

SUMNER POLICE DEPARTMENT

Pursuit Report Form

SPD Case #: 1932000136 Officer: J.D. Kaylor Jr. Date: 11-16-19 Day of Pursuit: Saturday

Time Initiated: 0212 Critique Performed? Critique Date:

Pursuit Type: ☒ Vehicle ☐ Foot ☐ Bicycle ☐ Motorcycle

Total Units Involved: SPD: 2 OSA: 18 Was There a Collision? No Property Damaged? No

Pursuit Distance: Unknown Total Pursuit Time: 18+ mins Max Pursuit Speed: 80mph

Injuries: ☐ Officer: ☐ Pursuit Capture ☐ Other ☐ Vehicle Post Pursuit Safety
☐ Suspect: ☐ Pursuit Capture ☐ Other Check Completed
☐ Citizen: ☐ Pursuit Capture ☐ Other

Reason Initiated:

- ☒ Felony Criminal
- ☐ Misd. Criminal
- ☐ Traffic Criminal
- ☐ Reported Stolen
- ☐ Unreported Stolen
- ☐ Traffic Offense
- ☐ OSA Assist
- ☐ Other

Weather:

- ☒ Clear
- ☐ Rain
- ☐ Snow
- ☐ Fog

Roadway:

- ☒ Dry
- ☐ Wet
- ☐ Snow / Ice

Lighting:

- ☐ Day
- ☒ Night
- ☐ Dawn
- ☐ Dusk

Traffic Conditions:

- ☒ Light
- ☐ Moderate
- ☐ Heavy

Location:

- ☒ Residential
- ☒ Commercial
- ☐ Industrial
- ☒ Highway
- ☒ Entered City
- ☒ Left City

How Terminated:

- ☒ Suspect Captured
 - ☒ Officer ☐ K/9
- ☐ Suspect Collision
- ☐ Suspect Escape
- ☐ Suspect Loss of Control
- ☐ Suspect Yield
- ☐ Officer / Citizen Safety
- ☐ Officer Collision
- ☐ Supervisor Terminate

Intervention Technique:*

- ☐ PIT > 40 MPH
- ☒ PIT < 40 MPH
- ☐ Blocking / Vehicle Intercept
- ☐ Ramming
- ☐ Boxing-in
- ☐ Roadblock
- ☒ Tire Deflation Device
- ☐ Firearm
- ☐ Other

* NOTE: Complete OPS Supplemental Form When Intervention Technique Is Used.

List All Charges:

Felony DOC Warrant; Eluding; Possession of a Stolen Vehicle; Reckless Driving; DWLS/R 3rd

List Additional Officers Assisting:

SPD Officer M. Eller; PCSO Deputy T. Veal; Algona PD Officer Schreck

Additional Comments:

PIT maneuver < 40mph by PCSO Deputy Veal. Spike strips by Algona PD Officer Schreck.

JL 12/2/19

Sumner Police Department Arrest Report

Incident No. 1932000136.1

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Jurisdiction Agency: Sumner Police Department

PDA:		Homeland Security:		Subject:	Eluding Police Warrant Possession of Stolen Property Fel Arrest	Incident No. 1932000136.1
IBR Disposition:	Arrest	Case Management Disposition:				
Forensics:		Reporting By/Date:	SU120 - Kaylor, John	11/17/2019 20:40:32		
Case Report Status:	Approved	Reviewed By/Date:	SU114 - Kurle, Matt	11/17/2019 20:41:33		

Related Cases:

Case Report Number	Agency
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Non-Electronic Attachments

Attachment Type	Additional Distribution	Count
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Location Address:	6621 166TH Ave E	Location Name:	WINCO FOODS
City, State, Zip:	Sumner, WA 98390	Cross Street:	
Contact Location:		City, State, Zip:	
Recovery Location:		City, State, Zip:	
CB/Grid/RD:	064 - Sumner	District/Sector:	SU03 - Sumner
Occurred From:	11/16/2019 01:47:00 Saturday	Occurred To:	
Notes:			

Offense Details: 8910 - Criminal Arrest Warrant

Domestic Violence:	No	Child Abuse:	No	Gang Related:	No/Unknown	Juvenile:	
Completed:	Completed	Crime Against:		Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:		Type of Security:		Tools:			
Location Type:	Street/Right of Way	Evidence Collected:					
Total No. of Units Entered:							
Entrance Compromised:							
Entry Method:							
Suspect Description:							
Suspect Actions:							
Notes:							

Offense Details: 5450 - Traffic - Pursuit - Eluding

Domestic Violence:	No	Child Abuse:	No	Gang Related:	No/Unknown	Juvenile:	
Completed:	Completed	Crime Against:		Hate/Bias:	None (No Bias)	Using:	
Criminal Activity:		Type of Security:		Tools:			
Location Type:	Street/Right of Way						

Call Source:		Assisted By:	SU125 - Eller, Matthew
Phone Report:		Notified:	
Insurance Letter:		Entered By:	SU120 - Kaylor, John
Entered On:	11/17/2019 17:32:54	Approved By:	SU903 - Duggan, Sherrie
Approved On:	11/18/2019 07:47:53	Exceptional Clearance:	
Adult/ Juvenile Clearance:		Exceptional Clearance Date:	
Additional Distribution:		Other Distribution:	
Validation Processing	Distribution Date: 11/18/2019	County Pros. Atty. X	Juvenile
	By: DUGGAN, SHERRIE	City Pros. Atty.	Military
		Other	CPS
		DSHS	PreTrial
			Supervisor:
Records has the authority to ensure correct agency, CB/Grid/RD, and District/Sector are incorporated in the report.		Printed: December 03, 2019 - 12:35 PM Printed By: Cowdrey, Bree	

Total No. of Units Entered:	Evidence Collected:	
Entrance Compromised:		
Entry Method:		
Suspect Description:		
Suspect Actions:		
Notes:		

Offense Details: 2804 - Possess Stolen Property - PSP

Domestic Violence:	No	Child Abuse:	No	Gang Related:	No/Unknown	Juvenile:	
Completed:	Completed	Crime Against:	PR	Hate/Bias:	None (No Bias)		
Criminal Activity:	Operating/Promoting/Assisting Possessing/Concealing					Using:	
Location Type:	Street/Right of Way		Type of Security:			Tools:	
Total No. of Units Entered:			Evidence Collected:				
Entrance Compromised:							
Entry Method:							
Suspect Description:							
Suspect Actions:							
Notes:							

Offense Details: 5405 - Traffic - Reckless Driving

Domestic Violence:	No	Child Abuse:	No	Gang Related:	No/Unknown	Juvenile:	
Completed:	Completed	Crime Against:		Hate/Bias:	None (No Bias)		
Criminal Activity:						Using:	
Location Type:	Street/Right of Way		Type of Security:			Tools:	
Total No. of Units Entered:			Evidence Collected:				
Entrance Compromised:							
Entry Method:							
Suspect Description:							
Suspect Actions:							
Notes:							

Offense Details: 5407 - Traffic - Driving Suspended / Revoked / DWLS / DWLR

Domestic Violence:	No	Child Abuse:	No	Gang Related:	No/Unknown	Juvenile:	
Completed:	Completed	Crime Against:		Hate/Bias:	None (No Bias)		
Criminal Activity:						Using:	
Location Type:	Street/Right of Way		Type of Security:			Tools:	
Total No. of Units Entered:			Evidence Collected:				
Entrance Compromised:							
Entry Method:							
Suspect Description:							
Suspect Actions:							
Notes:							

Arrestee A1: Mcfetridge, Roman Marcus

PDA:

Aliases:							
DOB:	8/3/1979	Age:	40	Sex:	Male	Race:	White
Height:	5' 11"	Weight:	200	Hair Color:			Eye Color:
Address:	410 4TH Ave			County:			Phone:

Sumner Police Department Arrest Report

Jurisdiction Agency: Sumner Police Department

Incident No. 1932000136.1

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City, State Zip:	Seattle, WA 98104-2308		Country:		Business Phone:	
Other Address:					Other Phone:	
Resident:	Nonresident	Occupation/Grade:			Employer/School:	
SSN:		DOC No:	779985		FBI No:	270814CB6
State ID:	WA17978084	Local CH No:				
Driver License No:	WDL5T6BG273B	Driver License State:	Washington		Driver License Country:	United States of America
Hair Length:		Glasses:			Facial Hair:	
Hair Style:		Teeth:			Facial Shape:	
Hair Type:		Speech:			Complexion:	
Appearance:		Right/Left Handed:			Facial Feature Oddities:	
SMT:					Distinctive Features:	
Attire:					Body Build:	
Gangs:					Tribe Affiliation:	
Significant Trademarks:					Identifiers:	
Suspect Pretended to Be:			Modus Operandi:			
Place Of Birth:		Habitual Offender:			Custody Status:	
Date/Time Arrested:	11/16/2019 02:29:00	Booked Location:	Pierce County Jail		Date/Time Booked:	11/16/2019 06:45:00
Arrest Location:		Released Location:			Held For:	
Arrest Offense:	2804 - Possess Stolen Property - PSP 5405 - Traffic - Reckless Driving 5407 - Traffic - Driving Suspended / Revoked / DWLS / DWLR 5450 - Traffic - Pursuit - Eluding 8910 - Criminal Arrest Warrant				Date/Time Released:	
Arrest Type:	Booked - Warrant or Previous Probable Cause				Juvenile Disposition:	
Presence of / Access to Firearms:		Armed With:	Unarmed		Adult Present Name:	
Miranda Read:	Yes	Miranda Waived:	Yes		Detention Name:	
No. Warrants:	1	Multi. Clearance:	Not Applicable		Notified Name:	
Fingerprints:		Photos:	No		Previous Offender:	
Type of Injury:					Fire Dept Response:	
Hospital Taken To:		Medical Release Obtained:			Taken By:	
Attending Physician:			Hold Placed By:			

New Charges

Arrest #	Book/Cite	Charge Description – RCW/Ordinance	Free Text Charge Description	Court	Bail	Count
1	Book	F - - Attempting To Elude A Pursuing Police Vehicle - RCW - 46.61.024		Pierce County Superior Court		1
1	Book	F - - Possession of a stolen motor vehicle - - 9A.56.068		Pierce County Superior Court		1
1	Book	G - SUMPD - Reckless Driving - RCW - 46.61.500		Pierce County Superior Court		1
1	Book	M - SUMPD - Driving While License Suspended 3rd degree - RCW - 46.20.342.1C		Pierce County Superior Court		1

Warrants

Arrest #	Warrant #	Warrant Case #	Free Text Charge Description	Agency	Court	Bail
1	2715102913 6	779985			SUPER	NO

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Arrest Notes:

Probable Cause:

Victim V1: Wester, Wyatt

PDA:

Aliases:											
DOB:		Age:	00	Sex:	Male	Race:	Unknown	Ethnicity:	Non-Hispanic		
Height:		Weight:		Hair Color:				Eye Color:			
Address:					County:			Phone:	253-332-9856		
City, State Zip:					Country:			Business Phone:			
Other Address:							Other Phone:				
Resident:	Nonresident			Occupation/Grade:				Employer/School:			
SSN:								Place of Birth:			
Driver License No:				Driver License State:				Driver License Country:			
Attire:							Complexion:				
SMT:							Facial Hair:				
Victim Of:	2804 - Possess Stolen Property - PSP						Facial Shape:				
Victim Type:	Individual			Circumstances:				Weapon Used:			
Injury:				Testify:				Reporting Statement Obtained:			
Type of Injury:							Fire Dept Response:				
Hospital Taken To:				Medical Release Obtained:				Taken By:			
Attending Physician:				Hold Placed By:							

Victim Offender Relationships

Offender:	Relationship:
A1 - Mcfetridge, Roman Marcus	Victim Was Stranger

Law Enforcement Officer Killed or Assaulted Information	Type:		Justifiable Homicide Circumstances:	
	Assignment:			
	Activity:			

Victim Notes:

Other Entity O1: Wester, Wyatt

PDA:

Aliases:											
DOB:		Age:	00	Sex:	Male	Race:	Unknown	Ethnicity:	Non-Hispanic		
Height:		Weight:		Hair Color:				Eye Color:			
Address:					County:			Phone:	253-332-9856		
City, State Zip:					Country:			Business Phone:			
Other Address:							Other Phone:				
Resident:	Nonresident			Occupation/Grade:				Employer/School:			
SSN:								Place Of Birth:			
Driver License No:				Driver License State:				Driver License Country:			
Attire:							Complexion:				
SMT:							Facial Hair:				
Entity Type:	Vehicle Registered Owner			Reporting Statement Obtained:				Facial Shape:			
Entity Notes:											

Property Item No. 1/1: 3504 - Vehicle - Automobile / Car (Stolen In Other Jurisdictions And Recovered Locally)

Other Common Item:		Photographed:	
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Printed: December 03, 2019 - 12:35 PM
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Description:	Fingerprinted:
Quantity: 1	Contents Sampled:
Finding Location:	Owner: O1 - Wester, Wyatt
Status: R - Recovered Only-Other Agency Recovered Property (PSP And Vehicle Recovery)	Value: 8000
Recovered Date: 11/17/2019	Make/Brand:
Recovered Value: 8000	Model:
Field Tested:	Serial No:
Field Test Results:	OAN:
Property Disposition: Towed	Insurance Company:
Disposition Location:	Policy No:
Vehicle Information:	
License: CPD3353	Locked:
License State: Arizona	Keys in Vehicle:
License Country: USA	Delinquent Payment:
Vehicle Year: 2015	Victim Consent:
Make: Nissan	Drivable:
Model: Sentra	Estimated Damage:
Vehicle Style: 4 Door Automobile, sedan	Damage:
Primary Vehicle Color: Black	Damaged Area:
Secondary Vehicle Color:	Tow Company: Pro Tow
VIN: 3N1AB7AP8FY363697	Tow Consent:
Special Features:	Hold Requested By:
Drug Information:	
Drug Type:	Drug Measure:
Drug Quantity:	Drug Measure Type:
Jewelry Information:	
Metal Color:	Total # of Stones:
Metal Type:	Inscription:
Stone Color:	Generally Worn By:
Firearm Information:	
Caliber:	Length:
Gauge:	Finish:
Action:	Grips:
Importer:	Stock:
Property Notes:	

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified			Operators Name	

Property Item No. 2/2: 1323 - Evidence - Photo / Audio / Video / Data - CD / DVD / Blu-Ray Disc - Officer Generated

Other Common Item:	Photographed:
Description:	Fingerprinted:
Quantity: 13	Contents Sampled:
Finding Location:	Owner:
Status: E - Evidence (Including Other Seized Property And Tools)	Value:
Recovered Date:	Make/Brand:
Recovered Value:	Model:

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Field Tested:		Serial No:	
Field Test Results:		OAN:	
Property Disposition:	Transferred To Case Images	Insurance Company:	
Disposition Location:		Policy No:	
Vehicle Information:			
License:		Locked:	
License State:		Keys in Vehicle:	
License Country:		Delinquent Payment:	
Vehicle Year:		Victim Consent:	
Make:		Drivable:	
Model:		Estimated Damage:	
Vehicle Style:		Damage:	
Primary Vehicle Color:		Damaged Area:	
Secondary Vehicle Color:		Tow Company:	
VIN:		Tow Consent:	
Special Features:		Hold Requested By:	
Drug Information:			
Drug Type:		Drug Measure:	
Drug Quantity:		Drug Measure Type:	
Jewelry Information:			
Metal Color:		Total # of Stones:	
Metal Type:		Inscription:	
Stone Color:		Generally Worn By:	
Firearm Information:			
Caliber:		Length:	
Gauge:		Finish:	
Action:		Grips:	
Importer:		Stock:	
Property Notes:			

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified			Operators Name	

Investigative Information

Means:		Motive:	
Vehicle Activity:		Direction Vehicle Traveling:	

Synopsis:	Pursuit of a known felony warrant suspect.
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Narrative:	<p>On 11-16-19 at approximately 0147hrs I responded to the parking lot of WINCO Foods, located at 6621 166th Ave. E., Sumner, WA for a report of a subject with a felony warrant on site and in a vehicle. Officer M. Eller also responded to the call. Both Officer Eller and I were driving clearly marked police vehicles with decals on the side and equipped with overhead emergency lights and sirens. Officer Eller and I were also both wearing our standard issued Sumner Police Department uniforms with badges on the front and department patches on the upper sleeves.</p> <p>The Reporting Party informed Communications that a man named Roman McFarland who was recently profiled on Washington's Most Wanted (WMW) was currently in the parking lot in a black 4-door Nissan sedan with dealer plates. I spoke with the Reporting Party by phone and was informed that the information was given to him, based on a positive identification by an acquaintance of his who knows McFarland. I looked on line and located a WMW story on Roman Marcus McFetridge (DOB 08-03-79) who was a 30-time felon, currently wanted for a parole violation stemming from a conviction for Vehicular Assault</p>
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and four counts of Identity Theft, and also wanted for a recent truck theft. I arrived on scene and as I entered the parking lot I saw what I believed to be the suspect vehicle leave its parking space and quickly head for the exit. I went after the vehicle and caught up to it on westbound State Route 410 and confirmed the information I'd been given and then activated my overhead emergency lights. The Nissan immediately accelerated to high rate of speed and I activated my siren and informed Communications that the vehicle had taken off from me. Officer Eller followed me with his lights and sirens activated as well.

The Nissan continued on westbound SR 410 at speeds of 70mph on a dry and clear roadway and then at the interchange with SR167 and SR 512 it merged onto southbound SR 167. We continued on SR 167 until we reached N. Meridian in the City of Puyallup and then turned right and headed northbound on N. Meridian into the City of Edgewood at speeds still at 70mph. We continued northbound on Meridian Ave. E. (same roadway just a name change) at speeds of 80mph and were joined in the pursuit by Pierce County Sheriff/Edgewood Deputy Veal. At one point in the area of 22nd St. E. the Nissan passed another northbound vehicle by driving into the on-coming lane of traffic but there was no on-coming traffic at the time. As we approached the city limits of the City of Milton at Taylor St. E./16th St. E. Milton P.D. Officer R. Hume deployed spike strips and radioed that he had made positive contact with the vehicle. We continued after the Nissan, now joined by more Pierce County Deputies and Milton P.D. Officers at speeds in the 70's. I was anticipating that the Nissan would slow down or start to lose its tires but it didn't do either and it became apparent that it likely did not drive over the spike strips. The Nissan made a right turn onto eastbound 8th St. E. and continued into Edgewood at speeds of 50mph on a clear and dry roadway. The Nissan drove through Edgewood on arterial roadways during which time speeds were maintained in the vicinity of 50mph, it turned its lights off and "blacked out" for approximately 10 seconds, drove through four stop signs, and through a red light. Eventually the pursuit went down Sumner Heights Dr. and into the City of Sumner and the Nissan ran the red light as it drove through the intersection with West Valley Highway (WVH) and then continued northbound on WVH. In approximately the 4800 block of WVH Deputy Veal passed me and took over the #1 spot in the pursuit so that he could attempt to utilize a PIT maneuver and disable the vehicle. Each time Deputy Veal attempted to get into position to PIT the Nissan it would swerve across the roadway and brake check the deputy. We continued northbound on WVH out of Sumner and back into Edgewood at speeds of 70mph where the Nissan drove through the red light at Jovita Boulevard E. and drove into the City of Pacific in King County. The Nissan continued northbound on WVH and drove through the stop sign at 3rd Ave. SW. As the pursuit neared Ellingson Rd. the Nissan drove over spike strips that had been deployed by Algona P.D. Officer Schreck. The Nissan continued northbound into the City of Algona, eventually slowing down due to severe tire damage and was then PIT'd by Deputy Veal in the 35400 block of West Valley Highway South.

Multiple deputies and officers drew their weapons and the driver was ordered out of the vehicle and onto the ground. The driver initially ignored commands to show his hands and exit the vehicle but eventually complied and was taken into custody at 0229hrs. As the driver stood up I immediately recognized him as Roman Marcus McFetridge from his WMW photos. McFetridge was lethargic in his movements and quiet and slow in his speech but was cooperative. Officer Eller took McFetridge into his custody and placed him in the back of his patrol car and then drove him to the Sumner Police Department. I checked the Vehicle Identification Number (VIN) on the Nissan through Communications and it returned as being entered as a stolen out of Puyallup on 11-15-19. A subsequent check of McFetridge's driving status through Communications returned that his driving privilege was suspended in the 3rd degree. I also later verified his DOC warrant for Escape Community Custody for Vehicular Assault (Warrant #27151029136).

I took 13 digital photos of the interior and exterior of the vehicle to include its positioning after the PIT as well as the VIN. All photos were later uploaded to the Case Images file attached to this report in Enforcer. Inside the vehicle in the driver's cup holder I observed a can of Twisted Tea raspberry hard iced tea that was open, not full, and cold to the touch. I requested the next tow in rotation and Pro Tow was dispatched to my location and took possession of the Nissan (see submitted Tow/Impound form). I also contacted the registered owner of the vehicle, Wyatt Wester and informed him of the vehicle's recovery, current condition, and the tow company.

I returned the Sumner Police Department and contacted McFetridge. As we spoke, McFetridge was still lethargic and I observed that his eyes were extremely red and watery, his pupils were dilated and his face was flush. I believed that these conditions may have been due to alcohol consumption and I informed McFetridge I was going to process him for suspicion of Driving Under the Influence. I asked McFetridge if he would voluntarily submit to some Standard Field Sobriety Tests and he stated that he wasn't drunk and was

just extremely tired but agreed to the testing. Because of McFetridge's criminal history I didn't feel it was safe to remove him from handcuffs for the normal battery of tests so I only performed the Horizontal Gaze Nystagmus Test in accordance with my training. McFetridge sat on a chair and I checked his eyes and they tracked equally and his pupils were equal as well. I administered the Horizontal Gaze Nystagmus Test and McFetridge showed a lack of smooth pursuit in both eyes but did not move his head in order to follow the stimulus. McFetridge did not show nystagmus at maximum deviation in his eyes and also did not show the onset of nystagmus prior to 45 degrees. McFetridge showed no signs of vertical nystagmus or signs of resting nystagmus.

At approximately 0429hrs I read McFetridge his Constitutional Rights from the DUI Arrest Report packet. McFetridge answered "Yes" when asked if he understood his rights but could not sign the form indicating he'd had his rights read to him because he was in handcuffs. McFetridge agreed to voluntarily waive his rights and stated "Yeah I suppose" that his statements would be made freely, voluntarily and without threats or promises of any kind. McFetridge could again not sign the form indicating that he had waived his rights because he was still in handcuffs. I read McFetridge the Implied Consent Warning for Breath from the DUI Arrest Report packet and he stated "Yes" that he'd had the warning read to him but could not sign the form indicating that they'd been read to him because he was in handcuffs. At 0431hrs McFetridge agreed to submit to a test of his breath. McFetridge showed no signs of confusion regarding the reading of the Implied Consent Warning and answered "No" when I asked him if any portion was confusing or if he wanted me to read it again.

At 0433hrs I asked McFetridge if he had any foreign substances in his mouth and he replied that he did not. I checked McFetridge's mouth for foreign substances and did not find any. At this point I began the 15 minute observation period. I asked McFetridge if he would answer the DUI Interview questions from the DUI Arrest Report packet and he declined.

I monitored McFetridge for the full 15 minute observation period during which time he did not put anything into his mouth, nor vomit/regurgitate any alcohol. McFetridge then voluntarily provided a breath sample of 0.000g/210L (Sample 1 IR Result) and 0.000g/210L Sample 1 EC Result) and a breath sample of 0.000g/210L (sample 2 IR Result) and 0.000 (Sample 2 EC Result) on the Dräger Alcotest 9510 machine (see submitted breath analysis document).

At approximately 0625hrs McFetridge was placed in the backseat of my patrol car and transported to the Pierce County jail where he was booked on his DOC warrant and the following charges:

Eluding - R.C.W 46.61.024
Possession of a Stolen Vehicle - R.C.W. 9A.56.068
Reckless Driving - R.C.W. 46.61.500
DWLS/R 3rd Degree - R.C.W. 46.20.342.1C

Forward to the Pierce County Prosecutor's Office.
File report.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

Officer J.D. Kaylor Jr. / #120

Reviewed By:

Reviewed Date:

SUMNER POLICE DEPARTMENT - O.P.S. Report

Disposition /Recommendations

OPS Number: 22-0014 Date Received: 07/18/22 Date Reviewed: 07/18/22

Allegations: Other (explain) Pursuit

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Discrimination | <input type="checkbox"/> Use of Force | <input type="checkbox"/> F.T.A. Court | <input type="checkbox"/> Slow - No Response |
| <input type="checkbox"/> Dishonesty | <input type="checkbox"/> Neglect of Duty | <input type="checkbox"/> Failed Probation | <input type="checkbox"/> Appearance For Duty |
| <input type="checkbox"/> Traffic | <input type="checkbox"/> Insubordination | <input type="checkbox"/> Harassment | <input type="checkbox"/> Accidental Discharge |
| <input type="checkbox"/> Theft | <input type="checkbox"/> Violation of Policy | <input type="checkbox"/> Sexual Harassment | <input type="checkbox"/> Preventable Accident |
| <input type="checkbox"/> Vandalism | <input type="checkbox"/> Failed to Act | <input type="checkbox"/> Conduct Unbecoming | <input type="checkbox"/> Unlawful Search/Seizure |
| <input type="checkbox"/> Discourtesy | <input type="checkbox"/> Dereliction of Duty | <input type="checkbox"/> Civil Right Violation | <input type="checkbox"/> False Arrest/Imprisonment |

Findings:



- ☐ Unfounded
☐ Exonerated
☐ Not Sustained
☐ Sustained
☐ Misconduct Not Based on Orig. Complaint

Supervisor Review Comments and Findings

Employee(s): R Allensworth /

Complaint 1: Pursuit	Finding: <u>Within Policy</u> Disposition: Pursuit of suspected DUI, appropriately self-terminated when risk did not justify continuing.
Complaint 2:	Finding: Disposition:
Complaint 3:	Finding: Disposition:

Contacted complainant via phone, email, or letter to notify of disposition: ☐ YES ☒ NO Date/Time: _____

Supervisor <u>DC McCurdy</u> <small>Rank/Name</small>	<u></u> <small>Signature</small>	<u>07/18/22</u> <small>Date</small>
Supervisor _____ <small>Rank/Name</small>	_____ <small>Signature</small>	_____ <small>Date</small>
Supervisor _____ <small>Rank/Name</small>	_____ <small>Signature</small>	_____ <small>Date</small>
<div style="display: flex; justify-content: space-between;"> <div> Chief of Police <u></u> <small>Signature</small> </div> <div> <u>7-19-22</u> <small>Date</small> </div> </div>		

SUMNER POLICE DEPARTMENT
Supervisor's Report of Pursuit Critique

SPD Case Number: 2219300214

Date/Time of Pursuit: 7/12/22 03:18
Date Time

Date/Time of Critique: 7/19/22 15:00
Date Time

Officers Present and if involved in pursuit:

Allensworth	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

Was this pursuit within department Manual of Standards guidelines? Yes ☒ No ☐ Explain below:

As authorized, Officer Allensworth initiated the pursuit of a suspected DUI driver. The pursuit was self-terminated when the suspect's driving became too dangerous to justify continuing.

Justification for pursuit:

Suspected DUI driver.

Location of start of pursuit: Tacoma Ave/Puyallup St

Location of end of pursuit: West Valley/Jovita

Describe suspect actions during pursuit:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Weaving | <input checked="" type="checkbox"/> Ran Stop Sign | <input type="checkbox"/> Ran Traffic Signal |
| <input type="checkbox"/> Rammed Other Vehicle | <input type="checkbox"/> Forced Other Off Road | <input checked="" type="checkbox"/> Drove Off Road |
| <input type="checkbox"/> Drove on Wrong Side | <input checked="" type="checkbox"/> Lane Changes | |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Other: _____ | |

Narrative (Lessons learned, suggested improvements, what went well, etc.):

Officer Allensworth did a good job articulating driving behavior consistent with likely DUI driver to justify initiating the pursuit. The report mentions that Senior Officer Patten "acknowledged he was aware" of the pursuit but did not specifically say that he gave permission for the pursuit. Officer Allensworth appropriately self-terminated when the suspect's driving became too dangerous to justify continuing.

Supervisor

Andy Melton
Print Name

Supervisor's Signature: _____



SUMNER POLICE DEPARTMENT

Pursuit Report Form

SPD Case #: 2219300214 Officer: Allensworth #133 Date: 07/12/22 Day of Pursuit: 07/12/22

Time Initiated: 0318 hours Critique Performed? No Critique Date: N/A

Pursuit Type: ☒ Vehicle ☐ Foot ☐ Bicycle ☐ Motorcycle

Total Units Involved: SPD: 1 OSA: 0 Was There a Collision? No Property Damaged? No

Pursuit Distance: 6.5 miles Total Pursuit Time: 3 minutes Max Pursuit Speed: 90MPH

Injuries: ☐ Officer: ☐ Pursuit Capture ☐ Other ☒ Vehicle Post Pursuit Safety Check Completed
☐ Suspect: ☐ Pursuit Capture ☐ Other
☐ Citizen: ☐ Pursuit Capture ☐ Other

Reason Initiated:

- ☐ Felony Criminal
- ☐ Misd. Criminal
- ☒ Traffic Criminal
- ☐ Reported Stolen
- ☐ Unreported Stolen
- ☐ Traffic Offense
- ☐ OSA Assist
- ☒ Other Possible DUI

Weather:

- ☒ Clear
- ☐ Rain
- ☐ Snow
- ☐ Fog

Roadway:

- ☒ Dry
- ☐ Wet
- ☐ Snow / Ice

Lighting:

- ☐ Day
- ☒ Night
- ☐ Dawn
- ☐ Dusk

Traffic Conditions:

- ☒ Light
- ☐ Moderate
- ☐ Heavy

Location:

- ☐ Residential
- ☐ Commercial
- ☒ Industrial
- ☐ Highway
- ☐ Entered City
- ☒ Left City

How Terminated:

- ☐ Suspect Captured
 - ☐ Officer ☐ K/9
- ☐ Suspect Collision
- ☐ Suspect Escape
- ☐ Suspect Loss of Control
- ☐ Suspect Yield
- ☒ Officer / Citizen Safety
- ☐ Officer Collision
- ☐ Supervisor Terminate

Intervention Technique:*

- ☐ PIT > 40 MPH
- ☐ PIT < 40 MPH
- ☐ Blocking / Vehicle Intercept
- ☐ Ramming
- ☐ Boxing-in
- ☐ Roadblock
- ☐ Tire Deflation Device
- ☐ Firearm
- ☐ Other _____

* NOTE: Complete OPS Supplemental Form When Intervention Technique Is Used.

List All Charges:

Possession Stolen Property (Vehicle)
Eluding (Felony)

List Additional Officers Assisting:

Officer Patten #121

Additional Comments:

Following the pursuit, I performed a walk around of my patrol vehicle ensuring no damage had occurred. I made sure the brakes/tires and steering components were all visually in good working condition. This was further confirmed with a test drive, in which I drove my patrol vehicle around an empty parking lot and tested said components. The pursuit was fairly brief, contained to paved surfaces and never involved my patrol vehicle colliding with any objects such as a curb, nor the use of a PIT maneuver. See case report for more information.

more \$114

Sumner Police Department Incident Report

Incident No. 2219300214.1
Jurisdiction Agency: Sumner Police Department

Page 1 of 4

PDA:	Homeland Security:	Subject:	Eluding Police Ofcr Video Vehicle Pursuit	Incident No. 2219300214.1
IBR Disposition:	Not Applicable	Case Management Disposition:		
Forensics:		Reporting By/Date:	SU133 - Allensworth, Rodney 7/12/2022 19:54:12	
Case Report Status:	Approved	Reporting Officer Video:	Yes	
		Reviewed By/Date:	SU114 - Kurle, Matt 7/12/2022 20:27:21	

Related Cases:

Case Report Number	Agency
K22006997	Kitsap County Sheriffs

Non-Electronic Attachments

Attachment Type	Additional Distribution	Count
Location Address:	Puyallup St/Tacoma Ave	Location Name:
City, State, Zip:	Sumner, WA 98390	Cross Street:
Contact Location:		City, State, Zip:
Recovery Location:		City, State, Zip:
CB/Grid/RD:	062 - Sumner	District/Sector:
Occurred From:	7/12/2022 03:17:00 Tuesday	Occurred To:
Potential Officer Video:		
Notes:		

Offense Details: 5450 - Traffic - Pursuit - Eluding

Domestic Violence:	No	Child Abuse:		Gang Related:	No/Unknown	Juvenile:	
Completed:	Completed	Crime Against:		Hate/Bias:	None (No Bias)	Using:	
Cargo Theft:		Criminal Activity:		Type of Security:		Tools:	
Location Type:	Street/Right of Way	Evidence Collected:					
Total No. of Units Entered:							
Entrance Compromised:							
Entry Method:							
Suspect Description:	Unknown						
Suspect Actions:							
Notes:							

Incident may have Officer Video: Yes		Assisted By:		SU121 - Patten, Ken	
Call Source:	Field	Notified:		Officer Patten #121	
Phone Report:		Entered By:		SU133 - Allensworth, Rodney	
Insurance Letter:		Approved By:		SU905 - Medina, Dan	
Entered On:	7/12/2022 19:22:47	Exceptional Clearance:			
Approved On:	7/13/2022 07:32:52	Exceptional Clearance Date:			
Adult/ Juvenile Clearance:		Other Distribution:			
Additional Distribution:					
Validation Processing	Distribution Date: 7/13/2022	County Pros. Atty.	Juvenile	Other	CPS
	By: MEDINA, DAN	City Pros. Atty.	Military	DSHS	PreTrial
Records has the authority to ensure correct agency, CB/Grid/RD, and District/Sector are incorporated in the report.		Printed: July 18, 2022 - 1:09 PM Printed By: McCurdy, Andy			

Other Entity O1: Williams, Nathaniel J.

PDA:

Aliases:		DOB:		Age: 00	Sex: Male	Race: Unknown	Ethnicity: Non-Hispanic
Height:	Weight:	Hair Color:		Eye Color:			
Address: Unknown		County:		Phone:			
City, State Zip:		Country:		Business Phone:			
Other Address:				Other Phone:			
Email Address:							
Resident: Nonresident		Occupation/Grade:		Employer/School:			
SSN:		Driver License State:		Place Of Birth:			
Driver License No:				Driver License Country:			
Attire:				Complexion:			
SMT:				Facial Hair:			
Entity Type: Vehicle Registered Owner		Reporting Statement Obtained:		Facial Shape:			
Entity Notes:							

Property Item No. 1/1: 3582 - Vehicle – Truck – Tractor / Semi (All Statuses)

Other Common Item:		Photographed:	
Description:		Fingerprinted:	
Quantity: 1		Contents Sampled:	
Finding Location:		Owner: O1 - Williams, Nathaniel J.	
Status: S - Stolen/Etc. (Bribed/Defrauded/Embezzled/Ransomed, etc., includes Identity Theft)		Value: 25000	
Recovered Date:		Make/Brand:	
Recovered Value:		Model:	
Field Tested:		Serial No:	
Field Test Results:		OAN:	
Property Disposition:		Insurance Company:	
Disposition Location:		Policy No:	
Vehicle Information:			
License: B40669X		Locked:	
License State: Washington		Keys in Vehicle:	
License Country: USA		Delinquent Payment:	
Vehicle Year: 2007		Victim Consent:	
Make: Ford		Drivable:	
Model: F250		Estimated Damage:	
Vehicle Style: Pickup		Damage:	
Primary Vehicle Color: Maroon / Burgundy		Damaged Area:	
Secondary Vehicle Color:		Tow Company:	
VIN: 1FTSW21P37EA44960		Tow Consent:	
Special Features: With Locking Color Matched Canopy/Camper		Hold Requested By:	
Drug Information:			
Drug Type:		Drug Measure:	
Drug Quantity:		Drug Measure Type:	
Jewelry Information:			
Metal Color:		Total # of Stones:	
Metal Type:		Inscription:	
Stone Color:		Generally Worn By:	
Firearm Information:			
Caliber:		Length:	

Sumner Police Department Incident Report**Incident No. 2219300214.1**

Page 3 of 4

Jurisdiction Agency: Sumner Police Department

Gauge:		Finish:	
Action:		Grips:	
Importer:		Stock:	
Property Notes:			

Enter	Date	Time	WACIC	LESA	Initial	Release Info.	Date	Time	Release No.	Release Authority
Clear						Owner Notified			Operators Name	

Investigative Information

Means:		Motive:	
Vehicle Activity:	Eluding	Direction Vehicle Traveling:	Westbound & Northbound

Synopsis:	Pursuit of a possible DUI driver. Pursuit was ultimately self terminated. Post pursuit vehicle inspection later conducted. Identity of suspect/driver is unknown. Department pursuit form complete and submitted for review.
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Narrative:	<p>Early on the morning of 07/12/22, I was on routine patrol and traveling southbound on 142nd Ave E. I was operating my fully marked department issued patrol vehicle, equipped with emergency lighting/sirens and bearing the words SUMNER POLICE on both sides, as well as the rear. Upon reaching the area of the 4000 block of 142nd Ave E, I encountered a lifted burgundy 2007 Ford F250 (WA/LIC: B40669X) with a large locking canopy affixed to the bed. The vehicle appeared to be traveling well below the posted 35MPH speed limit and was swaying heavily from one side of its lane to the other. As I continued to follow the vehicle, I observed the driver also fail to signal their lane change in the area of 142nd Ave E and Tacoma Ave.</p> <p>While continuing to make vehicle in motion observations, I simultaneously entered the vehicles license plate into my CAD and learned it was returning as an unconfirmed stolen. When the vehicle reached the intersection of Tacoma Ave and Puyallup St, I watched as the driver failed to come to a complete stop at the stop sign. In addition, the driver did not signal their left hand turn from southbound Tacoma Ave onto eastbound Puyallup St. As I began to notify dispatch of the situation, the vehicle continued at normal speeds eastbound on Puyallup St, before suddenly pulling into a parking lot on the south side of the road just west of the railroad tracks. The vehicle then struck a small curb and sped up, at which time it reentered the roadway, crossing entirely over the center line, before heading back westbound on Puyallup St.</p> <p>At this time, I activated my red and blue LED emergency lights/audible siren, as I attempted to perform a traffic stop on the aforementioned vehicle. The vehicle instead travelled through the stop sign at Puyallup St and Tacoma Ave without stopping/yielding. As I slowed to safely clear the intersection, the driver proceeded to make an erratic right turn, before rapidly accelerating northbound on Tacoma Ave. I watched from a distance as the vehicle then narrowly missed colliding with the median near the intersection of Tacoma Ave and 45th St E.</p> <p>Based on the time of the morning, my knowledge of the area, history of DUI enforcement and the overall erratic driving of the vehicle, I reasonably believed I was behind a vehicle being driven by a subject under the influence of alcohol and/or narcotics. Furthermore, from my training and experience, I know that people who operate stolen vehicles are also quite often impaired. Because there was currently little to no traffic, I made the decision to engage the vehicle in a pursuit and thus began giving dispatch consistent updates on the road conditions, traffic, vehicle speeds etc. After notifying Officer Patten over the radio that my primary reason for pursuing the vehicle was suspicion of DUI, he acknowledged he was aware.</p> <p>The vehicle subsequently continued northbound on 142nd Ave E, reaching speeds of 80 to 90MPH. As we rounded the left-hand curve onto westbound 24th St E, the vehicle was forced to slow, which in turn allowed me a brief opportunity to safely activate my department issued body worn camera. The vehicle then travelled westbound on 24th St E. all the way to West Valley Hwy, where the driver once again failed to stop at a stop light. As the vehicle proceeded northbound on West Valley Hwy E, the driver began driving</p>
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Printed By: McCurdy, Andy

Sumner Police Department Incident Report**Incident No. 2219300214.1**

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Jurisdiction Agency: Sumner Police Department

increasingly dangerously. The vehicle frequently could be seen crossing completely into the oncoming lane of travel and it appeared the driver was struggling to even keep the vehicle on the roadway.

As the vehicle neared Jovita Blvd E, it quickly became apparent that the driver had no intention of slowing down for the dangerous intersection ahead. I then watched as the vehicle blew through the solid red light, with complete disregard for the safety of the driver and other motorists. Throughout the pursuit, I continually weighed the need for apprehension against the assumed risks of doing so and for multiple reasons, thus chose to now self-terminate. Not only was the pursuit nearing the county line, but resources at the time were extremely limited. I was still the solo unit in the pursuit and the morning commute was fast approaching.

By going into King County, I knew that potential assisting agencies would not easily be able to easily communicate with me, in turn further limiting the likelihood of being able to coordinate a safe/timely ending the situation. Additionally, my patrol vehicle is much smaller than the vehicle being pursued and when combined with the high speeds, effectively eliminated the option of using a pursuit intervention technique (PIT), in order to end the pursuit. After advising dispatch that I was disengaging, I immediately pulled over to the side of the road and deactivated all lights/sirens, before soon returning back to the city limits. I later completed the applicable SPD Pursuit Form, which has since been submitted to my supervisor for review.

Involved vehicle later confirmed as stolen out of Kitsap County.
This ends my involvement in this incident.
Body worn camera was activated.
File report.

Officer R. Allensworth / #133

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

07/12/2022 Pierce County, WA SU133 - Allensworth, Rodney

Reviewed By:

Reviewed Date:

Printed: July 18, 2022 - 1:09 PM
Printed By: McCurdy, Andy

22-0023

SUMNER POLICE DEPARTMENT
Supervisor's Report of Pursuit Critique

SPD Case Number: 2224100137

Date/Time of Pursuit: 8/28/22 02:00
Date *Time*

Date/Time of Critique: 10/18/22 13:00
Date *Time*

Officers Present and if involved in pursuit:

Wimmer	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Anderson	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

Was this pursuit within department Manual of Standards guidelines? Yes ☒ No ☐ Explain below:

Orting requested assistance with the pursuit of a suspected DUI entering Sumner. Wimmer followed until the pursuit appeared to be leaving the city and Senior Officer Anderson terminated Wimmer's involvement. When the pursuit re-entered the city, Wimmer got permission and re-initiated until Orting performed a PIT that ended the pursuit.

Justification for pursuit:

Outside agency assist of suspected DUI driver.

Location of start of pursuit: Orting

Location of end of pursuit: Tacoma Ave/Puyallup St

Describe suspect actions during pursuit:

- | | | |
|---|--|---|
| <input type="checkbox"/> Weaving | <input type="checkbox"/> Ran Stop Sign | <input type="checkbox"/> Ran Traffic Signal |
| <input type="checkbox"/> Rammed Other Vehicle | <input type="checkbox"/> Forced Other Off Road | <input type="checkbox"/> Drove Off Road |
| <input checked="" type="checkbox"/> Drove on Wrong Side | <input type="checkbox"/> Lane Changes | |
| <input checked="" type="checkbox"/> Other: <u>speed</u> | | <input type="checkbox"/> Other: _____ |

Narrative (Lessons learned, suggested improvements, what went well, etc.):

Senior Officer Anderson actively monitored the pursuit and appropriately terminated when it appeared to be leaving the city. Wimmer got permission to re-engage when they exited 167 heading back into Sumner. This showed good communication and decision making.

Supervisor

Andrew Murray
Print Name

Supervisor's Signature

[Signature]

Concur: [Signature]

SUMNER POLICE DEPARTMENT

Pursuit Report Form

SPD Case #: 2224100137 Officer: Wimmer #141 Date: 09/01/2022 Day of Pursuit: 08/28/2022

Time Initiated: 0214 hours Critique Performed? No Critique Date: N/A

Pursuit Type: ☒ Vehicle ☒ Foot ☐ Bicycle ☐ Motorcycle

Total Units Involved: SPD: 2 OSA: 2 Was There a Collision? Yes, Pit Property Damaged? No

Pursuit Distance: 6.17 miles Total Pursuit Time: 5 minutes Max Pursuit Speed: 100 MPH

Injuries: ☐ Officer: ☐ Pursuit Capture ☐ Other
☒ Suspect: ☒ Pursuit Capture ☐ Other
☐ Citizen: ☐ Pursuit Capture ☐ Other

☒ Vehicle Post Pursuit Safety
Check Completed

Reason Initiated:

- ☒ Felony Criminal
- ☐ Misd. Criminal
- ☒ Traffic Criminal
- ☐ Reported Stolen
- ☐ Unreported Stolen
- ☐ Traffic Offense
- ☐ OSA Assist
- ☒ Other Possible DUI

Weather:

- ☒ Clear
- ☐ Rain
- ☐ Snow
- ☐ Fog

Roadway:

- ☒ Dry
- ☐ Wet
- ☐ Snow / Ice

Lighting:

- ☐ Day
- ☒ Night
- ☐ Dawn
- ☐ Dusk

Traffic Conditions:

- ☒ Light
- ☐ Moderate
- ☐ Heavy

Location:

- ☐ Residential
- ☒ Commercial
- ☒ Industrial
- ☒ Highway
- ☒ Entered City
- ☐ Left City

How Terminated:

- ☒ Suspect Captured
 - ☒ Officer ☒ K/9
- ☒ Suspect Collision
- ☐ Suspect Escape
- ☐ Suspect Loss of Control
- ☐ Suspect Yield
- ☐ Officer / Citizen Safety
- ☒ Officer Collision
- ☐ Supervisor Terminate

Intervention Technique:*

- ☐ PIT > 40 MPH
- ☒ PIT < 40 MPH
- ☐ Blocking / Vehicle Intercept
- ☐ Ramming
- ☐ Boxing-in
- ☐ Roadblock
- ☐ Tire Deflation Device
- ☐ Firearm
- ☒ Other Completed by Orting Officer

* NOTE: Complete OPS Supplemental Form When Intervention Technique Is Used.

List All Charges:

DUI (Gross Misdemeanor)
Eluding (Felony)

List Additional Officers Assisting:

Orting #3, Officer Anderson #134

Additional Comments:

Following the pursuit, I performed a walk around of my patrol vehicle ensuring no damage had occurred. I made sure the brakes/tires and steering components were all visually in good working condition. The pursuit was fairly brief, contained to paved surfaces and never involved my patrol vehicle colliding with any objects such as a curb, nor the use of a PIT maneuver. See case report for more information.

WebRMS Incident Summary

UNOFFICIAL - FOR INTERNAL USE ONLY

Incident No: 2224100137

☐ Show Details ☐ Show All Data

Incident may have Officer Video

Index

Name	Type	
Offenses		
Kirkman, Erik Oehm	Suspect	S-1
Kirkman, Erik Oehm	Arrestee	A-1
Moon, Brianna Lynn	Victim	V-1
Flaherty, Thomas P	Victim	V-2
Cox, Rachel	Witness	W-1
Flaherty, Thomas P	Witness	W-2
Eacret, Isabella Faith	One of Other Type	O-1
Property		
Investigative Detail		

Display

All

2224100137

PDA:	HomeLand Security:
Subject: 21 Eluding Police DUI Vehicular Assault Fel Orting Pursuit / Agency Assist	
IBR Disposition: 21 Active	Reported By/Date: 21 7266 - Anderson, Brandon
Case Management Disposition: 41 ACTV - Active	9/1/2022 21:40:14
Forensics:	Reporting Officer Video: 21 Yes
Case Report Status: 21 Approved	Reviewed By/Date: 21 SU116 - Houselog, Loren 9/2/2022 06:04:37

Related Cases

Case Report Number Agency

Attachments

- .1 = Attachments 3
- .2 = Attachments 0
- .3 = Attachments 0
- .4 = Attachments 0
- .5 = Attachments 0
- .6 = Attachments 0
- .7 = Attachments 0

Location Address: 21 104 Bridge St S, Orting, WA 98360	Cross Street:
Location Name:	
Contact Location:	
Recovery Location:	
CB/Grid/RD: 21 010 - ORTING	District/Sector: 21 OR71 - Orting
Occurred From: 21 8/29/2022 02:01:00	Occurred To:
Potential Officer Video: PCSD	
Notes:	
Call Source: 21 Station	Assisted By: 41 7334 - Wimmer, Matthew;
Phone Report:	Notified:
Insurance Letter:	Entered By: 21 7266 - Anderson, Brandon
Entered On: 21 9/1/2022 18:25:00	Approved By: 21 Automated Policy
Approved On: 21 9/2/2022 06:08:03	Exceptional Clearance:
Adult/Juvenile Clearance:	Exceptional Clearance Date:
Additional Distribution: 21 Prosecutor - Felony	Other Distribution:

Offense Details: 2804 - Possess Stolen Property - PSP

Offense Details: 5403 - Traffic - DUI / Driving Under the Influence - Drugs

Offense Details: 5407 - Traffic - Driving Suspended / Revoked / DWLS / DWLR

Offense Details: 5413 - Traffic - Vehicular Assault

Offense Details: 5450 - Traffic - Pursuit - Eluding

Suspect 1: Kirkman, Erik Oehm

Verified: 41 Yes

PDA:

Aliases:	DOB: 41 02/13/1979	Age: 41 43	Sex: 41 Male	Race: 41 White	Ethnicity: 41 Non-Hispanic
Height: 41 6'1"	Weight: 41 230	Body Build:	Hair Color: 41 Brown	Eye Color: 41 Brown	
Address: 41 30716 Se Issaquah Fall City Rd	County:	Phone:			
City, State Zip: 41 Fall City, WA 98024-6507	Country:	Business Phone:			

Arrestee 1: Kirkman, Erik Oehm

PDA:

<ArresteePhoto1>

Aliases:	DOB: 41 02/13/1979	Age: 41 43	Sex: 41 Male	Race: 41 White	Ethnicity: 41 Non-Hispanic
Height: 41 6'1"	Weight: 41 230	Body Build:	Hair Color: 41 Brown	Eye Color: 41 Brown	
Address: 41 30716 Se Issaquah Fall City Rd	County:	Phone:			
City, State Zip: 41 Fall City, WA 98024-6507	Country:	Business Phone:			

Victim 1: Moon, Brianna Lynn

PDA:

Aliases:	DOB: 41 09/12/1989	Age: 41 32	Sex: 41 Female	Race: 41 White	Ethnicity: 41 Non-Hispanic
Height:	Weight:	Hair Color:	Eye Color:		
Address: 41 Homeless/Transient	County:	Phone:			
City, State Zip:	Country:	Business Phone:			

Victim 2: Flaherty, Thomas P

PDA:

Aliases:	DOB: 41 04/27/1999	Age: 41 23	Sex: 41 Male	Race: 41 White	Ethnicity: 41 Non-Hispanic
Height:	Weight:				

Address: 30716 Se Issaquah Fall City Rd City, State Zip: Fall City, WA 98024	County: King County Country:	Phone: Business Phone:
---	---------------------------------	---------------------------

Witness 1: Cox, Rachel

PDA:

Aliases:	Age:	Sex:	Race:	Ethnicity: Non-Hispanic
DOB:	Height:	Hair Color:	Eye Color:	
Address: 18312 97th Ave E City, State Zip: Puyallup, WA 98375	County: King County Country:	Phone: 253 258 9773 Business Phone:		

Witness 2: Flaherty, Thomas P

PDA:

Aliases:	Age: 23	Sex: Male	Race: White	Ethnicity: Non-Hispanic
DOB: 04/27/1999	Height:	Hair Color:	Eye Color:	
Address: 30716 Se Issaquah Fall City Rd City, State Zip: Fall City, WA 98024	County: King County Country:	Phone: Business Phone:		

Other 1: Eacret, Isabella Faith

PDA:

Aliases:	Age: 21	Sex: Female	Race: White	Ethnicity: Non-Hispanic
DOB: 11/22/2000	Height:	Hair Color:	Eye Color:	
Address: City, State Zip:	County: Country:	Phone: 206 999 9312 Business Phone:		

Property Master No. 1 Report No. 1: 3576 - Vehicle - Truck (All Statutes)

Other Common Item:	Photographed:
Description: Possible unreported stolen Chevy truck	Fingerprinted:
Quantity: 1	Contents Sampled:
Finding Location:	Owner:

Property Master No. 2 Report No. 2: 3300 - Evidence - Blood

Other Common Item:	Photographed:
Description: MC-2 = 2 GREY TOP VIALS OF BLOOD TAKEN FROM A1-KIRKMAN	Fingerprinted:
Quantity: 2	Contents Sampled:
Finding Location:	Owner: Erik Oehm Kirkman

Property Master No. 3 Report No. 1: 1905 - Drugs - Equipment - Pipe

Other Common Item:	Photographed: Yes
Description: glass smoking pipe with white residue	Fingerprinted:
Quantity: 1	Contents Sampled:
Finding Location:	Owner:

Property Master No. 4 Report No. 2: 1997 - Drugs - Equipment - Other: Tin foil

Other Common Item: Tin foil	Photographed:
Description: Tin foil with dark colored burned mark	Fingerprinted:
Quantity: 3	Contents Sampled:
Finding Location: vehicle in search warrant	Owner: Erik Oehm Kirkman

Property Master No. 5 Report No. 3: 1915 - Drugs - Unidentified Substance - White Powder

Other Common Item:	Photographed: Yes
Description: White powder inside a blue box	Fingerprinted:
Quantity: 1	Contents Sampled:
Finding Location: vehicle from search warrant	Owner: Erik Oehm Kirkman

Investigative Information

Means:	Motive:
Vehicle Activity: Eluding	Direction Vehicle Traveling:

Synopsis: Outside Agency Pursuit Assist

Narrative: 1 QR23106 = Turner, Edward

On listed date and time, I was dispatched to a report of a suspicious vehicle driving through a neighborhood. The occupants were reported to have been seen looking in vehicles in front of 502 Belfair St SW, within the city of Orting. The suspect vehicle was described as a white Chevrolet Silverado pickup with no license plates, and was last seen northbound on Ford Ln SW.

While enroute, I observed a vehicle matching the description on Bridge St S, near the intersection at Corrin Ave SW. As I observed the vehicle, I noted it was driving westbound, which back in the direction of the Belfair St SW address. It was driving very slow in the wrong lane of travel in the 100-200 block of Bridge ST SW, next to Café Elite coffee stand. The brake lights came on and off twice without any apparent reason while continuing westbound at a slow rate. The vehicle began to move back towards the westbound lane, then drift back to the left (eastbound lane). As the vehicle approached the stop sign at the intersection with Eldredge Ave SW, it was still partially in the wrong lane. The vehicle turned northbound onto Eldredge Ave SW, only activating its turn signal after the turn was initiated. This was also done without stopping for the stop sign. The vehicle turned wide into the southbound lanes then corrected back to the northbound lanes. These are all indications of a driver, driving under the influence of intoxicating liquor and/or drugs and were done prior to me activating any emergency lights or siren.

As I turned onto Eldredge Ave SW and closed the gap to the suspect vehicle, I noted it began to accelerate as it still swerved between both northbound and southbound lanes. I activated my emergency overhead lights and siren on my fully marked city of Orting patrol vehicle (Black with white doors, 2017 Ford Explorer with large City of Orting POLICE decals on both sides). The suspect vehicle then accelerated from this location. As I believed the suspect was a possible DUI driver, I continued to follow the suspect vehicle.

The suspect vehicle continued northbound on Eldredge Ave NW, turned eastbound onto Calistoga St W, then northbound onto Washington Ave N (SR162). I advised Dispatch I was behind the vehicle and it was failing to yield. I provided the description as a white Chevy Silverado, 4 dr, no canopy, possible tinted windows and no license plates. I also could not see into the cab of the truck to provide any description or number of occupants.

The vehicle continued northbound, reaching speeds of 80+ at times. The suspect vehicle would swerve from the northbound lane of travel to the southbound lane of travel and drive in the wrong lane for a few seconds before moving back over. At one point, a southbound vehicle that had just entered SR162 pulled off to the side of the road to avoid a collision before I could terminate. After that, there were no other vehicles to be seen on the road, therefore I decided to continue the pursuit.

I continued to update Dispatch with location, speeds, traffic and road conditions. Dispatch alerted surrounding Agencies and attempted to coordinate getting spike strips set up.

The pursuit continued northbound SR162 at a high rate of speed and still swerving between lanes. The suspect vehicle would also randomly turn on a left turn signal, then a right turn signal until it reached SR410 at which time the suspect vehicle headed westbound on SR410. It was at this interchange that a second patrol vehicle had joined in behind me. The suspect vehicle proceeded westbound SR410 at a high rate of speed until taking the on-ramp and going northbound on SR167. There was still little to no traffic on the roadway and the suspect vehicle reached speeds up to 110+ MPH.

Once we reached the exit at 24th St E in Sumner, the suspect vehicle moved to the right and exited on the off-ramp. From there the suspect vehicle turned westbound onto 24th St E. I continued to pursue. Being familiar with this area, I knew there was a railroad crossing coming up just east of 136th Ave E. I slowed down as I know it's a raised crossing. I observed the suspect vehicle hit the crossing at a high rate of speed, causing the truck to lift. This caused the suspect vehicle to nearly fishtail and wreck.

The suspect vehicle continued eastbound on 24th St E until it curved northbound and became 142nd Ave E. While the suspect vehicle was still in a commercial area with wide streets, I knew it was heading towards downtown Sumner where the suspect vehicle may have to slow down to negotiate curves. While the speeds were too high to consider a Pursuit Intervention Technique (PIT) up to this point, I believed the suspect vehicle would have to drop to speeds that would allow for me to attempt to PIT it.

As we were approaching the T-intersection at 142nd Ave E/Puyallup St, the suspect vehicle hit the brakes hard as if he were attempting to get me to hit him. The suspect vehicle then picked up speed, moved into the northbound lane and turned westbound onto Puyallup St without stopping for the stop sign. After traveling eastbound for a short time, the roadway became clear of parked semis and tractor-trailers. The suspect vehicle's speed dropped to approximately 35 MPH so I attempted a PIT maneuver. As I lined up my patrol car to the suspect vehicle, he began to vary his speeds and move his vehicle side to side as if he were possibly trying to hit the side of my patrol vehicle. The result was a successful PIT maneuver in that the suspect vehicle spun out and stalled. During such, my patrol vehicle fender got caught on the suspect vehicle's rear bumper, forcing my patrol vehicle to veer more to the left and striking a large boulder that was placed on a sidewalk at the edge of a driveway, leaving my patrol vehicle out of commission as it was high centered on the large boulder.

The suspect driver exited the truck and fled on foot. I observed an Officer give chase after him. I was unable to immediately exit my vehicle to assist in the foot chase. Several units for varying agencies assisted in the search, containment and ultimately the capture of the suspect driver, who was later identified as Kirkman, Erik O dob/02-13-1979. See supplemental reports for further details.

Once out of my patrol vehicle, I cleared the suspect vehicle and found a female passenger slumped over in the front passenger seat, slowly moving and holding her neck. I opened the front passenger door to contact her and she stated her neck was hurt. I summoned medical aide to my location to tend to the female passenger. With the passenger door open, I observed a license plate on the passenger floorboard, WA License/C25005V. I also observed the steering column to be damaged and the ignition to be "punched". On the ground just outside the truck was a screwdriver. A second screwdriver was visible on the driver seat. A check on the plate showed the vehicle was clear WWCIC, leading me to believe the truck was an unreported stolen vehicle. I ensured the VIN matched the return on the plate and had Dispatch request the local Police Department contact the registered owner to see if they knew where the vehicle was. I was later advised there was no answer at the registered owner's address in Covington.

Once medical personnel arrived, I was able to determine the female's identification to be Moon, Brianna L dob/09-12-1989. Moon stated the male she was with was a white male, 40's, named "Mike" and that she did not really know him. Moon also stated they had smoked Fentanyl just prior to my attempting to stop them in Orting.

Moon was transported to Good Samaritan Hospital via Medics. I remained with the suspect vehicle where it was secured with evidence tape on all seals. Once the suspect vehicle was secured to a flatbed Puyallup Tow truck, and since my patrol vehicle was not driveable, I rode with the tow truck driver and the suspect vehicle to the Orting Police Station. Once at the Station, the suspect vehicle was placed in the back, secured lot, awaiting a search warrant.

Once Kirkman was located and taken into custody, Orting Police Officer Boone transported Kirkman to Good Samaritan Hospital for a blood draw. During that time, I submitted a Blood Search Warrant request to Pierce County Superior Court Judge Dwayne Christopher via email. The request listed charges of Vehicular Assault and DUI. A short time later, I received an email response from Judge Christopher advising he found there was probable cause for the issuance of the warrant and advised me to affix his signature to the declaration and warrant. I printed out the Search Warrant, affixed Judge Christopher's signature and proceeded to Good Samaritan Hospital. Once there, I presented the Search Warrant to the Phlebotomist and provided a copy to Kirkman.

The Phlebotomist used two, grey top vials that I had provided her. I noted they expire in 11-30-2023. Once the blood was obtained from Kirkman, since he was handcuffed, Kirkman verbally acknowledged on the extraction of his blood on the Receipt for Property Taken and Inventory and Return of Property Taken Under Search Warrant forms. Kirkman was provided a copy of the Receipt for Property Taken. I maintained visual on Kirkman and the blood vials during the entire process.

Once the Phlebotomist completed her paperwork, I took possession of the blood vials and transported them back to the Orting Police Station where they were processed and booked into property as evidence. Officer Boone transported Kirkman to the Pierce County Jail where he was booked on the charges of DUI, Felony Eluding, Vehicular Assault and DWLR 1st degree.

A short time after Kirkman was booked, I was informed by Dispatch the registered owner of the Chevy pickup confirmed the vehicle was stolen. I called PCSO Jail and requested they add "Possession of a Stolen Vehicle" to his charges.

I completed the E-File submission of the executed warrant and was provided with the warrant number of 22-1-52219.

A copy of this report to be sent to the Pierce County Prosecutors. It is also being sent to Orting Detectives for follow-up to the stolen vehicle as well as obtaining and executing a search warrant for the Chevy pickup.

2 18-069 - Schwartz, Ian)

This report is intended as a summary of events. I have paraphrased conversations and do not include an exact sequencing of events. For any exact quotes or exact sequencing of events, please refer to the applicable video evidence generated by my body-worn camera (BWC), dash-cam, and/or backseat camera linked to this incident. It should also be noted that during this incident, I was driving a fully marked Sheriff's patrol vehicle (Chevy Tahoe) equipped with overhead LED light bars, a siren, a large push bumper/PIT bars, and other patrol equipment that clearly identifies it as a police vehicle. I was also wearing my full uniform with large SHERIFF lettering and department patches and was clearly identifiable as a law enforcement officer.

On 8/29/2022 at around 0200 hours, Orting Police advised they were in pursuit of a suspected DUI driver and requested assistance as they only had one officer on duty at the time. Deputy Smith (#400) and I responded from the Foothills Detachment to assist along with officers from Sumner Police. Sergeant Gudaitis (#83) approved us to assist with the pursuit.

Orting pursued the vehicle, a white 2012 Chevrolet Silverado, northbound on State Route 162 all the way to State Route 410, where they got on 410 and headed westbound. They then went north on State Route 167, but exited shortly onto 24th St E and headed eastbound into the city of Sumner. There appeared to be one Sumner unit with the Orting officer, but I was still a ways behind. I caught up to both of them in the 1400 block of Puyallup Ave. The truck was now facing eastbound and appeared to have been disabled, possibly by a PIT maneuver. I slowed then noticed there was nobody in the driver's seat of the truck. Sumner advised the driver was fleeing and I saw a white male wearing an orange sweatshirt running westbound through the parking lot of NW Baking Company. I followed the suspect on foot, with my overhead red/blue emergency lights still activated. He continued to run westbound and did not heed my lights. There was a chain blocking access to part of the parking lot and I drove through it to pursue the suspect. The parking lot ended after that and the suspect turned northbound and ran along the side of a chain link fence. I exited my vehicle, and drew my pistol. I noted the suspect's hand drifted towards his waistband and I worried he might be reaching for a weapon. Orting police later advised that there had been a firearm inside the truck. I aimed my pistol in the suspect's direction, though not directly at him, and yelled "Police, stop or I'll shoot."

He continued to run in spite of my verbal commands. I gave a similar command again, but he continued to flee and ran into a thick brushy area west of the Sumner Link trail. The area is full of dense thorny blackberry bushes and I did not follow him into it. I waited for other officers to arrive and we began establishing containment. Sumner officers were able to use FLIR to find a hotspot that looked like a human deep in the brush by the river. State Patrol called out their air unit to assist in locating the suspect. Orting advised that the passenger of the vehicle claimed the driver was a white male named "Michael". She had a no-contact order against a Michael Kosta, who had numerous warrants from King County and was a convicted felon with caution notices for threats/violence towards law enforcement. I looked at Michael's DOL photo and thought that he matched the person I had seen running. The suspect was eventually located and given commands to walk back out to the deputies/officers on the trail, where he was taken into custody. He turned out to be (A) Erik Kirkman, who was also a convicted felon and had a similar face/build to Michael.

I provided a case number to the business for the damage to their chain and advised Sergeant England (#83) of it. I took photographs of the chain and of my patrol vehicle. I did not see any damage to my vehicle.

3 PP0343 - Olinger, Cameron)

On During this incident, I was equipped with a body worn camera which was activated. The following narrative serves as a summary of the incident described and may not be written in chronological order. It is important to note that the camera may have captured things I did not perceive, and I may have perceived things not captured by the camera. For a detailed record of the event, please refer to the body worn camera video.

On June 29, 2022, I was working my scheduled uniformed graveyard shift as a fully commissioned Police Officer with my Washington State Police Canine Certified K-9 tracking partner, Griff. I was in a fully marked K-9 patrol vehicle and was wearing my issued K-9 uniform that identified me as a K-9 Police Officer. K-9 Griff was wearing his collar with the word "Police K-9" written on it that identified him as a Police dog as well as his ballistic vest with the word "Police" on both sides. I was operating a Ford Police Interceptor SUV. My patrol SUV is painted black and white with the words "Puyallup Police" and "K-9" printed on each side of the vehicle. It is further equipped with an emergency light bar on the top that illuminates in LED blue and red when activated. There are also emergency lights red and blue that illuminate on the headlights, mirrors, push bar, taillights, and inside the rear windows. In addition, the vehicle is equipped with an audible siren. Both my emergency lights and siren equipped on my patrol vehicle were activated during this incident.

At around 0209 hours, I learned that Orting PD had a vehicle fleeing from them after they were called to a suspicious prowler call involving a white Chevrolet pickup truck with no license plates. Orting PD initiated a vehicle pursuit of the truck as it was possible DUI. The pursuit went NB on SR162. I was on South Hill and attempted to catch up to the pursuit. The pursuit went into Sumner and onto SR 410. It then went onto SR 167 and I was still attempting to catch up. The pursuit exited to 24th ST E and then EB. It then went south on 142nd AVE E then onto Tacoma AVE, then WB on Puyallup ST. Near the end of the pursuit, Orting PD advised that the suspect was intentionally brake checking them. I wasn't far behind and still trying to catch up when Orting PD utilized a PIT maneuver, which was successful. The male suspect driver fled on foot and PCSD deputies who had joined in the pursuit got into a foot pursuit with the suspect. The suspect fled through very heavy sticker brush along the White River. Deputies did not enter the heavy brush that led to the River.

I arrived on scene at 0221 hours.

The suspect was described as a white male, orange construction sweatshirt, and jeans.

I learned that the truck was a possible unreported stolen truck as the ignition was damaged. We later learned, when attempting to find a location to get through the brush, there was a firearm located in the truck. There was a female passenger in the truck with the suspect who did not flee on foot.

I deployed K-9 Griff for the following reasons:

Crime: There was probable cause to arrest the suspect for felony eluding.

Threat: the suspect, willingly and recklessly placed the lives of other motorists, pedestrians, officers, and themselves at risk with their driving while attempting to elude Orting PD and PCSD deputies. Once the suspect vehicle was successfully PIT, the suspect fled on foot and entered and very thick sticker brush area along the White River. The suspect was heard crashing through the brush but was not seen. The crashing suddenly stopped. The suspect had not yet been checked for weapons and was soon broadcasted that there was a handgun in the truck that he had fled from. It was unknown if the suspect was armed with any other weapons such as guns, knives, or other tools or weapons. The truck's ignition had damage to it and was possibly an unreported stolen vehicle. Auto thieves are often times armed with guns, knives, and other tools that can be used for improvised weapons. The suspect had access to hide anywhere in the heavy brush and trees and await to ambush searching officers. The suspect was willing to place the lives of others at risk, along with his passenger. It was unknown what his motives could possibly be if he were to be contacted by Officers.

Resistance: the suspect led Orting PD and PCSD on a high-speed chase and refused to stop for them. Once the PIT maneuver was successful, the suspect fled on foot and still resisted arrest.

Prior to getting K-9 Griff out of my patrol vehicle, I went over near the brush/wood line along the river to make K9 announcement. "Police Department with a K9, this area is being searched by a police dog, make yourself known now or my dog is going to find you and bite you." There was no response back for a peaceful surrender. I went back to my patrol car and placed a long leash on K9-Griff, attaching it to his ballistic vest. I brought him near the wood line and made an additional announcement. There was still no response back for a peaceful surrender. We attempted to get into the thick brush in multiple different areas, but we could not successfully push through. Sumner PD, from the opposite side of the river had advised that he saw the male on our side and had ditched the construction-colored sweatshirt and was now wearing a black t-shirt. He was then seen running Nb along the riverbank and the officer lost sight of him. Containment was set well around the area, and we attempted to get into the brush line in many areas but couldn't.

Sometime later, a Sumner PD officer utilizing a flir located a hot spot on the other side of the river below him from where he was at. It was unknown if this was the suspect or not. He would have had to cross the river and get pushed down river, the opposite direction he was running. It was my belief that the suspect was bedded down somewhere.

Orting PD got information from the female passenger that the male was named "Michael" and they had just been smoking fentanyl. They learned that the female was a protected person in a DV no-contact order with a Michael Kosta. He had several warrants and was deemed a high risk to law enforcement and had a caution for officer safety.

Knowing that the likelihood of the suspect being bedded down, I requested WSP to call out their air support unit to assist. I spoke with a WSP Sergeant over the phone and briefed him of the incident. They advised that they had pilots enroute to their airport in Olympia to respond to our location.

WSP air support arrived on scene around 0440 hours. They located a human sized hotspot on the east side of the river, where we originally were at. I went back to that side. WSP guided officers and deputies in line where the suspect was bedded down.

I had K9-Griff out of the vehicle again at this time. We were informed that the suspect was about 100 feet below all of us on the trail in the thick sticker brush. Once there, I made multiple K9 announcements and requested the suspect to peacefully surrender. I informed him that we were not leaving, that we had a plane overhead, and my K9 partner. While still figuring out how we would get down there, I continued to make announcements and the suspect began calling out to us. WSP advised that they could see movement upon my announcements being made. The suspect was extremely bedded down and nearly stuck where he was hiding.

Eventually, the suspect was able to slowly walk towards officers and deputies. He was taken into custody without incident. I returned K9-Griff back to my patrol car.

The suspect was positively identified as Erik Kirkman. I was informed by Officer Schaefer that Erik admitted to officers that he gave up because he heard the K9 announcements and that the airplane was above.

*this ends my involvement.

.4 OR23115 - Hattaway, Jamey)

On August 29, 2022, I was assigned Orting Police Incident No. 2224100137. This was eluding police, possession of stolen property, DUI with a felony arrest case with Lt. E. Turner as the case officer.

Reviewing Lt. Turner's report I learned Lt. Turner was dispatched to a suspicious vehicle complaint in the 500 block of Belfair St SW, within the city of Orting. While Lt. Turner was responding, he observed a vehicle matching the description on Bridge St S, near the intersection at Corrin Ave SW. Lt. Turner stated in his report "suspect vehicle seen being driven in a manner consistent of the driver being DUI. Attempted to stop vehicle who took off." Lt. Turner pursued the suspect vehicle and later used the PIT maneuver to stop the suspect vehicle. Once the vehicle was stopped the suspect later identified as KIRKMAN, Erik O (02/13/79) lead responding law enforcement on a foot pursuit. Suspect Kirkman was later taken into custody. Lt. Turner requested a blood warrant for Kirkman. The warrant was granted and suspect Kirkman was transported to Good Samaritan Hospital in Puyallup, Washington.

Lt. Turner also documents contact with a female passenger Moon, Brianna L (09-12-1989). Lt. Turner stated in his report that Moon stated "they had smoked Fentanyl just prior to my attempting to stop them in Orting."

Based on this information I submitted a search warrant request via the Pierce County search warrant portal. The search warrant was granted and I was given permission by email from Judge Phil Sorensen to affix his name to the search warrant on August 29, 2022 at 2:57 pm. The following is a quote from the email sent by Judge Sorensen, "I reviewed your search warrant and probable cause declaration. There is probable cause to continue your investigation to include searching the listed truck as requested. Please affix my name to your warrant and probable cause declaration. Phil Sorensen, Judge Pierce County Superior Court, Department 19 August 29, 2022 Time 2:57 pm."

At 1511 hours Orting Police Officer Garrett Bond and I severed search warrant No: 22-1-52223 on a 2012 white in color Chevrolet Silverado VIN # 3GCPKTE77CG204181. During the search the follow items were discovered and collected as evidence. Tin foil with a dark colored burn mark was located in the center console, a glass smoking device with a white colored residue located in the rear passage compartment inside a bag, and a blue color container with a white powered substance located in the front passenger compartment on the passenger side inside a purse. The items will be placed into evidence. The execution of the search warrant was recorded by body camera and uploaded into evidence.com.

During the search of the 2012 white in color Chevrolet Silverado VIN # 3GCPKTE77CG204181 several other items were located and later photographed. I contacted the registered owner's Thomas Patrick Flaherty and Isabella Flaherty. While speaking with them I learned that they personally know suspect Kirkman. The Flaherty's rent a home from suspect Kirkman's mother Gloria Ballestrasse and that suspect Kirkman lives in a trailer on the same property. The property is located at 30716 SE Issaquah Fall City Rd in Fall City Washington. Isabella stated she received a phone call from Gloria that suspect Kirkman was arrested this morning.

Thomas stated when he left for work he noticed his truck was gone and later called Isabella and asked her to report it missing to King County Sheriff's Office (See KCSO case # C22028738). I texted Thomas the photos I took and he stated the property was not his. The property located in the rear passenger area is a Ryobi bag with a hand written message "3/8 drill skill saw", a Ryobi battery powered leaf blower, a Rockwell saw, an orange colored toolbox with miscellaneous tools, a box of miscellaneous clothing, a pink backpack with miscellaneous clothing, and a box with Detroit axle printed on the side with a packing slip address to Melissa Dey at 11612 213th Ave Ct E Bonney Lake WA. At the time of this report I am still investigating if this property is stolen or belongs to either suspect Kirkman or Moon.

This case is still active with Orting Police detective pending follow-up.

.5 OR23107 - Gabreiluli, Devon)

On 9/1/2022, the wife of the vehicle's registered owner arrived at the station to take custody of the pickup truck that was being held in our secure parking area. The female, identified as EACRET, ISABELLA FAITH 11/22/2000 advised me that she had been in touch with her insurance claims adjuster who instructed her to have the vehicle released to esurance because the vehicle was being declared a total loss. I advised her that the vehicle was not drivable and contained a large amount of property inside. EACRET told me that she brought a signed release from the registered owner requesting that the vehicle be released to esurance directly. I was provided with contact information for the esurance claims adjuster and was able to make contact to determine what they wanted done with the vehicle. I spoke with Ericka Dew, esurance adjuster in regards to the claim filed for the truck (claim number 220590230 (see attached email). and she advised me that she could have a tow truck respond to the our location to take custody of the vehicle.

After verifying with the investigations unit that the vehicle was ok to release, I re-contacted ISABELLA to determine if anything in the truck belonged to her and she told me that it did not and the property located inside she did not want. The tools located inside the vehicle were removed in order to locate their owners. Those tools not identified will be booked into property/evidence as found property/unknown owner as ISABELLA advised they did not belong to her or her husband.

I provided ISABELLA with two additional written statement forms and asked her about the previous statements she made to Orting Records Manager Kristin Wetzel regarding her request to have charges dropped for the driver as she and her husband had given him permission to drive the truck the night of the incident. Records Manager Wetzel had recently informed me that ISABELLA called the department and advised her that her original report to King County about the truck being stolen was false, and that the suspect driver lives upon a trailer located on her property, he works for ISABELLA and her husband's company, and that the pickup truck was a company vehicle. When I asked her to clarify the statements she made to records manager Wetzel, she told me that she and her husband were mistaken and misspoke on the phone. ISABELLA confirmed that the driver of the vehicle who was arrested after the pursuit had actually taken the vehicle without their permission.

The vehicle was released to tow company that arrived at the request of Ericka Dew, esurance claims adjuster.

Vehicle release form and photocopies of the ID and insurance information provided by ISABELLA are attached to this supplement.

.6 7234 - Wimmer, Matthew

On 08/28/2022 at about 0210 hours, I was informed by Dispatch a pursuit by Orting Police was initiated and they were traveling northbound on Highway 162 towards Sumner. Dispatch informed me and Officer Anderson, Orting requested spike strips be placed. I asked Dispatch for the probable cause for the pursuit and was told the pursuit was for DUI. I drove code to place the spikes on Valley Ave just south of State Route 410. I approached Meade McCumber Rd E on southbound Valley Ave when I saw another patrol vehicle coming northbound on Valley Ave, crossing SR 410. The last update I heard from dispatch was the pursuit was westbound towards Military Rd. I soon observed a white pick-up truck in front of the other patrol vehicle, driving recklessly.

At this moment I realized the pursuit was now in Sumner. Dispatch then informed me Orting PD was pursuing the suspect onto SR 410, which I informed Dispatch I was with them and pursuing as the second unit. We pursued the vehicle westbound on SR 410. The suspect vehicle took the exit off SR 410 to SR 167 northbound. I informed dispatch the speeds were 100 and the traffic was light. Soon after I was terminated by senior Officer Anderson. The pursuit appeared to be going north on SR 167 and would be better assisted by Washington State Patrol's involvement.

I terminated about halfway between SR 410 and 24th St E. I turned off my lights and siren. At the time I believed I was the only other patrol unit besides Officer Turner who was in pursuit and had eyes on the suspect. Officer Turner of Orting PD continued the pursuit. As I continued northbound to exit on 24th St E, I saw the suspect take the 24th St E exit back into Sumner and Officer Turner followed. I advised Dispatch the pursuit continued back into Sumner on eastbound 24th St E. I asked for permission to re-engage in the pursuit. Officer Anderson gave me permission to continue as the second car in the pursuit.

The pursuit continued eastbound on 24th St E, then southbound on 142nd Ave E. I do not recall what the speeds were, but they appeared to be significantly lower than the highway and we were able to get much closer to the suspect vehicle. The traffic was still very light. At about the 3200 block of 142nd Ave E, the suspect drove in the oncoming north bound lanes of 142nd Ave E and then moved back over when he approached the curve of 142nd to Tacoma Ave E. The suspect vehicle slowed down more when approaching the intersection of southbound Tacoma Ave and Puyallup St. The suspect turned westbound onto Puyallup St and appeared to be driving less than 40 mph. Officer Turner was able to get close enough for a Pursuit Intervention Technique (PIT), on the left rear of the suspect vehicle. Officer Turner made contact and the suspect vehicle spun and hit the curb. I went to box the suspect vehicle in, but then the suspect bailed from the driver's door of the vehicle and ran on foot through the parking lot of the business on the northwest corner of Puyallup St. At this time Pierce County Deputy Schwartz and Officer Anderson arrived and assisted in the foot pursuit.

The male suspect fled to the Sumner Link Trail where he jumped over the chain link fence, into the thick blackberries and brush on the east side of the White River. At this point more resources were gathered, including K-9 and enough Officers for search and containment. I assisted Officer Turner with clearing the vehicle where we saw what appeared to be firearms. Because there was an injured female passenger in the suspect vehicle still, we ensured the possible firearms were removed for Officer safety. The guns were removed from the vehicle by Officer Turner. The firearms appeared to actually be a scoped pellet gun and a lever action BB gun.

I remained on scene for the next 3 hours to assist in locating the suspect. Washington State Patrol air support plane, Smokey, arrived on scene and was able to quickly locate the suspect laying down in the bushes. Once we made the suspect aware we knew exactly where he was at, he complied and exited the brush. Officer Anderson took the suspect into custody and later transferred custody of the suspect to Orting Police. I have nothing further at this time.

.7 7266 - Anderson, Brandon

On 8/29/22, at approximately 0201 hours, Officer M. Wimmer #141 and I, Officer B. Anderson #134, were asked by dispatch if we would be able to assist Orting PD with a pursuit that was heading northbound on SR162 at about the 13600 block, coming towards Sumner WA. Orting PD was asking if we could set up spike strips north of their location. Officer Wimmer and I both advised we would assist and headed towards the SR410 and Valley Ave. Dispatch advise that the vehicle was a possible DUI, doing speeds of about 80mph, and driving into oncoming traffic.

I was advised via radio that the suspect vehicle had taken the SR410 on ramp before Officer Wimmer and I were able to successfully get spike strips set up. I headed northbound on SR410 and saw a Pierce County vehicle running code to catch up and assist Orting PD. By the time I had got onto westbound SR410, I was advised that the suspect was now northbound on SR167, doing speeds of about 110mph, approaching 24th St. and that WSP had already been advised. At this time, I advised Officer Wimmer who was ahead of me and behind Orting, to terminate his assistance, as the vehicle was heading out of jurisdiction. Officer Wimmer, then advised that the vehicle exited at 24th St. heading eastbound into Sumner again. I advised Officer Wimmer to re-engage and continue to assist with Orting, and was then informed that the vehicle was still doing speeds over 100mph and going into oncoming traffic on 142nd Ave. Officer was inquiring to dispatch if Orting was going to pit the vehicle.

I was about 200 yards behind the pursuit, and continued south on 142nd Ave while the pursuit continued around the eastbound curve and onto Tacoma Ave. towards Puyallup St. I was going to attempt to get in front of the pursuit to set up for spikes on Fryar Ave. Officer Wimmer advised that Orting had attempted a pit maneuver on the suspect vehicle, and that the suspect had bailed on foot at Puyallup St. and Tacoma Ave. At this time, I was right in the area where the suspect was running, at Fryar Ave and Puyallup St.

I began running towards the officers and suspect who were heading west towards the river/142nd Ave. The suspect then jumped into the heavy terrain (thick sticker bushes) on the west bank of the river, and I immediately lost sight of him, but could hear him making his way down to the river. The suspect was wearing tan pants and an orange or yellow reflective construction sweatshirt.

I heard over the radio that Orting PD's vehicle was out of commission from the pit maneuver, and was requesting aid for the female passenger of the truck. I continued to assist officers in locating and arresting the suspect. K9 was already assisting with additional Pierce County units, and we began to set up containment. I went over to the eastside of the river, at about the 4700 block of 142nd Ave. and advised that we needed a unit just north at the Tacoma Ave. bridge just east of Sumner City Shops, and another just south of the bridge at the 1900 block of Fryar Ave.

K9 was making announcements in the general area where the suspect had bailed into the sticker bushes. Containment was set up and additional units were checking for access to the riverbank from the Sumner Links Trail. I was on containment between the 4600 and 4800 block of 142nd Ave. While looking across the river, I was able to obtain a clear view of the riverbank just west of where the suspect had bailed. I radioed dispatch requesting MCRT to respond for the collision involving Orting PD's vehicle and the suspect vehicle.

At approximately 0230 hours, I saw motion directly across the from my location on the west riverbank where I had a clear view. I then saw a male subject appear, no longer wearing his sweatshirt. I advised dispatch that I had eyes on the suspect. I directed the suspect to show me his hands and stop where he was at. The suspect then started running northbound along the riverbank, and I lost sight of him again due to the heavy brush and low light conditions. Assisting units were still unable to find a clear way down to the riverbank, and Officer Wimmer advised he had thermals to try and locate the suspect. I held my position and attempted to look for any additional movement and/or locate the suspect.

While on containment, at approximately 0312 hours, dispatch advised me to switch back over to the Sumner primary radio channel and informed me that an armed robbery had just occurred at the ARCO located at Main St. and Fryar Ave. about a mile south of our location. There were additional Pierce County units at my position, and I broke containment to respond to the armed robbery at ARCO.

After clearing the armed robbery call, I asked dispatch to re-assign me to assist with containment for Orting's pursuit. At this time, WSP's Smokey was up in the air, and apparently had eyes on the possible suspect, just north (about 50 yards) from where he had initially entered the thick terrain. A Pierce County unit inquired about anyone who had a machete, and I advised I did, and responded to the location where Smokey had possibly located the suspect. K9 was making additional announcements, and eventually the suspect, began to yell back from his location giving signs of compliance.

Officer Wimmer and I began to cut through the brush and make our way down to where the suspect could be heard. At this time, the suspect was making statements to the effect of "I am a dumbass and made a mistake" and "I am super fucked up from the blackberry bushes". The suspect was indicating that he was cooperating in making his way to my location from the riverbank.

At approximately 0519 hours, I was able to direct the compliant suspect safely back to my position, and compliantly placed him in handcuffs, checked them for proper fit and double locked them. The suspect was missing his left shoe, and was complaining about the injuries he received from the sicker/blackberry bushes. I advised him the Fire had staged, and we just had to get him safely up the bank through the path I had cut. Officer Wimmer and I safely got the suspect up to the trail and out of the brush. The suspect was identified as KIRKMAN, ERIK OEHM DOB: 2/13/79. KIRKMAN was stating he was very thirsty, and I advised him that I had a bottle of water back at my patrol vehicle. I escorted KIRKMAN back to my patrol vehicle without incident, and conducted a search on him. His property that was in his pocket was placed in a property bag and given to the Orting Officer. I provided KIRKMAN with a bottle of water, and Orting PD took custody of KIRKMAN. This was the end of my involvement. END OF REPORT

B. Anderson #134

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