE LEVEL Misdemeanor	DESCRIPTION 46.61.020 REFUSE COOPERATE/GIVE INFO				UCR/NIC CODE 90Z/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 #507 - Blessing, Erin	DATE/TIME 10/03/2016 16:32

Incident Report #1

10/03/2016 16:33:50 553

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION DISORDERLY CONDUCT				ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 16-370268	
CITATION # 6Z0774078	DATE 10/03/2016	TIME 11:55	BOOKED WHERE Spokane County Jail			DATE 10/03/2016	TIME 11:55
ARREST LOCATION Sharp & Helena				STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input checked="" 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
DRIVER'S LICENSE 4b	<input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. 4a	<input type="checkbox"/> FAKE	OTHER ID		
NARRATIVE							

On 100316 at approximately 1120 hours, I responded to Helena / Sharp to assist Sgt. Preuninger who had a male not stopping for him. While I was responding, Sgt. Preuninger put out a step it up, requesting an emergency response from back up units, and advised that the male had just attacked his car, and was now walking away again. It should be noted that I was driving a marked Spokane Police patrol vehicle equipped with overhead light bar and siren and wearing my duty uniform.

Upon arrival I located the male, who was later identified as Robin L. Mitchell walking westbound out of the alley south of Sharp to Helena and then walking northbound on the east sidewalk of Helena. I could see that Robin appeared agitated and angry. I could also see that Sgt. Preuninger was following Robin.

I exited my patrol vehicle and ordered Robin, who was walking towards me to sit down on the ground. Robin dropped to a knee and I ordered him to sit down on his bottom. Robin was initially compliant with me.

Sgt. Preuninger approached Robin and began to talk with him. Robin's demeanor quickly escalated to confrontational. As Sgt. Preuninger attempted to identify Robin he continued to be uncooperative. I could see Robin escalating and asked Sgt. Preuninger if he was under arrest. Sgt. Preuninger attempted to talk with Robin, who was still uncooperative. Sgt. Preuninger advised that Robin was under arrest. I told Robin that he was under arrest and to put his hands behind his back. I took a hold of Robin's right arm and could immediately feel him tense up and could see him ball up his right fist. I attempted to pull Robin's arm behind his back and he pulled his fist towards his waist band. This caused me concern because Robin had not been searched and the waist band is a common area to hide weapons. I could also see Officer's struggling to control Robin's left arm and could tell that he was trying to work his way to his feet.

At this point we had probable cause to arrest Robin for fail to cooperate, pedestrian interference, and resisting arrest.

Robin had attacked Sgt. Preuninger's vehicle prior to my arrival. He had not been searched and was attempting to move his right hand to his waistband. Robin was clenching his right fist and I feared that if given the opportunity, he would access a weapon to assault Officer's or assault Officer's with

Incident Report #1

CONTINUED ON NEXT PAGE

10/03/2016 16:33:50.881

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION DISORDERLY CONDUCT	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-370268
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his clenched fist.

Prior to my arrival, Robin was refusing to stop for Sgt. Preuninger. Robin was also pulling away from Officer's, tensing up, clenching his fist, and attempting to work his way to his feet to continue to fight or flee from police.

I placed Robin in a level 1 lateral neck restraint from behind and pushed him down to the ground into the prone handcuffing position using my body weight. I advised Robin that if he did not stop fighting I would render him unconscious. Robin continued to struggle and fight by thrashing around. I could also feel Robin bucking his hips up and down in an attempt to knock Officers off of him and kicking his feet. Officer's advised that they did not have control of Robin's arms. We told Robin several times to stop fighting and I again warned him that if he continued I would render him unconscious. Sgt. Preuninger advised that we needed to roll Robin over to access his right arm. I used my body weight to roll Robin to his left and continued to hold him down with my body weight. Robin was still fighting by thrashing, kicking, and bucking his hips.

Sgt. Preuninger advised that they were able to get Robin into handcuffs and I released the level 1 lateral neck restraint and moved into the prone handcuffing position. At this point I realized that during the struggle my body camera came off, and my flashlight and AR-15 magazine came dislodged and fell to the ground. When I collected my body camera I found that it was underneath Robin. I collected my items.

We stood Robin up and walked him to Ofc. Cedeno's patrol. We searched Robin incident to arrest and placed him in the back of the vehicle. I realized while we were searching Robin that my body camera had turned off sometime during the struggle.

Sgt. Preuninger confirmed that Robin was under arrest for fail to cooperate, pedestrian interference, and resisting arrest.

Ofc. Cedeno transported Robin to Spokane County Jail. I responded to Spokane County Jail and booked Robin for fail to cooperate, pedestrian interference, and resisting arrest (6Z0774079). It should be noted that Robin was uncooperative with Jail staff and failed the booking process.

I reviewed my body camera and found that it turned off after I applied the level 1 lateral neck restraint.

C. Lyons #929

Incident Report #1	CONTINUED ON NEXT PAGE
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10/03/2016 16:33:50 975

INCIDENT REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 4

INCIDENT CLASSIFICATION DISORDERLY CONDUCT	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 16-370268
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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

10/03/2016 16:33:51.006

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

Page 1

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 16-370268	
REPORT PURPOSE			REPORTED ON DATE Mon 10/03/2016	TIME 11:22	INCIDENT XREF 16-370187
INCIDENT CLASSIFICATION #1 DISORDERLY CONDUCT		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 RESISTING 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 10/03/2016	REPORT TIME 13:13
PRIMARY CHARGE					UCR/NIBRS CODE
NARRATIVE					

On 10/03/16 at approximately 1121 hours I responded to a radio channel restricted "Step it up" request from L230 (Sgt. T. Preuninger) at MADELIA/BOONE from the CAD report to follow:

/112145 (1267) MISC L230 ,STEP IT UP ALLEY SHARP/SINTO
/112148 MISC L230 ,RESTRICTED

/112215 (1267) MISC L230 ,HE WAS ATTACKING MY CAR, NOW WALKING AGAIN WB IN ALLEY

I then arrived on scene and observed a male, later identified as the arrested person Robin L. Mitchell, sitting on the ground.

I observed Sgt. Preuninger speaking with Mitchell. I positioned my body to the left of the male, as I observed Ofc. Lyons on the right side. I then observed the male's body language and voice was escalating during the interaction he was having with Sgt. Preuninger. I observed Sgt. Preuninger maintaining a cool tone, as the male began responding by raising his voice and yelling statements like "Go to hell!" and "The fuck you didn't!".

At this time I was informed by Sgt. Preuninger that Mitchell was under arrest, which he said out loud. Then I heard Ofc. Lyons state out loud that Mitchell was under arrest and commanded him to put his hands behind his back.

I observed Mitchell to be wearing sunglasses, cammo pants with a multitude of pockets, and an over-sized heavy leather jacket. When Mitchell was informed he was under arrest he shouted "FOR WHAT?".

At this time I grabbed Mitchell's left hand and arm to gain arm control. I immediately felt Mitchell tense up and begin resisting. It felt to me that Mitchell was attempting to pull his arm toward his body. Given the oversized clothing that Mitchell was wearing, I felt that Mitchell may be trying to access a weapon concealed on his person.

ID NO /NAME OF REPORTING OFFICER #1218 - Cedeno, Julian		DISTRIBUTION	
APPROVAL #369 - Tilley, Ronald	DATE/TIME 10/03/2016 21:57		

Supplemental Report #1

10/03/2016 22:03:43.156

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION

DISORDERLY CONDUCT

ATTEMPTED



INCIDENT NUMBER

16-370268

It was determined at this time that Mitchell's level of resistance was such that we needed to put him onto his stomach to better gain control of him.

As we attempted to put Mitchell onto his stomach, I felt resistance from Mitchell's entire body. I then used my left hand to grab Mitchell by the hair and facilitate a hair-take down to the ground.

At this time I observed Ofc. Lyons transition to the neck restraint position as I was attempting arm control of the left arm/hand.

I then heard an officer state that Mitchell was going for his waist band and I observed Mitchell trying to pull his left arm toward his waist line. I felt Mitchell bucking his hips trying to push me off of him, as I was gaining arm control.

I then observed Mitchell's right hand pinned underneath his body, sticking out the left side next to his left hip. I then transitioned Mitchell's left hand to Sgt. Preuninger to control. I stated to Mitchell that I would use my taser on him if he would not relax his hands.

I felt that trying to pull Mitchell's right arm across his body while he was on his stomach may allow him access to a weapon concealed on his person.

I felt that Ofc. Lyons' utilization of the Lateral Neck restraint was enough control at that moment for me to utilize both my hands to grab Mitchell's right arm and gain enough control to pull it across his stomach and waist line.

I was successful in pulling his right arm out and as I was attempting to put it to the small of his back, he continued pulling away and was bucking his hips and back.

Mitchell was eventually able to be handcuffed.

I searched Mitchell's left side of his body and transported/booked him into the Spokane County Jail.

Please see other officer's reports regarding this incident.

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.

J. Ceden0 #1218 / D271 / Team 5

Supplemental Report #1

END OF ADDITIONAL REPORT

10/03/2016 22:03:43 359

Spokane Police Department
Additional Report

Date: 10-03-2016

Incident Classification: Pedestrian interference / Refuse to Cooperate

Location: Madelia / Sinto, Spokane Wa.

Complainant/Victim: Race: Sex: DOB:

Suspect: Mitchell, Robin L Race: w Sex: m DOB: 03-04-1970

X-Reference #'s:

Department Status: Select.....

NIBRS Status: Select.....

Detective Sgt. T. Preuninger

On October 3, 2016 at about 1120 hours I was working as the Sgt. for the Targeted Crimes Unit (TCU) in the area of East Trent on a stolen Vehicle recovery. (See rpt # 16-345291) At the time of this incident I was in plain clothes and driving an unmarked Chevy Tahoe.

We had cleared an address on Springfield and I was in the area waiting for TCU detectives to meet me at a second address for more follow-up. I was driving north on Madelia from Cataldo and could see a group of five to six people walking side by side in the street just past Desmet. They were taking up all of the North bound lane of travel and most of the southbound lane as well. Even though I was over a block away I slowed my speed to about 15 mph and continued north. No vehicle coming from either direction would be able to proceed without striking them as well as any car attempting to turn north from Desmet. At least two members of the party had looked back and observed my car but did not alter their path. They continued north almost to Boone, when I got right behind them I had slowed to almost a stop, keeping at least three car lengths between us. A female in the group indicated they should get out of the road and the group begrudgingly moved toward the sidewalk. Some stayed partially in the street and I had to use some of the south bound lane of travel to safely go by them.

As I passed them I noticed a female in the group was crying and visibly upset. Almost everyone in the group was carrying multiple bags and backpacks and they were all in their twenties and older. One male was shirtless, even though it was about 45 degrees out.

Concerned about the female who was upset I turned around and came back to contact them. The crying female was now walking quicker than the group and was moving away from them with a male in the group yelling at her. I rolled down my window, held up my badge, identified myself and asked if she was ok. The female said something about being stressed and not wanting to deal with one of the men in the group. The others were looking at me, some still in the road and some on the sidewalk. I took the opportunity to remind them they should not just walk down the middle of the road and should use the available sidewalk. Before I could return my attention to the distraught female one of the males, who was about 50 and wearing a long black trench coat screamed at me saying "Fuck you, I will walk in the street if I want to." He clenched his fists and took a balanced stance toward me. This took my attention from the female as I was not going to turn my back on aggressive male and the rest of the group which still consisted of five people.

I ordered the man in the trench coat to step back on the side walk and sit down. He screamed at me again saying, "this is America and I will fucking walk down the middle of the road if I want to." I exited my car and asked

him to calm down and asked if he had any ID, he told me to fuck off. I told him he was not free to leave, he remained very angry and ignored my request.

I got on the radio and requested a uniformed back up.

He could see and hear me use the radio, he picked up his bag and began to walk away with the group. I again identified myself and told him to stop and come back and identify himself. I also told him if he did not he would be arrested. He said, "Fuck you, this is police harassment" and kept walking north bound. I slowly followed in my car. The upset female had rejoined the group and they turned west crossing in the middle of the street. Again the aggressive male turned toward me and this time ran at my car, stopping before he got to the driver's door, members of the group grabbed him and pulled him back. He continued to scream about police harassment and threatened me numerous times saying he would kick my ass.

They moved into the alley between Boone and Sharp and kept walking. Members of the group were telling him to stop and calm down, one female was actually pleading with him to just stop and talk to me.

At this time I had numerous things to consider. I had the upset female which did not in and of itself, indicate criminal activity was afoot, but may have been a result of some sort of assault, domestic dispute or other issue requiring police attention. I had the traffic infraction of each member of the group however all but one of the members had complied with my lawful requests. I had the criminal violation of the aggressive male refusing to stop and speak with me, or identify himself and the even more serious behavior of threatening to assault me and the indications that he was building himself up to do so.

They continued west in the alley, as I got to the mouth of the alley one of the males dropped a large tan duffle bag in the path of my car. I told him I did not want to run over his bag and he needed to move it. He refused. Not wanting to damage his property I exited my car to move the bag, he stepped to it, grabbed it, refused to move and said if I touched it he would complain. I told him he was interfering with a police officer in the lawful course of his duties and he was going to be placed under arrest if he didn't get out of my way. He complied.

At the bottom of the alley the aggressive male had dropped his bag, taken off his coat and was yelling at me. Other members of the group had also dropped their belongings, some were yelling at him to calm down, some were yelling they wanted my badge number.

As I entered the alley they picked up their stuff, the aggressive male put his coat back on and began walking west. As they got to the end of the alley, the male continued to turn and yell threats at me. They entered an open yard on the north side of the alley as if they were going to the house there. (I recognized the residence from a police standoff I assisted with last year as a member of the SWAT team. The aggressive male came back at me one more time, stopping a few feet from my door, screaming and then moving back into the yard.

There were two males in the back yard and a male standing at the open door, they all stopped and were watching the group coming out of the alley. The aggressive male was walking toward the back door. I ordered him to stop, he ignored me. I told the male at the back door that I was the police and not to let him in the house. He looked at the aggressive male and said, "Dude, you're not coming in the house." The male turned walked out of the yard toward Helena.

By this time you could hear police sirens, the group separated themselves from the aggressive male and moved toward the house and / or east in the yard. Note, at the conclusion of this incident we could not find anyone else from the incident, to include the crying female and the male that obstructed me at the alley. They had completely fled the area.

The aggressive male got to Helena as a marked unit pulled up. Officer Lyons exited the car and ordered him to the ground, see his report.

At first the aggressive male complied, immediately sitting down, a second officer arrived as I walked up. I again attempted to ID the male as did one of the uniformed officers. The male whom had sat down looked as if he was becoming agitated again. He refused to identify himself and one of the officers asked if he was under arrest, I said yes and told the male he was under arrest.

The officers each took control of an arm and he immediately began to struggle. See their reports. As they attempted to handcuff him he began to kick and flail about, striking me once in the leg with his foot. At some point an officer advised he had lost control of the subjects arm. I assisted and after more struggling and a successful level one LVNR we were able to handcuff the male, later identified as Robin Mitchel, a registered sex offender with an extensive criminal history.

He was transported to jail where he had would not cooperate with corrections staff and had to be further restrained.

He was charged with pedestrian interference, refusing to cooperate and resisting arrest.

Sgt. T Preuninger #349 / L230

CRIMINAL

☐ TRAFFIC ☒ NON-TRAFFIC

LEA ORI#: WA0320400

COURT ORI #: WA032051J

CITATION #: 6Z0774078

REPORT #: 16-370268

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

SPOKANE MUNICIPAL COURT

☒ CITY/TOWN OF SPOKANE

, PLAINTIFF VS. NAMED DEFENDANT

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON
DRIVER'S LICENSE NO. STATE EXPIRES PHOTO I.D. MATCHED ☐ YES ☐ NO NAME: LAST FIRST MIDDLE SFX CDL/CLP
MITCHELL ROBIN L YES ☒ NOADDRESS 613 E 9TH ☐ IF NEW ADDRESS CITY SPOKANE STATE WA ZIP CODE 99203EMPLOYER
EMPLOYER LOCATION
DATE OF BIRTH 03-04-70 RACE W SEX M HEIGHT 5'08" WEIGHT 165 EYES BRO HAIR BRO RESIDENTIAL PHONE NO. (509)327-8503 CELL/PAGER PHONE NO. WORK PHONE NO.
VIOLATION DATE 10/03/2016 11:20 INTERPRETER NEEDED ☐ AT LOCATION HELENA REF. TRAFFICWAY SHARP M.P. BLOCK # CITY/COUNTY OF SPOKANE/SPOKANEDID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE ON A PUBLIC HIGHWAY AND
VEH LIC NO STATE EXPIRES VEH YR MAKE MODEL STYLE COLOR

TR #1 LIC NO STATE EXPIRES TR YR TR #2 LIC NO STATE EXPIRES TR YR

OWNER/COMPANY IF OTHER THAN DRIVER

ADDRESS CITY STATE ZIP CODE

ACCIDENT BAG COMMERCIAL VEHICLE ☐ YES ☐ NO 15+ PASS ☐ YES ☐ NO HAZMAT ☐ YES ☐ NO EXEMPT VEHICLE ☐ FIRE LEADID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES
1. VIOLATION/STATUTE CODE 10.10.025 ☐ D.V. PEDESTRIAN INTERFERENCE2. VIOLATION/STATUTE CODE 10.07.034 ☐ D.V. RESISTING ARREST3. VIOLATION/STATUTE CODE ☐ D.V.4. VIOLATION/STATUTE CODE ☐ D.V.5. VIOLATION/STATUTE CODE ☐ D.V.

MANDATORY COURT APPEARANCE APPEARANCE DATE TIME RELATED # 1 OF 2 DATE ISSUED 10-03-16

☒ TICKET SERVED ON VIOLATOR ☐ TICKET REFERRED TO PROSECUTOR
☐ TICKET SENT TO COURT FOR MAILING ☒ BOOKEDI CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE
ISSUED THIS ON THE DATE AND AT THE LOCATION ABOVE, THAT I HAVE PROBABLE CAUSE TO BELIEVE
THE ABOVE NAMED PERSON COMMITTED THE ABOVE OFFENSE(S), AND I AM ENTERING MY AUTHORIZED
USER ID AND PASSWORD TO AUTHENTICATE IT.OFFICER C. LYONS
OFFICER# 929
V

COMPLAINT: CITATION ABSTRACT OF JUDGMENT	CHG #	RESPONSE	CHG	DISPOSITION	FINES	SUSPENDED	SUB-TOTAL	FINDING/JUDGMENT DATE	TO SERVE W. DAYS SUSP	DAYS
	1	G NG		G NG D	\$	\$	\$			
	2	G NG		G NG D	\$	\$	\$	ABSTRACT MLD TO OLYMPIA	CREDIT TIME SVD Y/N	
	3	G NG		G NG D	\$	\$	\$	HC SURR BT		
	4	G NG		G NG D	\$	\$	\$	TOTAL COSTS	REC NONEXTENSION OF	
	5	G NG		G NG D	\$	\$	\$	\$	SUSP Y/N	

See report.

Officer's Report for Citation/Notice of Infraction # 6Z0774078, 6Z0774079.

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

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

Signature: C. LYONS # 929

Date and Place: 10/3/2016 City/Town of Spokane, County of SPOKANE

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

PAGE 2 OF 2

CRIMINAL

☒ TRAFFIC ☐ NON-TRAFFIC

LEA ORI#: WA0320400

COURT ORI#: WA032051J

CITATION #: 6Z0774079

REPORT #: 16-370268

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

SPOKANE MUNICIPAL COURT

☒ CITY/TOWN OF SPOKANE

, PLAINTIFF VS. NAMED DEFENDANT

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON

DRIVER'S LICENSE NO. STATE EXPIRES PHOTO I.D. MATCHED ☐ YES ☐ NO NAME: LAST FIRST MIDDLE SFX COL/CLR ☐ YES ☒ NO
MITCHELL ROBIN L

ADDRESS 613 E 9TH IF NEW ADDRESS CITY SPOKANE STATE WA ZIP CODE 99203

EMPLOYER EMPLOYER LOCATION DATE OF BIRTH RACE SEX HEIGHT WEIGHT EYES HAIR RESIDENTIAL PHONE NO. CELL/PAGER PHONE NO. WORK PHONE NO.
03-04-70 W M 5'08" 165 BRO BRO (509)327-8503

VIOLATION DATE ON OR ABOUT 10/03/2016 11:20 LANG: INTERPRETER NEEDED AT LOCATION HELENA REF. TRAFFICWAY SHARP M.P. BLOCK # CITY/COUNTY OF SPOKANE/SPOKANE

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

VEH LIC NO. STATE EXPIRES VEH YR MAKE MODEL STYLE COLOR

TR #1 LIC NO. STATE EXPIRES TR YR TR #2 LIC NO. STATE EXPIRES TR YR

OWNER/COMPANY IF OTHER THAN DRIVER

ADDRESS CITY STATE ZIP CODE

ACCIDENT BAC COMMERCIAL VEHICLE ☐ YES ☐ NO 15+ PASS ☐ YES ☐ NO HAZMAT ☐ YES ☐ NO EXEMPT VEHICLE ☐ FINE LEA

DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES

1. VIOLATION/STATUTE CODE 46.61.020.1 ☐ D V VEH OPR-REFUSE COMPLY POLICE
2. VIOLATION/STATUTE CODE ☐ D V
3. VIOLATION/STATUTE CODE ☐ D V
4. VIOLATION/STATUTE CODE ☐ D V
5. VIOLATION/STATUTE CODE ☐ D V

MANDATORY COURT APPEARANCE

APPEARANCE DATE

TIME

RELATED # 2 OF 2

DATE ISSUED 10-03-16

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

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

OFFICER C. LYONS

929

COMPLAINT CITATION ABSTRACT OF JUDGMENT	CHG #	RESPONSE	CHG	DISPOSITION	FINES	SUSPENDED	SUB-TOTAL	FINDING/JUDGMENT DATE	TO SERVE _____ DAYS W _____ DAYS SUSP
1	G	NG		G NG D	\$	\$	\$		
2	G	NG		G NG D	\$	\$	\$	ABSTRACT MLD TO OLYMPIA	CREDIT TIME SVD Y/N
3	G	NG		G NG D	\$	\$	\$		LIC SURRE BY
4	G	NG		G NG D	\$	\$	\$	TOTAL COSTS	REC NONEXTENSION OF
5	G	NG		G NG D	\$	\$	\$	\$	SUSP Y/N

See report.

CITATION # 6Z0774079 SPP CT



MITCHELL, ROBIN L 030470

Officer's Report for Citation/Notice of Infraction # 6Z0774078, 6Z0774079.
The information contained in and attached to this citation/notice of infraction is incorporated by reference into this report.

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Signature: C. LYONS # 929

Date and Place: 10/3/2016 City/Town of Spokane, County of SPOKANE

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

PAGE 2 OF 2