

**STATEMENT OF INVESTIGATING OFFICER  
AFFIDAVIT OF FACTS**

STATE OF WASHINGTON  
COUNTY OF SPOKANE

REPORT NUMBER: 15-241039

DEFENDANT: Yen, John W. 12-22-1989

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

The victim \_\_\_\_\_ can testify to the following:

1. She was present during this incident on 07-14-2015 at \_\_\_\_\_ ve Spokane, WA. The Defendant was her boyfriend of 3 months at the time of this incident.
2. The defendant and she went out on a date. An unknown male was looking down her shirt at her breasts. This angered the defendant and caused an argument. He blamed her for this and was calling her a "slut."
3. They continued to argue in the defendant's truck until they arrived at her home ( \_\_\_\_\_ ). She told the defendant she was done arguing with him and to leave.
4. The defendant did not listen to her and refused to leave. They continued to argue until she went into her home. As she was closing her front door or just after she closed it the defendant attempted to open the door. She attempted to hold the door shut which was partially open with the defendant pushing on the other side. Eventually she was unable to hold the door. She let go of it and the defendant forced it open violently. When he did this it slammed into a piece of furniture that was behind the door.

5. The defendant approached her and was yelling in her face. She backed up approx. 30-35 feet into the kitchen area at which time the defendant was approx. 1 inch from her face yelling into it. She was in fear for her safety at this time due to the defendant's irrational and aggressive behavior. Using two hands she pushed the defendant in the upper chest to create space and defend herself.
6. After pushing the defendant she went upstairs into her bedroom and locked the door. She did this to protect herself from the defendant. They continued to argue and yell through the door of the bedroom until police arrived.
7. The defendant has a bad "temper" and has yelled at her in the past. She knows how bad his temper is and this contributed to her fear during this incident.

Witness, Mariyah K. Waring, can testify that:

1. She was at Grant Park located near 11<sup>th</sup> and Ivory on 07-14-15 at about 2100 hours, in the City of Spokane, WA.
2. She saw a male pull up at a high rate of speed and stop in front of the house at \_\_\_\_\_
3. The male appeared to be very upset and approached the female victim on the front porch.
4. The female victim was yelling "get out of my house" repeatedly.
5. The two were arguing on the front porch and the female was holding the male back with her arms extended.
6. The female went inside of the house and she heard the door "slam" closed.
7. The male then entered the house after the female, even though she had yelled multiple times to leave.
8. She saw what looked like the two "pushing and shoving" and heard them screaming at each other. This was through the second level windows facing the park while she was on the phone with 911.

Witness, Meredith K. Jones, can testify that:

1. She was at Grant Park located near 11<sup>th</sup> and Ivory on 07-14-15 at about 2100 hours, in the City of Spokane, WA.
2. She saw a male pull up at a "very high rate of speed" and stop in front of the house at \_\_\_\_\_
3. The male appeared to be very upset and ran up the stairs to the female victim on the front porch.
4. The female victim was yelling "get out of my house" repeatedly and then slammed the door.
5. The male then got into the house but she couldn't tell if he used force or just opened the door.
6. She thought due to the male's behavior and how the female was holding her arms up to keep him back that he could have been an intruder.
7. The male then entered the house after the female slammed the door shut.

8. She saw what looked like the two "pushing and shoving" and heard them screaming at each other. This was through the second level windows facing the park and she was a further back into the park.

Officer M. Juarez can testify to the following:

1. He responded to this incident on 07-15-2015 at \_\_\_\_\_ e Spokane, WA.
2. He contacted the defendant who stated this incident was only an argument.
3. The defendant said he was arguing with the victim on the front porch when she entered her home and shut the door on him. He opened the door without incident and went inside to continue talking with her.

Officer C. Hamilton can and will testify that:

1. He was working as a police officer for the City of Spokane, WA in the County of Spokane on 07-14-15 at 2100 hours.
2. He responded to a call of a burglary in progress at \_\_\_\_\_<sup>th</sup> where it was reported that a male had pulled up to the house in a truck, got into an argument with a female and then "kicked the door in."
3. He contacted the two witnesses in Grant Park and took their statements, which were also video recorded on his body worn camera.

Officer J. McVay can testify to the following:

1. I responded to this incident on 07-14-2015 hours at \_\_\_\_\_ re Spokane, WA.
2. I interviewed the victim, \_\_\_\_\_
3. Upon searching the defendant incident to arrest I located at Smith and Wesson revolver in his left pant pocket. It was loaded with 5 .38 special +P rounds. I placed the revolver on property as evidence.

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

DATE: 07-15-2015

PLACE: SPOKANE, WASHINGTON

SIGNATURE:  #923