

# USE OF FORCE ADMINISTRATIVE REPORT

Date: 10-21-10      Time: 2034      IA Control Number: **F10-084**      Incident Number: 10-350976

Supervisors are to complete this report upon being notified that an officer has:  
 (a) Used force that results in apparent injury (with the exception of marks on the wrist consistent with being handcuffed and slight injury to the face caused during prone cuffing)  
 (b) Applied a Level 2 carotid restraint technique  
 (c) Application of M26 Taser  
 (d) Intentionally discharged their firearm  
**ROUTING:** Copy of Use of Force Administrative Report to Office of Professional Standards.  
 Copy of Use of Force Administrative Report and Incident Report through the chain of command.

Nature of Incident:  
**Domestic Violence Assault 3 counts**

Officer:	Personnel #:	Assignment:	Division/ Unit:
1 Yinger	#698	Patrol	Team 16
2 Carr	#472	Corporal	Team 12
3			
4			

Witness (not in incident report):	Address:	Telephone (H): (W):
Witness (not in incident report):	Address:	Telephone (H): (W):

Arrest		Name # 1:	DOB	Arrest		Name # 2:	DOB
Injured	<input checked="" type="checkbox"/>	Samual Lamere	██████ 78	Injured	<input type="checkbox"/>		
Other	<input type="checkbox"/>			Other	<input type="checkbox"/>		

Treatment at scene by: AMR Transport to hospital by: SPD Photos taken by: Cpl. Carr Type of Injury to Subject #1: Bump to left side of head	Treatment at scene by: Transport to hospital by: Photos taken by: Type of Injury to Subject #2:
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Subject #1's Actions		Subject #2's Actions	
Passive Resistance	<input type="checkbox"/>	Passive Resistance	<input type="checkbox"/>
Active Resistance	<input checked="" type="checkbox"/>	Active Resistance	<input type="checkbox"/>
Assaultive	<input checked="" type="checkbox"/>	Assaultive	<input type="checkbox"/>
Life Threatening:	<input type="checkbox"/>	Life Threatening:	<input type="checkbox"/>

Tactic(s) /Tool(s) Used by Officer(s)	(Officer)	#1	#2
Verbal/Other:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neuro-muscular Controls:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OC/Chemical Application:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leverage Techniques:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Restraint Devices:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Takedown Techniques:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arrest Tactics:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Touch Stun Application of M26 Taser:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fired Probe Application of M26 Taser:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Physical Pursuit Tactics:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Level 1 Carotid Neck Restraint:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Level 2 Carotid Neck Restraint (unconsciousness occurs):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Intentional Discharge of Firearm:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Significant Statements	
None	
Download Time(s) of Taser Application(s)	
Taser Serial Number (If Applicable)	Continued on Additional? Yes <input type="checkbox"/> No <input type="checkbox"/>
Reporting Supervisors Observations/ Recommendations	
Techniques/ tactics used were in compliance with the policy/ procedures of the SPD	<input checked="" type="checkbox"/>
Techniques/ tactics used were <b>NOT</b> in compliance with the policy/ procedures of the SPD	<input type="checkbox"/>
Other:	
Comments (optional): Suspect Lamere was extremely high and intoxicated. He was incoherent and unable to communicate in a logical manner. Based on what I was told at the scene by Cpl. Carr and Yinger and the written statements by both officers, Yingers use of force was within policy of SPD. This report is an accurate representation of facts available to me at the time of my completing this.	
Signature: <i>Sgt. J. Overhoff</i> 4249	Date: 10-24-10
Command Review	
Shift/ Unit Commander	
Techniques/ tactics used were in compliance with the policy/ procedures of the SPD	<input checked="" type="checkbox"/>
Techniques/ tactics used were <b>NOT</b> in compliance with the policy/ procedures of the SPD	<input type="checkbox"/>
Comments (optional): <i>OFFICER YINGER USED APPROPRIATE TECHNIQUES TO CONTROL THE SUSPECT. HIS QUICK THINKING TO EVACUATE THE CITIZENS NEXT DOOR TO THE SUSPECT WAS EXCELLENT GIVEN EVERYTHING HE HAD TO DEAL WITH IN A SHORT PERIOD OF TIME, HE RESOLVED THIS POTENTIALLY DEADLY SITUATION THE SAFEST WAY POSSIBLE.</i>	
Signature: <i>J Walker #216</i>	Date: 10/25/10
Bureau Commander	
Techniques/ tactics used were in compliance with the policy/ procedures of the SPD	<input checked="" type="checkbox"/>
Techniques/ tactics used were <b>NOT</b> in compliance with the policy/ procedures of the SPD	<input type="checkbox"/>
Comments (optional): <i>OFFICERS WERE FACED WITH ① A SUBJECT THEY HAD PC TO ARREST FOR 3 CTS OF ASSAULT, A MANDATORY ARREST, ② seeing him armed with a rifle prior to exiting the house, ③ suspect wearing baggy clothing that was eventually found to be concealing an open folding knife and ④ a suspect who refused to obey lawful commands and physically resisted arrest. All told, officer performed admirably.</i>	
Signature: <i>Capt. John Seal 4668</i>	Date: 11/3/10
Report Filed in Office of Professional Standards	Date:

# INCIDENT REPORT

**Spokane Police/Spokane County Sheriff**

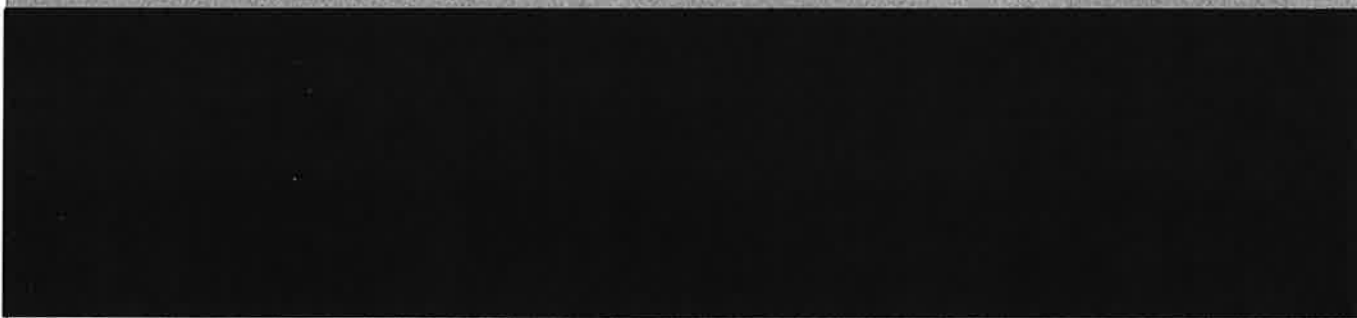
AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>10-350976</b>	
INCIDENT TYPE <b>Arrest, Domestic Violence, Gun Involved</b>		INCIDENT CLASSIFICATION #1 <b>ASSAULT 4TH/CITY</b>		ATTEMPTED <input type="checkbox"/> INCIDENT CLASSIFICATION #2 <b>RESISTING ARREST</b> ATTEMPTED <input 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 <b>Thu 10/21/2010 20:33</b>	DATE/TIME	OCCURRED ON <b>Thu 10/21/2010 20:33</b>	DATE/TIME	OCCURRED TO <b>Thu 10/21/2010 20:33</b>	DISTRICT
DISPATCH TIME	ARRIVED TIME	CLEARED TIME	REPORT DATE <b>10/22/2010</b>	REPORT TIME <b>02:53</b>	EST. TOTAL PROPERTY LOSS
PRIMARY CHARGE <b>M-10.11.010 CITY ASSAULT DV</b>					UCR/NIBRS CODE <b>/ 13B</b>
ADDITIONAL CHARGES <b>M-10.11.010 CITY ASSAULT DV, M-10.11.010 CITY ASSAULT DV, M-10.07.034 RESISTING ARREST</b>					
LOCATION OF INCIDENT <b>E Wellesley, Spokane, WA 99207</b>				LOCATION NAME (IF APPLICABLE)	
SOLVABILITY FACTORS <b>Suspect Arrested, Useful Physical Evidence, Witness to Crime</b>					
RELATED INCIDENT NUMBERS					INCIDENT XREF
ADDITIONAL REPORTING OFFICERS <b>Cpl Carr</b>					
<b>VICTIM/WITNESSES/OTHERS</b> <small>OW-Owner of Property, V-Deceased, W-Witness, IN-Institutional, RU-Runaway, RO-Registered Owner, PS-Passenger, PE-Pedestrian, PC-Pedestrian - Cyclist, O-Other, MIR-Person Mentioned, M-Missing, S-Suspect, G-Legal Guardian, D-Driver, CV-Complainant is Victim, C-Complainant, A-Arrested Person, CON-Contact, V-Victim - Individual, VB-Victim - Business</small>					
CODE <b>V-1</b>	NAME: LAST, FIRST, MIDDLE <b>Wadsworth, Angela Lee</b>			SEX <b>F</b>	RACE/ETHNICITY <b>W-White</b>
	DATE OF BIRTH/AGE <b>1974 35</b>				
HEIGHT <b>5'01"</b>	WEIGHT <b>145</b>	BUILD <b>Medium</b>	HAIR <b>Brown</b>	EYES <b>BRO - Brown</b>	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY, STATE, ZIP			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS			OCCUPATION	EMPLOYER PHONE	
ADDITIONAL PHONES					
DRIVER'S LICENSE <input type="checkbox"/> FAKE		STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE	OTHER ID	
RELATIONSHIP TO SUSPECT <b>Victim was Girlfriend</b>		VICTIM OF Offns. # <b>M-10.11.010 CITY ASSAULT DV</b>		OFNDR. # <b>A-1</b>	
CODE <b>V-2</b>	NAME: LAST, FIRST, MIDDLE <b>Lamere, Joy I</b>			SEX <b>F</b>	RACE/ETHNICITY <b>I-American Indian or</b>
	DATE OF BIRTH/AGE <b>1953 57</b>				
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 <b>#698 - Yinger, Benjamin</b>				DISTRIBUTION	
APPROVAL <b>#331 - Overhoff, David</b>		DATE/TIME <b>10/24/2010 20:56</b>			

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

INCIDENT CLASSIFICATION <b>ASSAULT 4TH/CITY</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>10-350976</b>
RELATIONSHIP TO SUSPECT <b>Victim was Mother</b>	VICTIM OF Offns. # <b>M-10.11.010 CITY ASSAULT DV</b>		OFNDR. # <b>A-1</b>

CODE <b>V-3</b>	NAME: LAST, FIRST, MIDDLE <b>Lamere, Jerry R Jr</b>			SEX <b>M</b>	RACE/ETHNICITY <b>I-American Indian or</b>	DATE OF BIRTH/AGE <b>1973 36</b>
HEIGHT <b>5'08"</b>	WEIGHT <b>200</b>	BUILD <b>Medium</b>	HAIR <b>Brown</b>	EYES <b>BRO - Brown</b>	DESCRIPTORS	
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY, STATE, ZIP			RESIDENTIAL STATUS	PHONE	
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE	
ADDITIONAL ADDRESSES						ADDRESS TYPE
ADDITIONAL PHONES						
DRIVER'S LICENSE <input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. <b>530-29-0678</b>		<input type="checkbox"/> FAKE	OTHER ID	

RELATIONSHIP TO SUSPECT <b>Victim was Brother</b>	VICTIM OF Offns. # <b>M-10.11.010 CITY ASSAULT DV</b>		OFNDR. # <b>A-1</b>
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CODE <b>A-1</b>	NAME: LAST, FIRST, MIDDLE <b>Lamere, Samuel J</b>			SEX <b>M</b>	RACE/ETHNICITY <b>I-American Indian or</b>	DATE OF BIRTH/AGE <b>1978 32</b>	
HEIGHT <b>5'09"</b>	WEIGHT <b>215</b>	BUILD <b>Medium</b>	HAIR <b>Brown</b>	EYES <b>BRO - Brown</b>	DESCRIPTORS		
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY, STATE, ZIP			RESIDENTIAL STATUS	PHONE		
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE		
ADDITIONAL PHONES							
CHARGE LEVEL <b>Gross Misdemeanor</b>		DESCRIPTION <b>M-10.11.010 CITY ASSAULT DV</b>				UCR/NCIC CODE <b>/13B</b>	
WARRANT #	BAIL	TYPE OF ARREST			MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>		

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

INCIDENT CLASSIFICATION <b>ASSAULT 4TH/CITY</b>		ATTEMPTED <input type="checkbox"/>		INCIDENT NUMBER <b>10-350976</b>	
CHARGE LEVEL <b>Gross Misdemeanor</b>	DESCRIPTION <b>M-10.11.010 CITY ASSAULT DV</b>			UCR/NCIC CODE <b>/13B</b>	
WARRANT #	BAIL	TYPE OF ARREST		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CHARGE LEVEL <b>Gross Misdemeanor</b>	DESCRIPTION <b>M-10.11.010 CITY ASSAULT DV</b>			UCR/NCIC CODE <b>/13B</b>	
WARRANT #	BAIL	TYPE OF ARREST		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CHARGE LEVEL <b>Gross Misdemeanor</b>	DESCRIPTION <b>M-10.07.034 RESISTING ARREST</b>			UCR/NCIC CODE	
WARRANT #	BAIL	TYPE OF ARREST		MULTIPLE ARRESTEE SEGMENTS INDICATOR <input type="checkbox"/>	
CITATION # <b>N025509</b>	DATE <b>10/21/2010</b>	TIME <b>20:33</b>	BOOKED WHERE <b>Spokane County Jail</b>		DATE <b>10/21/2010</b>
					TIME <b>21:13</b>
ARREST LOCATION <b>E Broad, Spokane, WA 99207</b>			STATEMENT <input type="checkbox"/> ORAL <input type="checkbox"/> WRITTEN	CHARGES <input type="checkbox"/> ADMITTED <input type="checkbox"/> DENIED	SUSPECT ARMED WITH <b>Knife</b>
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 <input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE	OTHER ID		
TYPE OF INJURY OR ILLNESS/DESCRIBE INJURIES <b>Apparent Minor Injury</b>			TYPE OF VICTIM		MEDICAL RELEASE OBTAINED? <input type="checkbox"/> YES <input type="checkbox"/> NO
HOSPITAL TAKEN TO <b>Holy Family</b>	TAKEN BY	<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> ON DUTY	ATTENDING PHYSICIAN <b>Dr. Chui</b>		SUICIDE NOTE FOUND? <input type="checkbox"/>
NARRATIVE					

On 10-21-10 at about 2037 hrs, I responded to [REDACTED] E Wellesley for a DV call. [REDACTED] reported [REDACTED] Angela L Wadsworth ([REDACTED]74) was being assaulted by her boyfriend, Samuel J Lamere ([REDACTED]78). Samuel was reportedly grabbing Angela. A neighbor from [REDACTED] E Broad called to report hearing two males and a female yelling and possibly physically fighting at [REDACTED] E Wellesley. Samuel reportedly took his mother's vehicle, a red 1999 Ford Taurus, and left W/B on Wellesley. I looked at Samuel's SPRS photo in my car as I was responding to the call.

Cpl Carr and I checked the area when we arrived and did not locate Samuel or the vehicle. We went to [REDACTED] E Wellesley and found Jerry R Lamere ([REDACTED]73) and his girlfriend Melinda E Brown ([REDACTED]54) on the back porch with Angela. Angela was talking to someone on the phone and just hanging up. They all told me that Samuel had been fighting with Angela and left in the red 1999 Ford Taurus. Cpl Carr interviewed Jerry and Melinda outside while I separately interviewed Angela inside. Also at the house were [REDACTED] and Samuel's mother Joy I Lamere ([REDACTED]53).

Angela told me the following: She and Samuel have been in a dating relationship for 3 years and have a child in common. He lives with his mother Joy [REDACTED] Angela came home tonight and found Samuel intoxicated and high on drugs, probably meth. He was angry at her because he believed she was cheating on him. He was arguing with her outside by the back porch in front of Jerry and Melinda. She tried to get away from him and go inside the house. He wanted to keep her outside so she would talk to him. He grabbed her by her arms to prevent her from going inside the house. Joy tried to help and told him to let go of Angela. Samuel pushed Joy. Jerry also tried to help Angela and Joy. Samuel pushed Jerry, knocking him down to the ground. Samuel left in

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

INCIDENT CLASSIFICATION <b>ASSAULT 4TH/CITY</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>10-350976</b>
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Joy's red 1999 Ford Taurus, which had her car keys and purse inside. He also had Angela's keys with him when he left. He called Angela on the phone a few minutes after he left. She believed he called her from a pay phone somewhere. She was talking to him on the phone when we first arrived. She said he knew he was going to jail now.

Angela had no visible injury. She was rubbing her right elbow and said it hurt. She said she possibly banged her elbow on the car while Samuel was grabbing her.

I talked to Joy next. She said Samuel lives with her [REDACTED]. She came over to [REDACTED] E Wellesley tonight to visit. She saw Samuel outside grabbing Angela by her arms. She told Samuel to stop beating her up and to let go of her. She tried to help Angela get away from Samuel, so she pushed Samuel. He then pushed Joy and started "getting tough" with her. Her other son (Samuel's brother) Jerry stepped in to protect Joy and Angela. Joy tried to keep Jerry back so that he and Samuel would not get in a big fight. Samuel pushed Jerry, knocking him down. Joy went inside and told [REDACTED] to call the police. Samuel left in her car.

Joy did not have any visible injury. Angela and Joy both told me Samuel was intoxicated and appeared high on drugs. Joy believed he was going home [REDACTED] possibly. [REDACTED] did not witness any of the assaults because she was inside the house.

I gave Joy and Angela a crime victim card and advised them there was PC to arrest Samuel for three counts of City Assault DV.

Cpl Carr advised me that Jerry was intoxicated and denied seeing any of the assaults. I went outside to talk to Jerry and Melinda. I asked Jerry if Samuel pushed him down. He hesitated, and Melinda told me that she witnessed Samuel push Jerry. Jerry then told me Samuel did push him because he tried to help Angela and Joy. He saw Samuel grab Angela and push Joy. Jerry had no physical injury. Melinda confirmed that she also saw Samuel grab Angela and push Joy.

I advised dispatch there was PC to arrest Samuel for three counts of City Assault DV. Cpl Carr and I went to [REDACTED] E Broad to look for Samuel. The vehicle was not there. I contacted the neighbors at [REDACTED] E Broad, the other half of the duplex with [REDACTED] E Broad. They told me Samuel lives at [REDACTED] but they had not seen him tonight.

Cpl Carr and I approached the house to see if we could hear or see Samuel inside. I went around to the west side of the duplex to see if I could see anyone inside. I heard a male in the front room yelling and crying. He sounded like he was talking on the phone. I heard him say "Let me talk to my woman" and "You guys are ruining my life, my own family." I advised Cpl Carr that I could hear the male inside the house.

I saw the vertical blinds on the kitchen window were partially held open by a kitchen chair. I could see into the kitchen. I heard the male inside walking around in the front room. He then suddenly walked into the kitchen past the window. I immediately recognized the male talking on the phone as Samuel. He was screaming on the phone held up to his head with his right hand. He was holding a small caliber rifle in his left hand. He walked into the kitchen and propped the rifle up against the lower kitchen cabinets.

Samuel did not look in my direction and did not see me outside the kitchen window. I told Cpl Carr that Samuel had a rifle inside and we retreated to cover in the back alley. I advised dispatch to restrict the channel and that Samuel was inside the house armed with a rifle. More units were

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

INCIDENT CLASSIFICATION  
**ASSAULT 4TH/CITY**

ATTEMPTED

INCIDENT NUMBER  
**10-350976**

dispatched to assist.

Cpl Carr took a position in the alley to the N/W of the house. I went around to the east side of the duplex to contact the neighbors and evacuate them. I told them Samuel was armed with a rifle next door. The neighbors went inside to get their children and started evacuating.

I heard the front door of [REDACTED] E Broad open. I moved to a large tree just to the east of the front yard so I could cover the front of the house. I saw Samuel come out the front door and look around for 2-3 seconds. I could not see his entire body from my position, but it appeared he was holding the rifle. He then darted back inside the house out of sight. He apparently heard the sirens from the responding police cars. A short moment later, Samuel came out the front door again and slammed the door behind him. He was wearing a zippered hooded sweatshirt with two front pockets. He jammed his hands into his front pockets of his sweatshirt and ran around to the west side of the duplex like he was headed for the alley. I had my gun drawn and I ran around the corner after Samuel. I saw him quickly walking N/B down the concrete sidewalk toward the alley. Cpl Carr was still somewhere in the alley. I did not have time to get on the radio. I engaged Samuel verbally to alert Cpl Carr that Samuel was now outside and headed his way.

I shouted "police" and told Samuel to show me his hands. He turned around to face me, but did not immediately take his hands out of his pockets. I was concerned he had a weapon inside his front pockets where his hands were. I told him again to show me his hands. He obeyed and put his hands up. He told me he did not do anything. I told him he was under arrest. He asked why. I told him to get down on the ground. I was concerned he might have more weapons on him since I had just seen him armed with a rifle moments before.

Samuel refused to get down on the ground and kept saying he did not do anything. I closed distance and he began backing away from me. I believed he was trying to flee from me and resist arrest. I told him to stop and get on the ground. I grabbed onto the front of his sweatshirt with my left hand and tried to pull him down to the ground. He resisted me by pulling away from me and twisting his body. I managed to pull his upper body down so that he was bent over at the waist, but I could not get him all the way to the ground. He straightened his upper body and turned to face me squarley. I still had a hold of his shirt with my left hand, but my right hand was still holding my gun. I was concerned he would have the advantage if he began fighting me with both of his free hands, while I still had my gun in my right hand. He also had the advantage of out-weighting me by about 30 pounds and had a stocky build. He raised his hands to try to push my hand off of him. I could see his hands were free of any weapons, but I also know he could quickly access any weapons he might have in his pockets unless I quickly took control of him. I holstered my gun and grabbed onto him with both hands. We were facing each other and he was trying to pull away from me and push my arms off of him. He then started to reach into his front pockets, possibly for a weapon. I used a right leg sweep and took Samuel to the ground. He landed on his back on the concrete patio and I heard his head hit the concrete. He tried to roll away. I put my right knee on his chest to hold him down. As I was going down with my knee toward his chest, he moved his head and my right knee glanced off of the side of his head. I then put my right knee squarley on his chest. He was still trying to reach into his front pockets. I took right arm control. Cpl Carr assisted and took control of Samuel's left hand. Samuel tried to pull his hands away from us. I told him to stop resisting arrest. We rolled him onto his

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

INCIDENT CLASSIFICATION <b>ASSAULT 4TH/CITY</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>10-350976</b>
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stomach to attempt to get him into prone handcuffing position. I put my right knee on his back. I was on his right side and Cpl Carr was on his left side. He tried to pull his hands under his body, but we managed to twist both of his arms behind his back into prone handcuffing position. Samuel continued to resist us and was moving around on the ground as I was handcuffing. We managed to handcuff him (dl). He complained it was "police brutality" and he did nothing.

I told Samuel he was under arrest for three counts of City Assault DV and for resisting arrest. I began searching him. I removed a silver Gerber folding knife with a 4 inch blade from his front sweatshirt pocket. The knife blade was open. The knife was in one of the pockets he had his hands in when I first contacted him. He was reaching for the same pocket with the knife when we were fighting to take him into custody.

Samuel sustained bruises to the left and right sides of his head from hitting the concrete patio and struggling on the ground as we were taking him into custody. He was also bleeding from his right ring finger. I saw he had several stitches on the finger and he was bleeding from the stitched wound opening up. Medics responded to examine him.

Sgt Overhoff and Sgt Lundgren responded to the scene and I advised them of what happened. They looked at Samuel. Cpl Carr took photos of Samuel's injuries and of the open knife I found on Samuel. I collected the knife for evidence.

I read Samuel his CR's, but he did not want to waive and answer any questions. I did not question him about the incident.

The house was locked from the inside and nobody else was believed to be inside. Samuel said he did not have Joy's or Angela's keys. He said he did not remember where he parked Joy's car, but it was somewhere within walking distance. Ofc McMurtrey brought Joy back to her house, but she was going to be locked out until her husband came home tonight. I advised her we would check the area for her car.

Samuel was complaining that he was dizzy. I decided to take him to Holy Family hospital to have him medically cleared for jail. I transported him to Holy Family. His injuries were determined to be minor and he was medically cleared for jail.

I transported Samuel to jail. He was booked for three counts of City Assault DV and for one count of Resisting Arrest.

[REDACTED]

I placed the knife on property for evidence.

Around 0245 hrs, I contacted Jerry Lamere Sr, who was still looking for his and Joy's vehicle that Samuel parked somewhere. Cpl Carr found the vehicle parked at North/Nevada by the store parking lot. It was not damaged and Joy's purse was still inside. Jerry Sr came to get the car. He advised me that Joy's and Angela's keys were inside the house when he got home and unlocked the house. He also told me that the rifle Samuel had inside the house belonged to him and was a .22 rifle. The rifle was wrapped up in a sheet in the basement and unloaded prior to tonight. He said there was no ammunition in the house for the rifle. Jerry Sr found the rifle leaning right next to the front door when he came home. He said Samuel was addicted to drugs and refused any drug treatment.

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

INCIDENT CLASSIFICATION <b>ASSAULT 4TH/CITY</b>	ATTEMPTED <input type="checkbox"/>	INCIDENT NUMBER <b>10-350976</b>
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See Cpl Carr's report.

Ofc B Yinger 698

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

AGENCY NAME/SUBSTATION <b>SPD</b>		EVIDENCE NUMBER		INCIDENT NUMBER <b>10-350976</b>	
REPORT PURPOSE			REPORTED ON DATE <b>Thu 10/21/2010</b>	TIME <b>20:37</b>	INCIDENT XREF
INCIDENT CLASSIFICATION #1 <b>ASSAULT 4TH/CITY</b>		ATTEMPTED <input type="checkbox"/>	INCIDENT CLASSIFICATION #2 <b>DOMESTIC DSPT-FMLY</b>		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 <b>10/22/2010</b>	REPORT TIME <b>00:10</b>	
PRIMARY CHARGE					UCR/NIBRS CODE
<b>VICTIM/WITNESSES/OTHERS</b> <small>OW-Owner of Property, V-Deceased, W-Witness, IN-Insttutional, RU-Runaway, RO-Registered Owner, PS-Passenger, PE-Pedestrian, PC-Pedestrian - Cyclist, O-Other, MR-Person Mentioned, M-Missing, S-Suspect, G-Legal Guardian, D-Driver, CV-Complainant &amp; Victim, C-Complainant, A-Arrested Person, CON-Contact, V-Victim - Individual, VB-Victim - Business</small>					
CODE <b>W-1</b>	NAME: LAST, FIRST, MIDDLE <b>Brown, Melinda E</b>			SEX <b>F</b>	RACE/ETHNICITY <b>I-American Indian or</b>
				DATE OF BIRTH/AGE <b>1954 56</b>	
HEIGHT <b>5'08"</b>	WEIGHT <b>158</b>	BUILD <b>Medium</b>	HAIR <b>Brown</b>	EYES <b>BRO - Brown</b>	DESCRIPTORS
CONFIDENTIALITY <input type="checkbox"/>	ADDRESS: STREET, CITY STATE ZIP [REDACTED]			RESIDENTIAL STATUS	PHONE
PLACE OF EMPLOYMENT/SCHOOL/ADDRESS				OCCUPATION	EMPLOYER PHONE
ADDITIONAL PHONES [REDACTED]					
DRIVER'S LICENSE <input type="checkbox"/> FAKE	STATE	SOCIAL SECURITY NO. <input type="checkbox"/> FAKE	OTHER ID [REDACTED]		

**NARRATIVE**

At about 2037hrs on 10-21-10 I responded to [REDACTED] E Wellesley for a report of a domestic disturbance. Radio advised that a 13 year old was calling to report that [REDACTED] was pushing her around.

Upon arrival, I contacted Melinda Brown in the back yard of the address. I asked Melinda what had happened. She told me all she saw was arguing. I asked if she saw anyone getting pushed around, and she said, "No." I also spoke with Jerry Lamere, who was also in the back yard. He also told me that he didn't see anything. It was clear to me that both of them were holding back what actually happened. Jerry was clearly protecting his brother Samuel, and he was directing Melinda by answering my questions for her.

I contacted Ofc. Yinger, who was inside. He told me that he had P.C. for Samuel for 3 counts of DV assault. He told me that the females inside said that Samuel pushed them both, and when Jerry came to step in Samuel pushed him to the ground.

Ofc. Yinger and I went to [REDACTED] E Broad to look for Samuel. Upon arrival, we walked to the front of the duplex. I walked to the west side of the duplex, and I saw that there was a chair that was holding the vertical blinds away from the window. The blinds were far enough away, that I could see into what appeared to be the kitchen area. I slowly walked by the window looking in. I did not see anyone. I made my way to the north side of the duplex to see if the car that Samuel left in was there. I did not see a red Ford Taurus, but did see a maroon Ford Thunderbird in the back. Thinking that this may be the car, I ran the plate. I started to walk back to the west side of the duplex, when Ofc. Yinger came around the side and said, "There is someone in there." Ofc. Yinger was next to

ID NO./NAME OF REPORTING OFFICER <b>#472 - Carr, Michael</b>		DISTRIBUTION	
APPROVAL <b>#432 - Dashiell, Rob</b>	DATE/TIME <b>10/22/2010 01:50</b>		

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

Page 2

INCIDENT CLASSIFICATION  
**ASSAULT 4TH/CITY**ATTEMPTED  
INCIDENT NUMBER  
**10-350976**

the window where the blinds were held away from the window, and he looked in to track the person inside as he walked to the north end of the duplex.

Ofc. Yinger drew his weapon, and said, "He's got a gun! It's a rifle, lets move back!" I ran to take cover behind an RV to the north of the duplex. Ofc. Yinger ran around the east side of the duplex and back to the front.

After about 90 seconds, I heard Ofc. Yinger yelling at someone to get on the ground. I saw a male walking from the south to the north on the west side of the duplex. It was Samuel Lamere, our suspect. I ran from my position to assist Ofc. Yinger in taking him into custody. As I was coming up, I could hear Ofc. Yinger tell the suspect to get on the ground. I heard Ofc. Yinger tell him that at least two times. The male was standing with his hands up, but was continuing to move to the north while looking at Ofc. Yinger. His hands were going from being up to coming down towards the front of the jacket that he had on. I saw Ofc. Yinger grab Lamere's hand, and continue to direct him to get on the ground, but he would not. Ofc. Yinger pushed Lamere in the chest to the ground, while still holding onto his hand. Lamere went to his back and Ofc. Yinger put his knees into Lamere's chest. It appeared to me that Ofc. Yinger did this to limit Lamere's movements. I then came in and grabbed Lamere's left arm and together Ofc. Yinger and I turned Lamere onto his stomach and into a prone cuffing technique. The area where this occurred was very narrow, and we still were unclear if someone else was in the house. We needed to take him into custody quickly due to the fact that there was a rifle in the house, and at that point we were still unclear as to the presence of other occupants. No one else was in the house.

Ofc. Yinger did remove an opened folding blade pocket knife from the pocket of the jacket he was wearing.

I took photos of Lamere's finger, which was bleeding after he was taken into custody. Lamere also had a red mark on the back left side of his head, that possibly occurred when he was taken to the ground. I also took photos of the open knife.

Incident History for: #SP100350976

Received 10/21/10 20:33:07 BY 91108 911154  
 Entered 10/21/10 20:34:53 BY 91108 911154  
 Dispatched 10/21/10 20:37:19 BY PCC01 761  
 Enroute 10/21/10 20:37:19  
 Onscene 10/21/10 20:47:41  
 Closed 10/22/10 00:48:14

Initial Type: DV Final Type: DV (DOMESTIC VIOLENCE)

Initial Priority: 2 Final Priority: 2

Disposition: 1E Source: 9 Primary Unit: B436

Police BLK: SPBBNL

Group: P3 Beat: Map Page: 31

Loc: [REDACTED] E WELLESLEY AV ,SPK [REDACTED] (V)

Loc Info: ACROSS ALLEY

Name: [REDACTED] Addr: [REDACTED] Phone: [REDACTED]

/2034 (911154) ENTRY [REDACTED] IS GRABBING [REDACTED]  
 [REDACTED] UNK MEDICS, UNK WEAPONS, [REDACTED] HAS BE  
 EN DRINKING

/2035 SUPP TXT: [REDACTED] LAMERE, SAM 32YO IM

/2036 (761 ) MISC ,SAMUEL J LAMERE [REDACTED] 78 [REDACTED]

/2036 HOLD

/2036 (911154) SUPP TXT: [REDACTED] WADSWORTH, ANGELA L 35YO HF, SAMS BR  
 OTHER AND HIS GIRLFRIEND ARE O UTSIDE WITH ANGEL  
 A AND SAM. [REDACTED]

/2037 (761 ) MISC ,ANGELA L WADSWORTH [REDACTED] 74 [REDACTED]

/2037 (911154) CHANGE NAM: [REDACTED]  
ADR: [REDACTED]

/2037 (761 ) DISPER B436 #698 YINGER, BENJAMIN

/2037 ASSTER P312 #472 CARR, MICHAEL

/2037 (911154) SUPP TXT: ###

/2040 (911153) SUPP LOC: [REDACTED] E BROAD AV ,SPK,

LOCI: ACROSS ALLEY,

NAM: JEREMY,

ADR: [REDACTED]

PHO: [REDACTED]

TXT: CAN HEAR TWO MALES AND A FEMALE YELLING AT  
EACH OTHER, SOUND PHYSICAL. POSS HIGH. UNK WEAPO  
NS.

/2040 SUPP LOC: [REDACTED] E BROAD AV ,SPK,

NAM: JEREMY,

ADR: [REDACTED]

PHO: [REDACTED]

TXT: ###

/2044 (911169) SUPP

TXT: COMP CB. SAMUEL HAS LEFT WITH HIS MOTHER'S  
VEH. VEH: RED 99 FORD TAURUS, 4 AGO. LEFT WB ON  
WELLESLEY. ###

/2045 (761 ) MISC P312

, POSS SAW VEH ON PERRY

/2047 ONSCNE P312

, 11D UP TO ROWAN

/2047 ONSCNE B436

/2056 (802 ) REMINQ P312

/2056 REMINQ P312

/2056 REMINQ P312

/2057 (761 ) MISC B436

,#####

/2104 MISC B436

, HE'S DRIVING AROUND THE VEH SOMEWHERE, THERE AR  
E 3 COUNTS FOR CITY ASLT DV AGAINST HIM

/2105 (698 ) \*CHGLOC B436

[REDACTED] E BROAD]

/2107 \*ONSCNE B436

/2108 (472 ) \*CHGLOC P312

[REDACTED] E BROAD]

/2108 \*ONSCNE P312

/2110 (802 ) REMINQ P312

/2111 (862 ) \*ASSTER B344

[REDACTED] E BROAD]

#862 KERNKAMP, JAY

#626 MADSEN, MICHELE

/2111 (994 ) \*ASSTER A415

[REDACTED] E BROAD]

#994 BODE, CHRISTOPHER

/2111 (761 ) MISC B436

, MALE HAS A RIFLE AND IS INSIDE, RESTRICT

/2111 (872 ) \*ASSTER B331

[REDACTED] E BROAD]

#872 GREEN, BENJAMIN

/2111 (331 ) \*ASSTER L249

[REDACTED] E BROAD]

#331 OVERHOFF, DAVID

/2111 (216 ) \*ASSTER L166

[REDACTED] E BROAD]

#216 WALKER, JOEY

/2111 (761 ) MISC B436

, WILL ATTEMPT TO EVAC OTHER HALF OF DUPLEX

/2111 (1047 ) \*ASSTER B448

[REDACTED] E BROAD]

#1047 MCMURTREY, CHRISTOPHER

/2111 (761 ) MISC P312

, BRICK DUPLEX, ITS THE WEST SIDE, MID BLOCK, BET  
WEEN STANDARD AND ADDISON

/2112 (647 ) \*ASSTER A317

[REDACTED] E BROAD]

#647 BRAUN, STEVEN SCOTT

/2112 (532 ) \*ASSTER L271

[REDACTED] E BROAD]

#532 LUNDGREN, JUSTIN

/2113 (216 ) \*ONSCNE L166

/2113 (761 ) MISC P312

, SLOW IT DOWN, ONE IN CUSTODY

/2113 (532 ) \*ONSCNE L271  
 /2113 (1047 ) \*ONSCNE B448  
 /2114 (331 ) \*ONSCNE L249  
 /2114 \*ONSCNE L249  
 /2115 (862 ) \*ONSCNE B344  
 /2115 (647 ) \*PREMPT A317  
 /2115 (761 ) MISC B436 ,C4, UNRESTRICT  
 /2115 (994 ) \*PREMPT A415  
 /2118 (761 ) CALLBK B436 T/PCC02  
 ,PLZ START MEDICS FOR ADULT MALE CONC/BREATHING  
 W/ LACERATION TO HIS HAND  
 /2118 (802 ) CALLBK B436 T/PCC01  
 ,MEDICS ADV  
 /2119 (1047 ) \*CHGLOC B448 [REDACTED] E WELLESLEY]  
 /2121 (862 ) \*REMINQ B344 [REDACTED]  
 /2121 \*REMINQ B344 [REDACTED]  
 /2122 (872 ) \*MISC B331 ,PSTAT/ASST  
 /2123 (862 ) \*MISC B344 ,PSTAT/CFS  
 /2123 \*MISC B344 ,PSTAT/CFS  
 /2123 \*CLEAR B344  
 /2124 (872 ) \*CLEAR B331  
 /2125 (1047 ) \*TRANS B448 [REDACTED] E BROAD]  
 /2125 \*TRANS B448 [REDACTED] E BROAD] M/0  
 /2125 (761 ) MISC B448 ,ENR W/ MOM, DOESN'T HAVE THE KEYS, MALE POSS HA  
 S THEM?  
 /2126 (1047 ) \*TRANSC B448 M/.8  
 /2132 (216 ) \*CLEAR L166 ,PSTAT/CFS  
 /2134 (331 ) \*CHGLOC L249 [HFER]  
 /2135 (761 ) TRANS B436 [HOLY FAM]  
 /2136 CALLBK B436 T/PCC02  
 ,PLZ HAVE HF SECURITY MEET US AT THE BACK ER ENT  
 RANCE SO WE DON'T HAVE TO TAKE THIS MALE THRU TH  
 E LOBBY  
 /2136 (532 ) \*MISC L271 ,PSTAT/ASST  
 /2136 (698 ) \*TRANSC B436 M/.6  
 /2137 (532 ) \*CLEAR L271  
 /2137 (331 ) \*ONSCNE L249  
 /2137 (802 ) CALLBK B436 T/PCC01  
 ,SECURITY ENROUTE  
 /2138 (1047 ) \*REMINQ B448 [REDACTED]  
 /2138 \*REMINQ B448 [REDACTED]  
 /2139 \*CLEAR B448 ,8D PSTAT/ASST  
 /2140 (761 ) OK B436  
 /2140 OK L249  
 /2148 (331 ) \*CLEAR L249 ,PSTAT/ASST

/2155	(761	)	REMINQ	B436	[REDACTED]
/2206	(472	)	*CLEAR	P312	,PSTAT/ASST PSTAT/RPT
/2353	(698	)	*TRANS	B436	[JAIL] M/0
					,MALE
/2359	(1008	)	REMINQ	B436	[REDACTED]
/2359			REMINQ	B436	[REDACTED]
*** New Date: 10/22/10 ***					
/0000			REMINQ	B436	[REDACTED]
/0004	(698	)	*TRANSC	B436	M/4.2
/0010			REMINQ	B436	[REDACTED]
'''					
/0015	(1008	)	OK	B436	
/0026	(698	)	*NEWLOC	B436	[DECON]
/0031			*NEWLOC	B436	[PROPERTY]
/0045			*MISC	B436	,SAMUEL LAMERE BOOKED FOR 3 COUNTS CITY ASSAULT DV, 1 COUNT RESISTING ARREST
/0046			*MISC	B436	,PSTAT/CFS PSTAT/RPT PSTAT/MISD PSTAT/MISD PSTAT /MISD PSTAT/MISD
/0048			*CLEAR	B436	DSP: 1E
/0048			CLOSE	B436	



# SPOKANE POLICE DEPARTMENT



ANNE E. KIRKPATRICK  
CHIEF OF POLICE

11/9/2011

RE: F10-084

Information redacted or withheld are exempt from public disclosure for the following 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)).
- 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 and protected under RCW 68.50.105.
- 13. Other: 109 Wn.2d 712, COWLES PUBLISHING v. STATE PATROL