



SPOKANE POLICE DEPARTMENT

ANNE E. KIRKPATRICK
CHIEF OF POLICE



July 29, 2010

JIM CAMDEN @ THE SPOKESMAN REVIEW

RE: 10-244010

Enclosed is a copy of the public record(s) you requested. We have released the portions of the record(s) which are not exempt from disclosure by RCW 42.56.210 and/or other statutes. Information redacted or withheld are exempt from public disclosure for the follow reason(s).

- 1. Complainant, victim or witness requested the information not be disclosed. (RCW 42.56.240).
- 2. Disclosure of the information would endanger a person's life, physical safety, or property. (RCW 42.56.240 (2)).
- 3. Record includes information non-disclosure of which is essential to effective law enforcement. (RCW 42.56.240 (1)).
- 4. Record contains information the non-disclosure of which is necessary for the protection of a person's right to privacy. (RCW 42.56.230 or RCW 42.56.240 as defined by RCW 42.56.050 **(Includes Social Security Number)**).
- 5. Record contains information on a juvenile, which is confidential, and may not be released to the public except by court order under provisions of RCW 13.50.050 and RCW 13.50.100 (4) (a) and (b).
- 6. Jail records including booking photos are protected under RCW 70.48.100.
- 7. Information protected under the Criminal Records Privacy Act, RCW 10.97.
- 8. Traffic accident reports are confidential and protected under RCW 46.52.080 and RCW 46.52.083.
- 9. Driver's or vehicle registration is protected under RCW 46.12.380.
- 10. Credit card number, debit card number, electronic check number, card expiration date or bank/other financial account number. RCW 42.56.230(4)



SPOKANE POLICE DEPARTMENT



ANNE E. KIRKPATRICK
CHIEF OF POLICE

- 11. Record contains medical information protected under RCW 70.02.005 and HIPPA (45 CFR 164.502).
- 12. Reports and records of autopsies and postmortems are confidential, protected under RCW 68.50.105.
- 13. Other:

If you believe that the information furnished has been incorrectly redacted, you may file a written appeal with the Chief of Police within five (5) business days from the date of this letter. Please include your name and address, a copy of the redacted document and a copy of this letter together with a brief statement identifying the basis of the appeal. Please mail or deliver your appeal to:

Chief of Police
1100 W Mallon Ave
Spokane, WA 99260-0001

J. Quick
Police Records Specialist
1100 W Mallon Ave
Spokane WA 99260-0001

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 10-244010	
REPORT PURPOSE			REPORTED ON DATE Sun 07/25/2010	TIME 22:40
INCIDENT CLASSIFICATION #1 ASSAULT 4TH/CITY	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 OBSTRUCT OFFICER		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 07/25/2010	REPORT TIME 23:35
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

I responded to an assault call at 517 W 3rd avenue on July 25, 2010 at 2240 hours. David Foxx was calling in saying that he was assaulted. He wanted police help to get his stuff back. Officer Henson was already at the location and was talking with the suspect, Nathaniel Washington. Officer Lyons and I arrived and Officer Henson told us to wait with Nathaniel.

Nathaniel was an assault suspect and his moods were changing from very cooperative to confrontational. Officer Lyons and I did a weapons frisk and asked Nathaniel to have a seat on the curb while we conducted our investigation. Nathaniel sat down. Officer Lyons asked Nathaniel what his name was. He said you just felt my wallet. He stood up and put his hands up and said you get it.

Officer Lyons pulled out Nathaniel's wallet from his left rear pocket. He took out his identification. Officer Lyons asked Nathaniel to have a seat. Nathaniel stood there staring at Officer Lyons. Nathaniel's hands were away from his sides and his fists were clinched. Nathaniel did not say anything but just stared at Officer Lyons. Officer Lyons again asked him to sit down and told him that we would make him sit down if he would not.

Nathaniel said then make me. I grabbed Nathaniel's right arm and Officer Lyons grabbed his left arm. We escorted him to the seated position on the curb. He did not resist while he was being seated. I told Nathaniel that if he could not just relax and sit there, then we would have to put him in the back of our patrol car. As soon as the words left my mouth, he sprung up from the curb.

I grabbed his right arm and Officer Lyons grabbed his left arm. I started to put Nathaniel's hand behind his back to handcuff him. As soon as I grabbed his arm and tried to put it behind his back, he tensed up and started pulling his arm forward like he was trying to put his hands together in front of him. While I was trying to get his right hand behind his back, Officer Lyons got behind Nathaniel and put him in the lateral vascular neck restraint. He took Nathaniel to the ground and I still had ahold of Nathaniel's right arm.

Nathaniel was actively resisting with his right arm and was trying to get Officer Lyon's right arm which was around his neck. Nathaniel's left arm was underneath his body. I could see his hand and it was trapped by his body weight. I could see that he was trying to get that hand free. I lost the grip of Nathaniel's right arm and he grabbed at Officer Lyons. I was able to quickly grab his hand and

ID NO./NAME OF REPORTING OFFICER #1012 - Reese, Kurtis		DISTRIBUTION
APPROVAL #627 - Stevens, Barton	DATE/TIME 07/26/2010 03:05	

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION ASSAULT 4TH/CITY	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 10-244010
--	---------------------------------------	-------------------------------------

shortly after that Nathaniel lost consciousness. We quickly handcuffed him and placed him on his right side.

A supervisor was started along with medics. Nathaniel did not have any visible injuries and did not claim to be injured at this time. I repeatedly told him to relax and that he just needed to cooperate. AMR checked Nathaniel and cleared him. AMR lost a piece of equipment in the back of the patrol car. We asked Nathaniel to step out of the patrol car repeatedly. He refused. When we grabbed onto him to escort him out, he started resisting and pulling back into the car. We got him out of the patrol car and put leg restraints on him.

He was put back in the patrol car on his left side with a seat in front of him. I rode with Officer Lyons to transport and book Nathaniel into jail for city assault and obstructing. I did not see any visible injuries at jail on Nathaniel. See related reports for further.

K. Reese #1012
Team 11

SUPPLEMENTAL REPORT
Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER	INCIDENT NUMBER 10-244010	
REPORT PURPOSE		REPORTED ON DATE Sun 07/25/2010	TIME 22:40	INCIDENT XREF
INCIDENT CLASSIFICATION #1 ASSAULT 4TH/CITY	ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 OBSTRUCT OFFICER	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 07/25/2010	REPORT TIME 23:45
PRIMARY CHARGE				UCR/NIBRS CODE
NARRATIVE				

On 072510 at approximately 2247 hours, I responded to the McDonalds, 517 W. 3rd to assist Ofc. Henson with an assault investigation. While enroute Ofc. Henson advised that he was out with both the suspect and the victim. The complainant had described the suspect as a black male, 25 to 30 years old, approximately 6'04" with a medium build and dark shirt.

Upon arrival I could see Ofc. Henson standing with a black male who matched the suspect description. The male was later identified as Nathaniel D. Washington. As I walked up to Ofc. Henson and Nathaniel I could see that Nathaniel was agitated. Nathaniel glared at myself and the other Officer's. Ofc. Henson asked Ofc. Reese and I to stand by with Nathaniel and advised that he had not been patted down for weapons.

I asked Nathaniel if he had any guns or knives on his person. Nathaniel began to glare at me and did not say anything. It should be noted that Nathaniel was wearing baggy clothing and had a bulge in his left front pants pocket.

I took a hold of Nathaniel's left arm and Ofc. Reese took a hold of his right arm. We patted Nathaniel down for possible weapons and I did not locate any. I told Nathaniel to sit down on the curb and he again glared at me. I told Nathaniel a second time to sit down and he complied. I could see that Nathaniel was becoming more agitated as we talked to him. I asked Nathaniel if he had any identification and he ignored me. I again asked Nathaniel if he had any identification and he stood up and stated that I had patted him down and told me to get it. Ofc. Reese and I again took a hold of his arms and I accessed Nathaniel's wallet from his back left pants pocket. I recovered his Washington ID card and gave him back his wallet. I told Nathaniel to sit back down and he ignored me. I told Nathaniel to sit down or we would sit him down and he said, "Well then make me sit down". Ofc. Reese and I took a hold of his arms and sat him down into the seated position on the curb.

Ofc. Reese told Nathaniel not to stand up again or we would place him in the back of a patrol vehicle. Nathaniel stood up again and told us to put him in a car as if he was challenging us. I took a hold of Nathaniel's left arm and I could immediately feel his arm tense and I could see his fist's clench. Nathaniel started to pull his arm forward out of my grip. Due to Nathaniel's demeanor, his tensed arm, and his clenched fists I feared that he was about to assault myself or Ofc. Reese.

ID NO./NAME OF REPORTING OFFICER #929 - Lyons, Cory	DISTRIBUTION	
APPROVAL #205 - King, Kevin	DATE/TIME 07/26/2010 01:37	

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION ASSAULT 4TH/CITY	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 10-244010
--	---------------------------------------	-------------------------------------

Using my right arm I placed Nathaniel into a level 2 lateral vascular neck restraint from behind and pulled Nathaniel to the ground. I could immediately feel Nathaniel began to struggle under me and I applied pressure to the lateral vascular neck restraint. I could hear Ofc. Reese say that they lost control of Nathaniels arm and that his other arm was still underneath him. After a few seconds I rendered Nathaniel unconscious. Once Nathaniel was unconscious we were able to place him into handcuffs (DL).

After 4 to 5 seconds Nathaniel regained consciousness and I advised him that he was under arrest for obstructing. Ofc. Reese and I searched Nathaniel incident to arrest and Ofc. Reese rolled him onto his side.

I requested Medic's respond and check on Nathaniel.

As we waited for Medic's, Nathaniel pulled his leg back like he was going to kick me. I placed my knees across Nathaniel's legs to hold them down.

We stood Nathaniel up and placed him in the back of my patrol vehicle.

Ofc. Henson advised that he also had probable cause to arrest Nathaniel for city assault. (See Ofc. Henson's report)

Medic's responded and checked on Nathaniel. After checking on Nathaniel the Medic's advised that they were missing the ball to their blood pressure arm band and that it fell in the back seat of my patrol vehicle.

We opened the back door of my patrol vehicle and asked Nathaniel to get out so we could check. Nathaniel snickered and told us to make him. We told Nathaniel to get out of the vehicle or we would pull him out and that all we needed to do was find the ball to the arm cuff. Nathaniel again told us to make him. We pulled Nathaniel from the back seat of the vehicle and struggled. We placed Nathaniel into the prone handcuffing position and held him on the ground. Nathaniel continued to struggle and we placed him into leg restraints.

The Medic's located the ball to their arm cuff sitting next to where Nathaniel had been sitting in the back seat.

We placed Nathaniel in the back seat of my patrol vehicle using the blanket lift method. The back seat from Ofc. Henson's patrol vehicle was placed between Nathaniel and the shield to keep him from falling.

I transported Nathaniel to Spokane County Jail and Ofc. Reese rode with me and kept

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 3

INCIDENT CLASSIFICATION ASSAULT 4TH/CITY	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 10-244010
--	---------------------------------------	-------------------------------------

Nathaniel under observation. It should be noted that half way to Jail Nathaniel's demeanor completely changed. Nathaniel began to talk to us about the sun rise the night before and sing bible songs.

Once at Jail, Ofc. Henson booked Nathaniel for obstructing and city assault.

Sgt. King responded and was advised of the situation.

C. Lyons #929

INCIDENT REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD				EVIDENCE NUMBER		INCIDENT NUMBER 10-244010				
INCIDENT TYPE Arrest, Information		INCIDENT CLASSIFICATION #1 ASSAULT 4TH/CITY		ATTEMPTED <input type="checkbox"/>		INCIDENT CLASSIFICATION #2 OBSTRUCT OFFICER		ATTEMPTED <input type="checkbox"/>		
		INCIDENT CLASSIFICATION #3		ATTEMPTED <input type="checkbox"/>		INCIDENT CLASSIFICATION #4		ATTEMPTED <input type="checkbox"/>		
RESPONDING TO (Officer Assault)						ASSIGNMENT (Officer Assault)				
REPORTED ON Sun 07/25/2010 22:40		DATE/TIME		OCCURRED ON Thu 08/05/2010 22:40		DATE/TIME		OCCURRED TO Sun 07/25/2010 22:45		DISTRICT
DISPATCH TIME 22:43		ARRIVED TIME 22:45		CLEARED TIME 23:50		REPORT DATE 07/25/2010		REPORT TIME 23:34		EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE M-10.11.010 CITY ASSAULT									UCR/NIBRS CODE / 13B	
ADDITIONAL CHARGES M-10.07.032 OBSTRUCTING										
LOCATION OF INCIDENT 521 W 4th Avenue, Spokane, WA 99202						LOCATION NAME (IF APPLICABLE)				
SOLVABILITY FACTORS Suspect Arrested, Suspect Can Be ID'd, Suspect Can Be Located, Suspect Described, Suspect Named										
RELATED INCIDENT NUMBERS									INCIDENT XREF	
ADDITIONAL REPORTING OFFICERS Lyons										
VICTIM/WITNESSES/OTHERS										
CODE CV-1	NAME: LAST, FIRST, MIDDLE Fox, David R				SEX M	RACE/ETHNICITY W-White/Non-Hispanic			DATE OF BIRTH/AGE 49	
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS					
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP				RESIDENTIAL STATUS			PHONE		
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION			EMPLOYER PHONE		
ADDITIONAL PHONES										
RELATIONSHIP TO SUSPECT Victim was Stranger				VICTIM OF Offns. # M-10.11.010 CITY ASSAULT				OFNDR. # A-1		
VICTIM/WITNESSES/OTHERS										
CODE A-1	NAME: LAST, FIRST, MIDDLE Washington, Nathaniel D				SEX M	RACE/ETHNICITY B-Black			DATE OF BIRTH/AGE 32	
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS					
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP				RESIDENTIAL STATUS			PHONE		
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS					OCCUPATION			EMPLOYER PHONE		
ADDITIONAL PHONES										

ID NO./NAME OF REPORTING OFFICER #650 - Henson, Kurt				DISTRIBUTION			
APPROVAL #627 - Stevens, Barton				DATE/TIME 07/26/2010 03:08			

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT 4TH/CITY		ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER 10-244010	
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION M-10.11.010 CITY ASSAULT			UCR/NCIC CODE /13B	
WARRANT #	BAIL	TYPE OF ARREST		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CHARGE LEVEL Gross Misdemeanor	DESCRIPTION M-10.07.032 OBSTRUCTING			UCR/NCIC CODE	
WARRANT #	BAIL	TYPE OF ARREST		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CITATION # N009163	DATE 07/25/2010	TIME 23:15	BOOKED WHERE Spokane County Jail		DATE 07/25/2010
				TIME 23:15	
ARREST LOCATION 517 W 3rd Avenue, Spokane, WA 99202			STATEMENT <input checked="" type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input checked="" type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED	SUSPECT ARMED WITH
JUV. PAR/GRD. Notified <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME/RELATIONSHIP OF PERSON NOTIFIED	DATE & TIME NOTIFIED	NOTIFIED BY		DISPOSITION OF JUVENILE

NARRATIVE

On 07/25/10 at approximately 2245 hours, Ofc Reese and I were dispatched to the McDonalds at 517 W 3rd Ave, regarding an assault call.

Radio advised a David Fox, called and said he had been assaulted in the court yard area located at 521 W 4th Ave, by a black male.

Upon arrival, at the McDonalds, I was contacted by David as I was pulling into the park lot. David advised me that the suspect, later identified as, Nathaniel Washington, was currently inside the McDonalds. I asked David what Nathaniel looked like and he said, "He is the only black man in the McDonalds".

When I walked into the McDonalds, I saw Nathaniel standing by the drinking fountain and asked him to come outside to speak with me. Nathaniel walked outside and walked right up to me and said, "Do you know the Lord is coming to take the earth back". I asked Nathaniel why I was there. Nathaniel said, you better know why you are here, or you better leave. Nathaniel appeared to be highly agitate and very upset. I asked Nathaniel what took place at the park and he said nothing. I then asked Nathaniel why someone would call the police and say that he had hit them. Nathaniel just looked at me and said, "I guess I am in trouble". I explained to Nathaniel that he may not be in trouble, but I needed to know what happened in the park. Nathaniel said, "I hit him". I asked Nathaniel who he hit and he pointed at David who was standing against the wall of the McDonalds. I asked Nathaniel why he hit David and Nathaniel said, "He told me to suck his dick, so I hit him". I asked Nathaniel how he hit David and Nathaniel said, "I just hit him, I went crazy on him".

At this time Ofc Lyons and Ofc Reese arrived on scene. I asked Ofc Lyons and Reese to stand by with Nathaniel why contacted David. I advised Ofc Reese that Nathaniel had not patted down for weapons and that he was up and down.

I then contacted David. David said he and Nathaniel were in the park walking around, he said they

INCIDENT REPORT CONTINUED
Spokane Police/Spokane County Sheriff

INCIDENT CLASSIFICATION ASSAULT 4TH/CITY	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 10-244010
--	---------------------------------------	-------------------------------------

hiding from each other. David said Nathaniel was, "Leading him on". When I asked David what he meant by that, he said you know what I mean. I advised David that I did not know what he meant and that he would need to explain it to me. David said I asked him to, "Suck my dick" and he grabbed me in a bear hug and threw me to the ground. David said, "I don't understand, I asked him nicely".

I asked David if he was injured or had any marks on him from the assault. David said no to both. I asked David what he would like done and David said he wanted to press charges against Nathaniel.

As I finished up my interview with David, I saw Ofc Lyons and Ofc Reese struggling with Nathaniel. Nathaniel was subsequently handcuffed and taken into custody for City Assault and Obstructing an Officer. See Ofc Lyon's and Ofc Reese's reports for further details.

Sgt King was advised regarding the use of force and responded to the scene.

AMR responded and check the condition of Nathaniel.

I gave David a crime victim's card with the noted case number.

Nathaniel was transported to Spokane County Jail and booked for: City Assault and Obstructing. Citation number N009163.

K Henson 650/D485

SUPPLEMENTAL REPORT

Spokane Police/Spokane County Sheriff

AGENCY NAME/SUBSTATION SPD		EVIDENCE NUMBER		INCIDENT NUMBER 10-244010	
REPORT PURPOSE			REPORTED ON DATE	TIME	INCIDENT XREF
			Sun	07/25/2010	22:55
INCIDENT CLASSIFICATION #1 ASSAULT 4TH/CITY		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 OBSTRUCT OFFICER		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 07/25/2010	REPORT TIME 23:25
PRIMARY CHARGE					UCR/NIBRS CODE
VICTIM/WITNESSES/OTHERS					
CODE A-1	NAME: LAST, FIRST, MIDDLE Washington, Nathaniel D			SEX M	RACE/ETHNICITY B-Black
				DATE OF BIRTH/AGE 32	
HEIGHT	WEIGHT	BUILD	HAIR	EYES	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>		ADDRESS: STREET, CITY, STATE, ZIP			RESIDENTIAL STATUS
					PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION		EMPLOYER PHONE
ADDITIONAL PHONES					
NARRATIVE					

On 7-25-10, I assisted officers in applying leg restraints on a suspect under arrest for City Assault and Obstructing. I was wearing the department authorized uniform and driving vehicle #221, an unmarked police car.

On this date at 2255, I responded to the McDonalds at 517 W. Third. Officers had been on scene on an assault call. Officer Lyons advised over Radio that he used a Level 2 LVNR in arresting the suspect, Washington. I responded as a supervisor.

Officer Lyons had already called for medics to check Washington per policy. When I arrived on scene, officers were still searching Washington incident to his arrest. He appeared calm at this time and displayed no outward ill effects. Medics arrived to check him and they had him get out of the car. While he was out, I asked Washington if he was hurt or had any injuries. He just glared at me and refused to answer my question. Medics cleared Washington to be booked into jail and he got back into the car.

Shortly after this, one of the medics told us that the inflatable ball off of the end of their blood pressure cuff was missing. Other officers and I looked all around the parking lot, but could not find it. It was apparent that it had to be in the car with Washington.

Washington was directed to exit the car so we could search for the missing ball. Washington stated something to the effect of, "Just take me to jail." Officers explained that we needed him to get out so we could retrieve the ball. Washington refused to get out. I ordered Washington to get out of the car and he again refused. I told Washington that he had to get out of the car or we would have to remove him. Washington did not say anything, but instead braced himself inside the car.

We had the driver's side door open for Washington. I instructed Officer Reese to go to the passenger side to remove Washington as a diversion. When Officer Reese pulled on Washington from that side, other officers and I used Washington's forward resistance from Officer Reese to pull him out of the car on our side.

ID NO./NAME OF REPORTING OFFICER #205 - King, Kevin		DISTRIBUTION	
APPROVAL #627 - Stevens, Barton	DATE/TIME 07/26/2010 03:02		

SUPPLEMENTAL REPORT CONTINUED

Spokane Police/Spokane County Sheriff

Page 2

INCIDENT CLASSIFICATION ASSAULT 4TH/CITY	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER 10-244010
--	---------------------------------------	-------------------------------------

Washington continued to twist and turn his body in an effort to get away and hamper our efforts to control him. Washington was escorted to the ground.

Officer Lyons then retrieved the ball which was right where Washington was seated. It was unknown if Washington had removed the ball.

I asked Washington three times if he was going to cooperate and get back into the car. Washington did not answer and instead tightened up his body. I told Washington if he did not get in the car on his own he would be leg restrained. Washington still refused to answer and continued to tense his entire body.

Washington was under arrest for City Assault and Obstructing. In his arrest, Washington had displayed assaultive behavior and Officers had to use a Level 2 LVNR to subdue him. Washington was continuing to display resistive behavior by tensing his entire body and not cooperating. To physically place Washington back in the car in his current state ran the risk of him injuring officers or himself. For these reasons, I instructed officers to apply leg restraints to Washington.

Officer Henson and I maintained pressure on Washington's upper body while other officers applied the restraints. Washington then was placed onto a blanket and was slid into the back of Officer Lyon's car. He was placed on his left side facing to the front of the car and another car seat was placed in front of him for his protection. Officer Reese rode with Officer Lyons to monitor Washington and I told Radio to advise Jail that they were en route.

There was a male and female standing on top of a concrete planter in front of the west doors of McDonalds videoing the application of the leg restraint with a cell phone. I spoke to them afterwards because they asked what had happened. I told them what I described in my report. They laughed and said, "Welcome to Spokane!" They had no other questions.

See other officer's reports. No further information.

King #205

L-200

CRIMINAL TRAFFIC NON-TRAFFIC N009163

MUNICIPAL COURT OF SPOKANE, COUNTY OF SPOKANE, *WA032051J
 DISTRICT COURT STATE OF SPOKANE WASHINGTON

L.E.A. ORI #: WA0320400 COURT OR # 10-249010

THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON

STATE: _____ EXPIRES: _____ PHOTO ID MATCHED
 YES NO

NAME: LAST WASHINGTON FIRST NATHANIEL MIDDLE DANIEL CDL YES NO

AS IF NEW ADDRESS

EMPLOYER: _____ LOCATION: _____

DATE OF BIRTH: 3/77 RACE: B SEX: M HEIGHT: 602 WEIGHT: 200 EYES: BRO HAIR: BLK.

RESIDENTIAL PHONE NO. () CELL/PAGER NO. () WORK PHONE NO. ()

VIOLATION DATE MONTH 07 DAY 25 YEAR 10 TIME 2215 INTERPRETER NEEDED ON OR ABOUT 24 HOUR LANG: _____

AT LOCATION 517 W. 3RD AVE. CITY/COUNTY OF SPOKANE

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

VEHICLE LICENSE NO. STATE EXPIRES VEH. YR. MAKE MODEL STYLE COLOR

TRAILER #1 LICENSE NO. STATE EXPIRES TR. YR. TRAILER #2 LICENSE NO. STATE EXPIRES TR. YR.

OWNER/COMPANY IF OTHER THAN DRIVER

ADDRESS CITY STATE ZIP CODE

ACCIDENT NO. NR. R. I. F. BAC READING COMMERCIAL VEHICLE YES NO HAZMAT YES NO EXEMPT VEHICLE FARM R.V. FIRE OTHER

DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES

1. VIOLATION/STATUTE CODE 10.11.010 DV CITY ASSAULT.

2. VIOLATION/STATUTE CODE 10.07.052 DV OBSTRUCTING.

MANDATORY COURT APPEARANCE OR BAIL FORFEITURE IN U.S. \$ 0

APPEARANCE DATE W/IN PROCEEDED DAY 25 YEAR 10 TIME 1:30 PM RELATED # DATE ISSUED 7/25/10

Served on Violator
 Sent to Court for Mailing
 Referred to Prosecutor

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).
 OFFICER: L. JOHNSON # 650
 OFFICER: LYONS # 929

COMPLAINT / CITATION

CRG	PLEA	CNG	FINDINGS	FINE	SUSPENDED	SUB-TOTAL	FIND/JUDG DATE
1	G NG		G NG D BF	\$	\$	\$	ABS. MLD TO OLY
2	G NG		G NG D BF	\$	\$	\$	TO SERVE
OTHER COSTS \$							WITH DAYS SUSP.
RECOMMENDED NONEXTENSION OF SUSPENSION				LICENSE SUR-RENDER DATE	TOTAL COSTS \$	CREDIT/TIME SVD	

N009163

OFFICER REPORT

REC'D - SNO WAKE POLICE # 60000000
 2010 JUL 26 AM 8 55

I HEREBY INCORPORATE REPORT # 10-244010 A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE. K. Johnson 650

TRAFFIC LT MED HV	WEATHER CL RN FG SN	STREET D W I S	LIGHT D DWN DSK DK
----------------------	------------------------	-------------------	-----------------------

WITNESS NAME (LAST, FIRST, M.I.) _____ PHONE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

WITNESS NAME (LAST, FIRST, M.I.) _____ PHONE _____

ADDRESS _____ CITY _____ STATE _____ ZIP _____

INCIDENT NUMBER 10-244010 RELATED CITATION/INFRACTION NUMBERS _____ OFFICER/NO. K. Johnson 650