



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
MICHAEL**

19F03776 ASSAULT - FELONY

HEADER

Primary

Author: **LANGTON, MICHAEL**

Appvd: **003**

Location: **2000 VISTA DR** *Apt Unit No:*

Incident Date: **Mar 28, 2019 10:21 AM**

Date Reported: **Mar 28, 2019 10:21 AM**

Case Offenses:

9A.36.031 - Assault 3rd Degree

46.20.342.1C - DWLS 3rd Degree

9A.76.040 - Resisting Arrest

46.61.024 - Attempting to elude pursuing police vehicle

Press Summary:

A male subject assaulted Ferndale Officers with his vehicle during a pursuit on the Interstate Five.



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
MICHAEL**

19F03776 ASSAULT - FELONY

ASSOCIATES

Primary	<i>Author:</i> LANGTON, MICHAEL	<i>Rpt Date:</i> Mar 28, 2019 10:21 AM	<i>Appvd:</i> 003
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A1 BAILEY, TIMOTHY MYRON	<i>DOB:</i> Dec 06, 1977	<i>Age:</i> 41	<i>Sex:</i>	<i>Race:</i> W	<i>Ht:</i> 602	<i>Wt:</i> 185
<i>RCW 42.56.230.5 Driver's License</i>			M			
<i>Drivers:</i> [REDACTED]	<i>Lic. St:</i> WA		<i>Eyes:</i> BRO		<i>Hair:</i> Brown	
<i>Res Address:</i> 5660 EAGLE PARKWAY #3, FERNDAL, WA 98248						
<i>Bus Address:</i>						
<i>Res Phone:</i> (360) 224-6333	<i>Bus Phone:</i>					
<i>Cell Phone:</i>	<i>Ethnicity:</i> Not Of Hispanic Origin					
<i>Arrest Type:</i> Taken Into Custody	<i>Armed with:</i> Lethal Cutting Instrument					

V1 LANGTON, SCOTT	<i>DOB:</i> Aug 30, 1975	<i>Age:</i> 43	<i>Sex:</i>	<i>Race:</i> W	<i>Ht:</i>	<i>Wt:</i>
			M			
<i>Drivers:</i>	<i>Lic. St:</i>		<i>Eyes:</i>		<i>Hair:</i>	
<i>Res Address:</i> **DO NOT DISCLOSE**, FERNDAL, WA 98248						
<i>Bus Address:</i>						
<i>Res Phone:</i>	<i>RCW 42.56.250(4) Public employee wireless number</i>					
<i>Cell Phone:</i> [REDACTED]	<i>Bus Phone:</i>					
	<i>Ethnicity:</i> Not Of Hispanic Origin					
<i>Arrest Type:</i>	<i>Armed with:</i>					

V2 CATRAIN, MICHAEL LEE	<i>DOB:</i> Sep 03, 1958	<i>Age:</i> 60	<i>Sex:</i>	<i>Race:</i> W	<i>Ht:</i> 0	<i>Wt:</i>
			M			
<i>Drivers:</i>	<i>Lic. St:</i>		<i>Eyes:</i>		<i>Hair:</i>	
<i>Res Address:</i> 2220 MAIN ST - FPD, FERNDAL, WA 98248						
<i>Bus Address:</i>						
<i>Res Phone:</i> (360) 384-3390	<i>Bus Phone:</i>					
<i>Cell Phone:</i>	<i>Ethnicity:</i> Not Of Hispanic Origin					
<i>Arrest Type:</i>	<i>Armed with:</i>					

V3 COWIE, WAYNE	<i>DOB:</i> May 29, 1974	<i>Age:</i> 44	<i>Sex:</i>	<i>Race:</i> W	<i>Ht:</i> 510	<i>Wt:</i> 180
			M			
<i>Drivers:</i>	<i>Lic. St:</i>		<i>Eyes:</i> GRN		<i>Hair:</i> Brown	
<i>Res Address:</i>						
<i>Bus Address:</i> 2220 MAIN ST, FERNDAL, WA 98248						
<i>Res Phone:</i>	<i>Bus Phone:</i> (360) 384-3390					
<i>Cell Phone:</i>	<i>Ethnicity:</i> Not Of Hispanic Origin					
<i>Arrest Type:</i>	<i>Armed with:</i>					



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
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19F03776 ASSAULT - FELONY

NARRATIVE

Primary

Author. LANGTON, MICHAEL

Rpt Date: Mar 28, 2019 10:21 AM

Appvd: 003

Charges:

BAILEY, TIMOTHY MYRON	Dec 06, 1977	1 count 9A.36.031	Assault 3rd Degree
		1 count 46.20.342.1C	DWLS 3rd Degree
		1 count 9A.76.040	Resisting Arrest
		1 count 46.61.024	Attempting to elude pursuing police vehicle

On 03-28-19 at approximately 1021 hours I was on patrol northbound 2000 BK of Vista Drive, in Ferndale WA. I was in uniform and I was driving a fully marked police patrol vehicle that is equipped with emergency lights and sirens. Traffic conditions were light, the weather was clear and the road surface was dry.

During this time I observed a Kia Sportage WA-AVB9002 traveling southbound on Vista Drive. As I drove past the Kia Sportage I noticed it was equipped with large over-sized tires that protruded past the vehicle's fenders / wheel wells. The Kia Sportage wasn't equipped with proper fenders or large enough splash aprons to minimize road spray or debris from being ejected into the air from the large over-sized tires. I subsequently activated my patrol vehicle's emergency lights and I attempted to stop the Kia Sportage for the equipment violation as it turned eastbound onto Washington Street.

I noticed the male driver wasn't yielding for my emergency lights so I activated my patrol vehicle's sirens as well. The driver still failed to yield for my patrol vehicle's emergency equipment. I notified dispatch the Kia Sportage wasn't stopping and I called out the direction of travel. I followed the Kia Sportage at or slightly above the posted speed limit of 25 mph. Traffic was light and I didn't see any pedestrians in the area.

I could clearly see the driver, later identified as TIMOTHY BAILEY (A1), was a white male in his late 30's or early 40's, who was wearing a hat and sunglasses. I followed the Kia Sportage as it turned southbound onto Third Ave, northbound onto Vista Drive and northbound onto Malloy Ave. The Kia Sportage drove past the Ferndale High School at the posted speed limit and it continued northbound on Malloy Ave. Due to the fact the Kia Sportage was failing to stop / yield for my emergency equipment, I requested the assistance from additional Ferndale Police Officers. Officer Catrain, Officer Cowie and Officer Spane all responded to assist.

I continued following the Kia Sportage through a construction zone in the 6200 BK of Malloy Ave. The 6200 BK of Malloy Ave is a rural area, with large farm-like properties. Traffic was light and there were no pedestrians in the area. Due to the fact, the Kia Sportage was traveling at or slightly above the posted speed limit, I determined it wasn't posing a risk to the general public. I therefore continued following the Kia Sportage from a safe distance. TIMOTHY BAILEY (A1) eventually made an eastbound turn onto Brown Road and shortly later he made a southbound turn onto Portal Way. Officer Catrain, Officer Cowie and I continued following the Kia Sportage with our patrol vehicles emergency equipment activated. At no point did TIMOTHY BAILEY (A1) attempt to stop or yield for our emergency lights & sirens.



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TIMOTHY BAILEY (A1) drove the Kia Sportage southbound on Portal Way at or slightly above the posted speed limit. I observed TIMOTHY BAILEY (A1) over take and pass two motorists that were slowing for our emergency lights & sirens. I did not think the maneuver was reckless and I did not think the other motorists were at risk. I therefore continued following the Kia Sportage with my emergency lights and sirens activated. As I followed the Kia Sportage, I updated dispatch with our direction of travel, speed and traffic conditions.

Officer Catrain, Officer Cowie, Officer Spane and I continued following the Kia Sportage as it turned northbound onto the Interstate Five from Portal Way. The speed limit on the Interstate Five is posted 70 mph and the Kia Sportage was only traveling between 40 mph and 60 mph. The traffic conditions were very light and the freeway surface was dry. At this point, TIMOTHY BAILEY (A1) was not posing a danger to the motoring public nor the Ferndale Police patrol vehicles. I notified dispatch of the Kia Sportage's speed and I requested dispatch notify the Blaine Police Department to set-up spike strips further north on the Interstate Five.

As we followed the Kia Sportage northbound on the freeway, Officer Catrain attempted to drive past it so he could block the Grandview Road exit at mile post 266. As Officer Catrain drove past the Kia Sportage, TIMOTHY BAILEY (A1) attempted to ram (quickly swerve) his vehicle into Officer Catrain's police patrol vehicle. This caused Officer Catrain to swerve out of the Kia Sportage's way to avoid a collision or being run off the road. Officer Catrain successfully blocked exit 266 and the Kia Sportage continued northbound on the freeway, between 45 mph and 60 mph in a 70 mph speed limit zone.

At this point I requested Officer Cowie get along side of the Kia Sportage so he could get a better look at the driver TIMOTHY BAILEY (A1). As Officer Cowie attempted to pull-along the left side of the Kia Sportage, TIMOTHY BAILEY (A1) deliberately swerved towards Officer Cowie's patrol vehicle in an attempt to ram him off the freeway. Officer Cowie attempted to either pull along side or pass the Kia Sportage another two times. Each time, TIMOTHY BAILEY (A1) deliberately tried to ram the Kia Sportage into Officer Cowie's patrol vehicle. TIMOTHY BAILEY'S (A1) reckless actions clearly indicated he was deliberately trying to harm Ferndale Police Officers.

During this time, TIMOTHY BAILEY (A1) drove the Kia Sportage between lane one, lane two and sometimes on the shoulder. TIMOTHY BAILEY (A1) deliberately swerved from lane to lane to intentionally ram police patrol vehicles or to prevent them from passing him. Officer Cowie successfully drove past the Kia Sportage and he set up to use spike strips on the vehicle as it approached mile post 270 (Birch Bay-Lynden Road exit). Due to TIMOTHY BAILEY (A1) reckless driving, due to the fact he attempted to ram police vehicles off the freeway, and due to the fact he failed to stop / yield for our emergency lights & sirens for several miles, I requested permission to PIT (pursuit intervention technique) or spike the Kia Sportage to end the pursuit.

Traffic conditions were clear, the freeway was dry and it was a good opportunity to PIT or spike the Kia Sportage. Ferndale Police Chief Turner confirmed with me via the radio that TIMOTHY BAILEY (A1) was now posing a risk to the general public and to Ferndale Police Officers. Chief Turn subsequently granted permission to spike or PIT the Kia Sportage to end the pursuit and to avoid any risk to the public or the Ferndale Police. Officer Cowie attempted to spike the Kia Sportage as it approached mile post 270 but unfortunately it wasn't successful.

I have been trained in Emergency Vehicle Operations Course (EVOC) and I am currently certified to perform the PIT maneuver. I attempted to PIT the Kia Sportage as it drove past Birch Bay-Lynden Road. As I pulled-up to the rear driver's side of the



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Kia Sportage, TIMOTHY BAILEY (A1) intentionally swerved into the front bumper of my patrol vehicle. The collision caused my patrol vehicle to exit the freeway and collide with a mound of earth. The collision caused damage to my patrol vehicle and it caused pain in my neck due to the whiplash.

I then drove my patrol vehicle out of the dirt mound and I attempted to catch-up to the pursuing Ferndale Police patrol vehicles. As I closed the distance, I observed Officer Cowie successfully PIT the Kia Sportage. The PIT maneuver safely ended the pursuit and it caused the Kia Sportage to exit the freeway and roll over onto the center median. I joined Officer Catrain, Officer Cowie and Officer Spane as they approached the disabled Kia Sportage. I withdrew my duty weapon at a low ready and I approached the Kia Sportage. TIMOTHY BAILEY (A1) was climbing out the driver's side window and it appeared he was looking to run.

Several officers ordered TIMOTHY BAILEY (A1) get down on the ground and we ordered him not to reach for anything. Officer Cowie decided to handcuff TIMOTHY BAILEY (A1) while Officer Catrain and I provided cover. During the arrest process, TIMOTHY BAILEY (A1) resisted arrest by not placing his right arm behind his back as ordered to do so. Officer Cowie had to physically pull on TIMOTHY BAILEY'S (A1) right arm in order to get him into a handcuffing position. Officer Cowie successfully handcuffed TIMOTHY BAILEY (A1) and we escorted him out of the center median drainage ditch to a dry area.

Dispatch advised medics were en-route to tend to TIMOTHY BAILEY (A1). I informed TIMOTHY BAILEY (A1) he was under arrest for eluding police vehicle and for assaulting police officers with his vehicle. I read TIMOTHY BAILEY (A1) his legal rights per Miranda to which he acknowledged. TIMOTHY BAILEY (A1) verbally provided his name and I requested dispatch check his identity through police data bases. Dispatch informed me TIMOTHY BAILEY (A1) was a convicted felon and they stated his WA State driving privileges were DWLS/R 3rd degree.

I informed TIMOTHY BAILEY (A1) of his criminal charges and medical units attended to him. Due to the collision, medics decided to transport TIMOTHY BAILEY (A1) to the hospital for a medical evaluation. Officer Spane followed the aid-wagon to the hospital and he provided security while at the hospital. Chief Turner requested the WSP to investigate the collision portion of the investigation due to the damage to my patrol vehicle and due to my neck being injured. Officer Cowie and I waited on scene with WSP troopers while everyone else cleared the area.

Once the WSP troopers had our information they allowed Officer Cowie and I to clear the scene. I then drove my damaged police patrol vehicle to the Ferndale Police Department to complete a Probable Cause affidavit.

See additional narratives for further details.

End of report.



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PROPERTY

Primary

Author: **LANGTON, MICHAEL**

Rpt Date: **Mar 28, 2019 10:21 AM**

Appvd: **003**

Found / Seized

Article: **Other Property (Veh Trailers, All Other Property)**

Description: hat, knife, sunglasses, wallet

Serial #:

1st Color:

Recovered:

Impounded: Mar 28 2019 4:37 PM

Brand:

Notified:

Model:

Value:

Owner: BAILEY, TIMOTHY MYRON

Features: personal property for safe keeping.

Found / Seized

Article: **Clothes/Furs**

Description: ballcap, pocket knife, sunglasses

Serial #:

1st Color:

Recovered:

Impounded: Mar 28 2019 1:50 PM

Brand:

Notified:

Model:

Value:

Owner: BAILEY, TIMOTHY MYRON

Features: repackaged from item #90441.



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
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19F03776 ASSAULT - FELONY

HEADER

Follow-Up

Author: **CATRIN, MICHAEL**

Appvd: **003**

Location: **2000 VISTA DR** *Apt Unit No:*

Incident Date: **Mar 28, 2019 10:21 AM**

Date Reported: **Mar 28, 2019 10:21 AM**

Case Offenses:

9A.36.031 - Assault 3rd Degree

46.20.342.1C - DWLS 3rd Degree

9A.76.040 - Resisting Arrest

46.61.024 - Attempting to elude pursuing police vehicle



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
MICHAEL**

19F03776 ASSAULT - FELONY

NARRATIVE

Follow-Up

Author: CATRAIN, MICHAEL

Rpt Date: Mar 28, 2019 10:21 AM

Appvd: 003

Charges:

BAILEY, TIMOTHY MYRON	Dec 06, 1977	1 count 9A.36.031	Assault 3rd Degree
		1 count 46.20.342.1C	DWLS 3rd Degree
		1 count 9A.76.040	Resisting Arrest
		1 count 46.61.024	Attempting to elude pursuing police vehicle

On 03/28/19 at 1021 hours I heard via the radio, Officer Langton attempt to make a traffic stop in the area of Washington St and Third Ave. Officer Scott put out that the vehicle was failing to yield and at 1022 hours Officer Langton radioed that the vehicle was on Vista Dr and still failing to yield. I was in the area of Church Rd and Thornton St so I began driving toward Officer Scott's location.

At 1023 hours Officer Langton radioed that the vehicle was now traveling north on Malloy Ave. As I arrived at Thornton St and Malloy Ave I observed Officer Langton's patrol vehicle traveling north on Malloy Ave. The vehicle's emergency lighting and siren were activated at that time.

I pulled behind Officer Langton's vehicle and activated my emergency lighting and siren. I observed that Officer Cowie was behind me in his patrol vehicle with his emergency lighting and siren activated.

At 1025 hours the suspect vehicle turned east onto Brown road, failing to stop at the sign at that location. The three of us continued behind the vehicle as it turned south onto Portal Way.

At 1026 hours Officer Langton requested that he be allowed to execute a PIT maneuver. Lt Hatchett advised him not to do so.

At 1027 hours the suspect vehicle turned north onto Interstate 5. Officers Langton, Cowie and I continued following the vehicle.

We continued north and the suspect vehicle began swerving from lane to lane. I attempted to pass the vehicle so I could try to prevent it from turning off the freeway at Grandview Rd. The vehicle swerved toward me as I was able to pass it.

At 1030 hours I was able to block the offramp at Grandview rd and the suspect vehicle continued north on Interstate 5.

At 1031 hours we all passed by the rest area. During this time the suspect vehicle continued to swerve between lanes and when Officers Cowie or Langton got close to it, the vehicle would swerve as if it were attempting to hit their patrol vehicles.

At 1032 hours Officer Langton requested that he be permitted to execute a PIT maneuver.

Officer Cowie had been able to get past the suspect vehicle and he set up spike



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
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strips and the Birch Bay Lynden Rd offramp. At 1034 hours the vehicle avoided the strips and we continued north.

Chief Turner asked if the vehicle was being a danger to others or law enforcement. Officer Langton responded that he was. At 1034 hours Chief Turner authorized a PIT maneuver.

Officer Langton kept attempting to do a PIT but the suspect vehicle kept swerving from lane to lane and appeared to be trying to ram Officer Langton's vehicle.

At 1035 hours the suspect vehicle struck Officer Langton's patrol vehicle causing it to leave the roadway. The vehicle struck the embankment between Interstate 5 and the northbound onramp from Birch Bay Lynden Rd.

Officer Cowie and I continued following the suspect vehicle north.

At 1036 hours Officer Cowie was able to get close to the vehicle and execute a PIT causing the suspect vehicle to leave the roadway, roll over once or twice and then come to a stop on the drivers side in the median.

Officer Langton was able to continue north and he arrived at our location. Officer Langton, Cowie and I exited our patrol vehicles and approached the suspect. We held him at gunpoint until he exited his vehicle and proned out on the ground.

He was then taken into custody. Officer Cowie placed the subject into handcuffs and Officer Langton advised him of his rights.

It was then learned that the subject was TIMOTHY BAILEY (A1).

I took photos of the vehicles and area. These photos are attached to this report.

Nothing further.

See other narratives.



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
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19F03776 ASSAULT - FELONY

VEHICLES

Follow-Up

Author: **CATRAIN, MICHAEL**

Rpt Date: **Mar 28, 2019 10:21 AM**

Appvd: **003**

Reference Only

Vehicles-Automobiles

Description:

Recovered:

License Plate: AVB9002(WA)

Primary Color: Black

VIN: KNDJA7230V5533753

Impounded:

Year: 1997

Owner Notified:

Make: KIA

Owner:

Model: SPORTAGE

Value: \$0.00

Style: UTILITY

Features:



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
MICHAEL**

19F03776 ASSAULT - FELONY

HEADER

Follow-Up

Author: **COWIE, WAYNE**

Appvd: **003**

Location: **2000 VISTA DR** *Apt Unit No:*

Incident Date: **Mar 28, 2019 10:21 AM**

Date Reported: **Mar 28, 2019 10:21 AM**

Case Offenses:

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46.20.342.1C - DWLS 3rd Degree

9A.76.040 - Resisting Arrest

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City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
MICHAEL**

19F03776 ASSAULT - FELONY

NARRATIVE

Follow-Up

Author: COWIE, WAYNE

Rpt Date: Mar 28, 2019 10:21 AM

Appvd: 003

Charges:

BAILEY, TIMOTHY MYRON	Dec 06, 1977	1 count 9A.36.031	Assault 3rd Degree
		1 count 46.20.342.1C	DWLS 3rd Degree
		1 count 9A.76.040	Resisting Arrest
		1 count 46.61.024	Attempting to elude pursuing police vehicle

On the above date and time, I heard Det. Langton call out over the radio that he was attempting to pull over a Kia Sportage that was failing to yield.

I joined Det. Langton and Ofc. Catrain in the 6200 Block of Malloy Ave. being the third patrol vehicle following. We were following from a safe distance as traffic was light and there were no pedestrians. I activated my overhead emergency lights and sirens. The Kia Sportage eventually made an eastbound turn onto Brown Rd., the driver, TIMOTHY BAILEY (A1) continued eastbound until he reached Portal Way. TIMOTHY BAILEY (A1) went southbound on Portal Way until he turned northbound onto the Interstate Five.

Ofc. Catrain was able to prevent TIMOTHY BAILEY (A1) from exiting at Grandview Rd. and he continued heading northbound. My patrol vehicle was now the second vehicle following behind TIMOTHY BAILEY'S (A1) Kia Sportage.

Det. Langton requested that I get along side the Kia Sportage in so to get a better look at the driver. As I attempted to pull-along the left side of the Kia Sportage, TIMOTHY BAILEY (A1) deliberately swerved towards my patrol vehicle in an attempt to ram my patrol vehicle off the freeway. I attempted to pull-along side or pass the Kia Sportage another two times. Each time, TIMOTHY BAILEY (A1) deliberately tried to ram the Kia Sportage into my patrol vehicle. I eventually managed to pass the Kia Sportage.

Ferndale Police Chief Turner confirmed with Det. Langton via the radio that TIMOTHY BAILEY (A1) was now posing a risk to the general public and to Ferndale Police Officers. Chief Turner granted permission to spike or PIT the Kia Sportage to end the pursuit and to avoid any risk to the public.

I attempted to spike the Kia Sportage as it approached mile post 270, but it wasn't successful.

I gathered the spike strips and caught up to the following patrol vehicles.

TIMOTHY BAILEY'S (A1) speed was ranging between 45 MPH and 60 MPH in the clearing marked 70 MPH zone.

Det. Langton attempted to PIT the Kia Sportage as it drove past Birch Bay-Lynden Road. TIMOTHY BAILEY (A1) intentionally swerved into the front bumper of Det. Langton's patrol vehicle causing his patrol vehicle to exit the freeway and collide with a dirt mound.

My marked patrol vehicle with its activated lights and sirens was now positioned



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**LANGTON,
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driving directly behind TIMOTHY BAILEY'S (A1) Kia Sportage. Interstate Five was clear of vehicles, road conditions were dry and speeds were varying between 45 MPH and 55 MPH.

I have been trained in Emergency Vehicle Operations Course (EVOC) and I am currently certified to perform the PIT maneuver. TIMOTHY BAILEY (A1) was driving down the center line between lane one and lane two. Each time my vehicle would come up in an attempt to perform the PIT, TIMOTHY BAILEY (A1) would maneuver his vehicle either to the left or right in an attempt to avoid being pitted.

As we were reaching mile post 271, TIMOTHY BAILEY (A1) swerved to the right, I pulled up to the right driver's side rear wheel with my patrol vehicle's push bars and performed a successful PIT maneuver. TIMOTHY BAILEY'S (A1) Kia Sportage exited the freeway and rolled over on the center median. I safely brought my patrol vehicle to a stop. Based on the fact that that the registered owner had a Concealed Pistol license on file, I drew my issued duty weapon in the low ready position as I approached the Kia Sportage.

As officers were approaching the Kia Sportage. TIMOTHY BAILEY (A1) was climbing out the driver's side window and it appeared he was looking to run. I ordered TIMOTHY BAILEY (A1) get down on the ground and show us his hands. Officers had TIMOTHY BAILEY (A1) covered with their duty weapons, I holstered my duty weapon and instructed TIMOTHY BAILEY (A1) to put his hands to the side. I gathered TIMOTHY BAILEY 'S (A1) left arm and placed it behind his back, I reached for his right hand and he tensed up his arm and resisted having his right hand placed behind his back. He was ordered to stop resisting and his right hand was placed behind his back. TIMOTHY BAILEY (A1) was placed into hand restraints that were checked for spacing and double locked.

TIMOTHY BAILEY (A1) was escorted out of the center median drainage ditch to a dry area on the side of the road on northbound Interstate Five.

Due to the fact that TIMOTHY BAILEY'S (A1) Kia Sportage left the roadway and rolled, medics were requested to care for TIMOTHY BAILEY'S (A1) possible injuries.

Due to the collision, medics decided to transport TIMOTHY BAILEY (A1) to the hospital for a medical evaluation. Ofc. Spane followed the aid car to the hospital and he provided security while at the hospital. Chief Turner requested the WSP to investigate the collision portion of the investigation due to the damage to my and Det. Langton's patrol vehicles. Det. Langton and I waited on scene with WSP troopers while everyone else cleared the area.

Once the WSP troopers had our information they allowed Det. Langton and I to clear the scene.

I went to the hospital where I replaced Ofc. Spane in the security detail.

Doctors cleared TIMOTHY BAILEY (A1) and I transported him to the Whatcom County Jail where he was booked on his charges.

See additional reports for further details.



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Photo Log

Author: **CATRAIN, MICHAEL**

Appvd: **003**

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NARRATIVE

Photo Log

Author: CATRAIN, MICHAEL

Rpt Date: Mar 28, 2019 10:21 AM

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Charges:

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Photos #1 thru #58 were taken by Officer Catrain.

Photo Log:

Photos #1 thru #8 show the path taken by the suspect vehicle when it left the roadway.

Photos #9 thru #23 show the suspect vehicle where it came to rest in the median.

Photo #24 & #25 show a knife on the passenger side floor of the suspect vehicle.

#26 thru #29 show Officer Scott's vehicle and damage.

#30 & #31 show the suspect vehicle.

#32 thru #36 show Officer Cowie's vehicle and damage.

#37 show debris from suspect vehicle.

#38 thru #41 show suspect vehicle.

#42 shows suspect, TIMOTHY BAILEY (A1).

#43 & #44 show path of suspect vehicle.

#45 shows debris from suspect vehicle.

#46 shows suspect, TIMOTHY BAILEY (A1).

#47 thru #58 show the area where Officer Scott's vehicle was forced off of the roadway.



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Follow-Up

Author: TURNER, KEVIN

Appvd: 004

Location: **2000 VISTA DR** *Apt Unit No:*

Incident Date: **Mar 28, 2019 10:21 AM**

Date Reported: **Mar 28, 2019 10:21 AM**

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**LANGTON,
MICHAEL**

19F03776 ASSAULT - FELONY

NARRATIVE

Follow-Up

Author: **TURNER, KEVIN**

Rpt Date: **Mar 28, 2019 10:21 AM**

Appvd: **004**

Charges:

BAILEY, TIMOTHY MYRON	Dec 06, 1977	1 count 9A.36.031	Assault 3rd Degree
		1 count 46.20.342.1C	DWLS 3rd Degree
		1 count 9A.76.040	Resisting Arrest
		1 count 46.61.024	Attempting to elude pursuing police vehicle

Case# 19F3776 - Chief Kevin Turner - Vehicle Pursuit

SYNOPSIS:

On the listed date and time, I assisted in a brief vehicle pursuit. An officer attempted to stop a subject for an equipment violation and the suspect failed to yield to the stop. The suspect later swerved at officers with his car, eventually striking a marked patrol vehicle and forcing that officer off the road. I authorized assisting units to PIT the subject vehicle, which was subsequently successful in stopping the pursuit.

NARRATIVE:

On 03/28/2019 at approximately 1020 hours, I was in the Ferndale Police Department and heard Officer Langton on the radio attempting to make a traffic stop. Within a very short amount of time Officer Langton came back on the radio and reported the subject of the stop was failing to yield and was not stopping, I could also hear Officer Langton's police siren in the background. Officer Langton began calling out his location, speeds, and direction of travel, which I relayed to Officer's inside the police station as I was leaving to assist. Officer Langton reported speeds as low and the subject was failing to yield.

On route to intercept and assist, I was stopped for a train crossing at Washington Street and 2nd Avenue. I heard Lt. Hatchett ask on the radio for the reason of the stop, which was reported back the attempted stop was for an equipment violation, Officer Langton also reported the speeds again as, low and stated the subject was still failing to yield. Lt. Hatchett then asked for the speed, Officer Langton relayed the speed as under 40mph on Malloy, north bound.

At the train crossing I briefly spoke with Lt. Hatchett while Officer Langton continued to update the information. We discussed the speeds reported, reason for the stop, and possible termination of officers attempting to stop this subject. Officer Langton then asked for permission to PIT (Pursuit Intervention Technique -The intentional and forced rotational contact of a noncompliant suspect vehicle by a pursuing police vehicle in an effort to stop the suspect's flight or illegal activity), which was initially denied. Officer Langton continued to report the subject's speed as low, and that traffic in the area was, light. The subject continued and went through various locations eventually turning north onto the I-5 onramp at Portal Way, the subject then sped up to approximately 50 mph, at this location the speed limit is 70 mph.

The train cleared and we (Myself, Lt. Hatchett, and Sgt. Vanderyacht) continued to follow the path of officers following the subject vehicle. Just as I entered the I-5 freeway, Officer Langton called out continued low speeds (below 60mph), and light traffic. At this point I was now speaking with Lt. Hatchett on the hands-free telephone discussing the situation when Officer Langton reported the subject just committed an attempted felony assault by trying to ram officers by intentionally swerving his vehicle at their patrol vehicles, causing them to take evasive action



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
MICHAEL**

to avoid being hit. The subject continued to attempt to ram officers and I asked if the subject was a continued danger to the public or yourselves. Officer Langton replied, yes he is a danger, he's multiple times tried to swerve officers off the roadway.

With the speeds reported as being between 50 - 60 mph, and the subject swerving and attempting to ram officers with his vehicle, it seemed apparent the subject was an extreme danger to the officers and general public in the area. The subject was swerving between lanes at these speeds, purposely swerving at officers and causing a high danger of collision with patrol vehicles and other vehicles on the freeway. The dangerous hazards the subject's actions were causing created a high risk of death or serious bodily injury to officers and other drivers on the road. I took into consideration the location, direction of travel, speed of the subject, weather, road conditions, and the subject's threat of deadly force by his actions. I questioned the subject's mental state, possible effects of drugs and/or alcohol, the severity of his threats of violence by his willingness to ram other vehicles on the road, the potential of injury to officers and others, and the exigency of the circumstances. It was apparent that the need to immediately control the subject was essential to stop the continued danger he was posing to the officers and public. Due to the subject's violence of action I authorized pursuing units to, go for spikes or PIT.

After the authorization for the use of spikes and/or PIT to stop this subject, Officer Langton reported the subject had just rammed him off the road. I again gave the authorization to, go for PIT as the seriousness of the subject's actions warranted the need to immediately stop him from the continued high level of danger he was posing.

At this point, Officer Cowie was able to successfully PIT the subject vehicle which slid and rolled into the median on I-5 freeway just north of the Birch Bay Lynden Road exit at approximately 10:36 hrs. Medical aid was immediately called, and the subject was safely taken into custody.

FOLLOW UP:

- On checking with the involved officers; Officer Langton reported minor injuries to his neck and back, no other officers reported any injuries.
- The subject, who was identified as Timothy Bailey, appeared lethargic and slow to respond to questions or direction.
- There was damage noted to two Ferndale Patrol vehicles, the damaged vehicles were photographed by Officer Catrain for this report.
- Officer Catrain also photographed the subject, his vehicle, the area of the PIT, the resting location of the subject vehicle, and the area where Officer Langton was forced off the road.
- Sgt. Vanderyacht and Officer Cowie assisted with traffic control.
- Officer Spane followed the ambulance to the hospital to secure Timothy when/if released.
- I assisted on scene for a short time and then cleared once the subject was transported for evaluation prior to booking, and State Patrol Units arrived to document the scene.

Please see the reports of the involved officers for further information.



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
MICHAEL**

19F03776 ASSAULT - FELONY

HEADER

Follow-Up

Author: **VANDERYACHT, JOHN**

Appvd: **003**

Location: **2000 VISTA DR** Apt Unit No:

Incident Date: **Mar 28, 2019 10:21 AM**

Date Reported: **Mar 28, 2019 10:30 AM**

Case Offenses:

9A.36.031 - Assault 3rd Degree

46.20.342.1C - DWLS 3rd Degree

9A.76.040 - Resisting Arrest

46.61.024 - Attempting to elude pursuing police vehicle



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
MICHAEL**

19F03776 ASSAULT - FELONY

NARRATIVE

Follow-Up

Author: **VANDERYACHT,
JOHN**

Rpt Date: **Mar 28, 2019 10:30 AM**

Appvd: **003**

Charges:

BAILEY, TIMOTHY MYRON

Dec 06, 1977

1 count 9A.36.031

Assault 3rd Degree

1 count 46.20.342.1C

DWLS 3rd Degree

1 count 9A.76.040

Resisting Arrest

1 count 46.61.024

Attempting to elude pursuing
police vehicle

On 03/28/2019 at about 1030 hours I was advised by Chief Turner that Officer Langton was attempting to stop a vehicle. I then heard radio traffic advising that Officer Langton was attempting to stop a vehicle that appeared to be failing to yield.

I drove towards the pursuit location to offer assistance if needed. By the time I came into the area the suspect vehicle was stopped and a suspect was in custody. The final stop location was Interstate 5, North of the Birch Bay Lynden Rd exit. There were police vehicles in the lane of traffic so I positioned my patrol vehicle approximately 100 yards to the South of the area to divert traffic away from officers, the suspect and emergency vehicles.

I put on my assigned high-visibility vest as I assumed I would be outside of my vehicle and working close to traffic.

I remained in that area until relieved by a Washington State Department of Transportation employee. That person set up traffic diversion equipment.

I then checked in with Officer Langton who advised me that his neck was sore as he believed he may have "whiplashed" when his vehicle was forced off of the roadway.

I then cleared and had no further involvement with this incident.



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
MICHAEL**

19F03776 ASSAULT - FELONY

HEADER

Follow-Up

Author: **LANGTON, MICHAEL**

Appvd:

Location: **2000 VISTA DR** *Apt Unit No:*

Incident Date: **Mar 28, 2019 10:21 AM**

Date Reported: **Mar 29, 2019 3:29 PM**

Case Offenses:

9A.36.031 - Assault 3rd Degree

46.20.342.1C - DWLS 3rd Degree

9A.76.040 - Resisting Arrest

46.61.024 - Attempting to elude pursuing police vehicle



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
MICHAEL**

19F03776 ASSAULT - FELONY

NARRATIVE

Follow-Up

Author: **LANGTON, MICHAEL**

Rpt Date: **Mar 29, 2019 3:29 PM**

Appvd:

Charges:

BAILEY, TIMOTHY MYRON	Dec 06, 1977	1 count 9A.36.031	Assault 3rd Degree
		1 count 46.20.342.1C	DWLS 3rd Degree
		1 count 9A.76.040	Resisting Arrest
		1 count 46.61.024	Attempting to elude pursuing police vehicle

On 03-29-19 at approximately 1529 hours I transported TIMOTHY BAILEY'S (A1) jeans, his shoes and his prescription glasses to the WCSO Jail.

I released the property to jail staff.

End of report.



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
MICHAEL**

19F03776 ASSAULT - FELONY

HEADER

Follow-Up

Author: **MARTIN, KIM**

Appvd: **003**

Location: **2000 VISTA DR** Apt Unit No:

Incident Date: **Mar 28, 2019 10:21 AM**

Date Reported: **Apr 30, 2019 1:45 PM**

Case Offenses:

9A.36.031 - Assault 3rd Degree

46.20.342.1C - DWLS 3rd Degree

9A.76.040 - Resisting Arrest

46.61.024 - Attempting to elude pursuing police vehicle



City of Ferndale Police Department

Longarm Case Report

Investigator:
**LANGTON,
MICHAEL**

19F03776 ASSAULT - FELONY

NARRATIVE

Follow-Up

Author: **MARTIN, KIM**

Rpt Date: **Apr 30, 2019 1:45 PM**

Appvd: **003**

Charges:

BAILEY, TIMOTHY MYRON	Dec 06, 1977	1 count 9A.36.031	Assault 3rd Degree
		1 count 46.20.342.1C	DWLS 3rd Degree
		1 count 9A.76.040	Resisting Arrest
		1 count 46.61.024	Attempting to elude pursuing police vehicle

Tuesday, April 30, 2019 @ 1:45p

Whatcom County Jail contacted us to request two wallets, that we are holding for safekeeping, be released to them on behalf of TIMOTHY BAILEY (A1). The two wallets were removed from safekeeping (item# 90441) and provided to Detective Scott Langton for release to the jail. A property release form has been provided to Detective Langton and requested the signed document be returned to me once released.

The ballcap, pocket knife and sunglasses have been repackaged and placed back into safekeeping.

Tuesday, April 30, 2019 @ 3:53p

Detective Langton dropped off TIMOTHY BAILEY (A1) property to the WC Jail and brought back a signed property release form. The property was received by WC Jail personnel Tanya Poole, and has been submitted with this report.



City of Ferndale Police Department

CAD Report

Entered: **Mar 28, 2019 10:22:00AM**
Dispatched: **Mar 28, 2019 10:26:00AM**
Enroute: **Mar 28, 2019 12:43:00PM**
On Scene: **Mar 28, 2019 02:22:00PM**
Closed: **Mar 28, 2019 06:30:00PM**

Incident Op ID: **WC926**
Dispatch Op ID: **WC967**

Initial Type: **TP**
Disposition: **A**
Police Block: **FP0300**

Final Type:
Officer: **FP112**

Location: **3RD AVE**

Name:
Address:
Phone:

Time	Operator	Type	Unit	Text
10:21:32AM	WC926	ENTRY	1G80	#FP108
10:21:32AM	WC926	DISPER	1G80	#FP108
10:21:32AM	WC926	ONSCNE	1G80	#FP108
10:21:45AM	WC926	SUPP		1G80 VEH FTY
10:22:02AM	WC926	SUPP		TURNING ONTO VISTA DR
10:22:16AM	WC926	SUPP		,
10:22:16AM	WC926	SUPP		EMERGENCY RADIO TRAFFIC
10:22:27AM	WC926	DISP	1G2	#FP111
10:22:27AM	WC926	DISPER	1G2	#FP111
10:22:36AM	WC926	SUPP		NB MALLOY PASSING SCHOOL
10:22:46AM	WC926	SUPP		EQUIP VIOLATION
10:22:56AM	WC926	SUPP		SPEEDS 40
10:23:10AM	WC926	SUPP		PASSING HILLSIDE NORTHSIDE MALLOY
10:23:27AM	WC926	SUPP		COMING UP MALLOY ON THORNTON
10:23:29AM	WC926	SUPP		STILL NB
10:23:34AM	WC926	SUPP		1G2 BEHIND
10:23:52AM	WC926	SUPP		WENT THRU CONSTRUCTION ZONE ON MALLOY
10:24:20AM	WC926	SUPP		HEADING TOWARDS ALDERGROVE
10:24:22AM	WC926	SUPP		NO PEDS
10:24:36AM	WC926	SUPP		PASSING ALDERGROVE NB MALLOY
10:24:49AM	WC926	SUPP		HEADING TOWARDS BROWN



City of Ferndale Police Department

CAD Report

10:25:02AM	WC926	SUPP		EB BROWN RD
10:25:19AM	WC926	SUPP		SB PORTAL WAY
10:25:27AM	WC926	SUPP		TRAFFIC LITE
10:25:44AM	WC926	SUPP		JUST WENT OVER I5 SPEEDS LOW
10:25:51AM	WC926	DISP	4F112	#FP112
10:25:51AM	WC926	DISPER	4F112	#FP112
10:25:57AM	WC926	SUPP		WENT AROUND VEH - STILL SB ON PORTAL
10:26:01AM	WC926	SUPP		COMING UP TO TRIGG RD
10:26:11AM	WC926	SUPP		G80 TO F4 PERMISSION TO PIT
10:26:41AM	WC926	SUPP		NEGATIVE PERMISSION TO PIT PER LT
10:26:54AM	WC926	SUPP		AVB9002
10:26:54AM	WC926	CHANGE		Call Remarks:AVB9002
10:26:54AM	WC926	CHANGE		Call type:T TO:TP
10:26:54AM	WC926	CHANGE		Final Call type:T TO:TP
10:27:14AM	WC926	SUPP		STILL SB PORTAL JUST PASSING PAC PRIDE
10:27:24AM	WC926	SUPP		IN THE ROUNDABOUT NOW
10:27:30AM	WC926	SUPP		NB I5 FROM PORTAL
10:27:41AM	WC926	SUPP		SPEEDS VERY LOW - NB I5
10:27:54AM	WC926	SUPP		SPEEDS 15
10:27:57AM	WC926	SUPP		LANE 2
10:28:19AM	WC926	SUPP		** CORRECTION - SPEEDS JUST BELOW 60**
10:28:44AM	WC926	SUPP		WM THIN/TALL HAT SUNGLASSES FACIAL HAIR
10:28:47AM	WC945	SUPP		STATE ADVISED
10:28:47AM	WC945	SUPP		,
10:28:54AM	WC926	SUPP		SPEEDS BELOW 60 - APPROACHING MP 266
10:29:14AM	WC926	SUPP		ADV BLAINE PD FOR SPIKES IF HE HEADS NORTH
10:29:21AM	WC921	SUPP		CR HAS CHECKED LOCALS/RETURNS
10:29:21AM	WC921	SUPP		„CPL ON FILE
10:29:56AM	WC922	SUPP		DUPLICATE: JP19-1893: AVB9002
10:29:56AM	WC922	CHANGE		Related Call:ADDED DUPLICATE:JP19-1893
10:30:07AM	WC926	SUPP		NB I5 JUST PASSING GRANDVIEW - LN 2 - SPEEDS JUST BELOW 60
10:30:29AM	WC926	SUPP		ATTEMPTED FELONY ASSAULT - JUST TRIED TO RAM OFFICER W/ HIS VEH
10:30:39AM	WC926	SUPP		ADDITIONAL ATTEMPT TO RAM OFFICERS VEH OF THE RDWY



City of Ferndale Police Department

CAD Report

10:30:49AM	WC926	SUPP		SPEEDS STILL LOW
10:31:10AM	WC926	DISP	1G1	#FP109
10:31:10AM	WC926	DISPER	1G1	#FP109
10:31:19AM	WC926	SUPP		NB I5 COMING UP TO REST AREA
10:31:38AM	WC922	SUPP		DUPLICATE: JP19-1894: AVB9002
10:31:38AM	WC922	CHANGE		Related Call:ADDED DUPLICATE:JP19-1894
10:31:52AM	WC926	SUPP		PASSING REST AREA NB I5
10:31:57AM	WC926	SUPP		SPEEDS BELOW 60
10:32:22AM	WC926	SUPP		TRAFFIC CONDITIONS ARE LITE - PERMISSION TO PIT?
10:32:55AM	WC926	SUPP		SPEEDS 52
10:33:21AM	WC926	SUPP		SWERVING BETWEEN LANE 1 AND 2
10:33:28AM	WC926	SUPP		DUPLICATE: AP19-10693: AVB9002
10:33:28AM	WC926	CHANGE		Related Call:ADDED DUPLICATE:AP19-10693
10:33:51AM	WC969	DISP	1F3	#FP003
10:33:51AM	WC969	DISPER	1F3	#FP003
10:34:04AM	WC926	SUPP		SPIKES COMING UP - LOW SPEEDS 50 MPH
10:34:21AM	WC926	SUPP		IS HE CONTINUNG DANGER TO PUBLIC?
10:34:28AM	WC926	SUPP		1F1 APPROVED SPIKES AND PITS
10:34:30AM	WC926	SUPP		TAKING BBL
10:34:35AM	WC926	SUPP		NB I5
10:34:41AM	WC926	SUPP		SETTING UP FOR PIT
10:35:01AM	WC926	SUPP		G80 HAS BEEN RAN OFF THE RDWY
10:35:09AM	WC926	SUPP		1F1 GO FOR PIT
10:35:20AM	WC926	SUPP		G80 IS BACK NB I5
10:36:00AM	WC926	SUPP		VEH ROLLOVER
10:36:23AM	WC926	ONSCNE	1G80	#FP108
10:36:33AM	WC926	ONSCNE	1G1	#FP109
10:36:38AM	WC926	ONSCNE	1G1	#FP109
10:36:41AM	WC926	SUPP		IN CUSTODY
10:36:42AM	WC926	SUPP		,
10:36:57AM	WC926	ONSCNE	1G2	#FP111
10:37:03AM	WC926	ONSCNE	1F3	#FP003
10:37:12AM	WC926	ONSCNE	4F112	#FP112
10:38:04AM	WC926	SUPP		1G80 !BAILEY.TIMOTHY.M.12061977/



City of Ferndale Police Department

CAD Report

10:40:31AM	WC926	SUPP		ADULT MALE - ALERT CONC BREATHING - C/O NECK PAIN
10:42:53AM	WC926	SUPP		1F3 REQ WSP
10:46:12AM	WC926	SUPP		REQUESTING TOW
10:56:37AM	WC926	DISPER	1G1	#FP109
11:14:58AM	FP003	CLEAR	1F3	#FP003
11:19:18AM	WC926	CLEAR	1G2	#FP111
11:20:40AM	WC926	ONSCNE	1G1	#FP109
12:41:52PM	WC927	DISPER	1G80	#FP108
12:42:37PM	WC927	DISPER	4F112	#FP112
12:49:46PM	WC969	DISP	1G60	#FP104
12:49:46PM	WC969	ONSCNE	1G60	#FP104
12:49:46PM	WC969	DISPER	1G60	#FP104
12:50:06PM	WC969	CLEAR	1G60	#FP104
01:05:02PM	WC926	ONSCNE	1G80	#FP108
01:05:26PM	WC926	DISPER	4F112	#FP112
01:14:34PM	FP112	ONSCNE	4F112	#FP112
01:48:46PM	FP109	CLEAR	1G1	#FP109
02:14:40PM	WC967	TRANSP	4F112	#FP112
02:22:09PM	WC967	ONSCNE	4F112	#FP112
03:17:45PM	WC967	CHANGE		Prime Unit changed:PRIME FOR FP19-3776 TO 4F112
03:17:45PM	WC967	CHANGE		Cleared by:CHANGED TO:A
03:17:45PM	WC967	CLEAR	4F112	#FP112
06:29:31PM	WC967	CHANGE		Call was CLEARED:
06:29:31PM	WC967	CHANGE		Reporting Officer2:FP TO:
06:29:31PM	WC967	CLEAR	1G80	#FP108
06:10:20PM	WC950	CHANGE		Related Call:ADDED RELATED FROM :AP19-10694