

THE CITY OF SEATTLE, PLAINTIFF

VS

MUIED, NAIL MULAZIM, DEFENDANT

CASE NO.: 621993

Seattle Police Department
Report Narrative

The excerpt from the attached Seattle Police Department General Offense Report 16-262638 is hereby submitted to the Court by the Seattle City Attorney's Office. The City reserves the right to supplement.



SEATTLE POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

SEATTLE LAW DEPT RELEASE COPY

(1313-2 ASSLT-NONAGG-POLICE)

GO# 2016-262638

REFERRED -CITY ATTN

LAW DEPT BY FOLLOW-

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10 USE OF FORCE REPORT SUBMITTED? [N]
USE OF FORCE SCREENED BY (SUPERVISOR'S NAME AND SERIAL):
[]

11 LIST ALL HARDCOPY PAPERWORK SUBMITTED:
[] ARREST REFERRAL TRACKING SHEET (Crisis Solution Center)
[] CRIMINAL TRESPASS WARNING 5.34.1
[] DUI PACKET
[] DV SUPPLEMENTALS
[] IDENTITY and MAIL THEFT (Photocopy of Recovered ID or Mail)
[] INVENTORY SEARCH FORM
[] MENTAL HEALTH CONTACT REPORT
[] PARK EXCLUSION
[] TOW IMPOUND RECORD
[] VEHICLE REPORT
[] WRITTEN STATEMENTS (Required on Felony Arr, Juvenile Crime, DV Incident)
[] OTHER (Describe in Box Below)
[]

12 VICTIM(S) INJURIES: SFD Responded? [N]
[S/Muied spat on the left side of Sgt. Brown's face around his left eye and left mouth area. Area was decontaminated by Vionex at the scene.]

13 INCIDENTAL PROPERTY DAMAGE: (DESCRIPTION AND VALUE)
[na]

14 VEHICLE IMPOUNDED? [N]
STORAGE LOCATION: []

15 INITIAL INCIDENT DESCRIPTION / NARRATIVE:
[Sgt. Brown, Ofc. Dunbar and myself had just rode through the area of 4th and Pine when I saw S/Muied by the fountain in Westlake Park. We rode into the next block where I ran Muied's name and saw that he had an outstanding King County felony warrant for assault 3 and theft 3 with a \$20,000.00 bail. We rode back to the area and saw that Muied was still next to the fountain with a sling pack over his shoulder and an aluminum baseball bat sticking out of the pack.

We contacted Muied and I asked him to sit down on the ledge as I needed to talk to him. Muied complied and sat down when asked. I then informed Muied that he had a King County felony warrant in the system and that I was going to arrest him if the warrant was good. Muied told me that he should not have the warrant as he attorney had taken care of it yesterday. I told him that I would call in and have Radio check to make sure if it was a good warrant or not. I finished by telling him that I was going to arrest him if the warrant was good.

Muied remained seated while we were waiting for the verification. SPD Radio did come back a few minutes later advising us that the warrant was verified. I told Muied the warrant was good and that he was under arrest. I



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asked Muied to take off the sling pack and to put his hands behind his back but he refused to move and began telling us that we had no right to talk, touch or arrest him. Muied continued to talk about his right to freedom and how our laws do not apply to him. I asked him a couple more times to cooperate and to do what I asked but he just sat there with his hands clenched in front of him. I basically begged Muied to comply and told him that I did not want to fight with him and did not want him or us to get hurt in anyway. Muied still refused so I grabbed his left wrist while Ofc. Dunbar grabbed his right wrist. Muied did not fight or struggle with us as he only used some passive stiffness when I placed the handcuffs on him while he was still seated. Once the cuffs were on, Muied became more verbal and was making general threats to "blow us up" and kill us. Ofc. Goodwin arrived as Sgt. Brown had asked him to back us due to Muied's noncompliance. We stood Muied up so he could be searched incident to arrest and this was when he spat a large wad of spittle on the leftside of Sgt. Brown's face as Sgt. Brown was standing in front of Muied. Some of the spittle made contact with Sgt. Brown's left eye and leftside of his mouth. Sgt. Brown quickly used Vionex to decontaminate and clean his face.

Ofc. K. Loux arrived and had activated the ICV system in his vehicle. Ofc. Loux advised Muied twice that he was being audio and video recorded to which Muied told Ofc. Loux to "record me". After the first advisement and the second advisement, Muied continued to threaten all of the officers there that he was going shoot, kill and murder us. Some of Muied's quotes were: "I'm going to get out and get my gun and blast all six of you officers." "I'm about to murder all you guys." "Fuck your families". Muied continued to rattle off the threats to kill us for the ten minutes or so it took Ofc. Bradrick to get there with a transport wagon. One of the threats was that he should of or could of used the baseball bat he carries on us. Due to Muied's history, the current assault 3 warrant and his threats to kill we as officers are concerned that Muied may actually reach the point to follow through on his threats.

Ofc's Bradrick and Dunbar transported Muied to KCJ. Muied's sling pack with books and CD's was placed into safekeeping but the metal baseball bat was placed into evidence. Sgt. Brown, Ofc's Dunbar, Goodwin, Kellett and Loux all wrote supplemental reports to document Muied's behavior and threats. Muied was booked into KCJ for the felony warrant and for assault SMC 12A.06.010 and harassment SMC 12A.06.040. The incident and arrest was screened by Sgt. Brown.

I hereby declare (certify) under penalty of perjury under the laws of the State of Washington that this report is true and correct to the best of my knowledge and belief (RCW 9A.72.085)

Electronically signed:
JOKELA, RANDALL A

Date: Jul-22-2016

Place: Seattle, WA



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Follow Up Report # 1

Related Text Page(s)

Narrative Text # 1

Document STATEMENT

Author 7766 - LOUX, KENT ANDREW

Related Date/Time JUL-22-2016 (FRI.) 1817

On 7/22/16 at 1628 hours, while working uniform patrol as 2M02, I was dispatched to assist with a hostile felony warrant suspect. The suspect was located in the SE corner of 4 AV / PINE ST.

Before arriving on scene it was advised that the scene was under control. Upon arrival I observed S/MUIED handcuffed and sitting down with two spit socks already over his head.

I first assisted by providing scene security as this intersection is very busy with pedestrians.

Officer Kellott informed me that S/MUIED was making harassing statements and requested that I capture any statements by S/MUIED utilizing my DICVS which was already activated prior to arrival.

I removed by microphone from its holster which is mounted on my load bearing vest and held the microphone closer S/MUIED. I advised S/MUIED that he was being audio recorded at approximately 1636 hours according to the DICVS timestamp.

I observed and recorded Officer Dunbar reading S/MUIED his Miranda warnings.

I then advised S/MUIED that he was being audio recorded a second time.

S/MUIED responded, "I don't care about that microphone."

"Better put way more charges on there. Put all the charges you can put on there so you can find out."

"So I can be right back out on these streets? and as soon as I get my gun I'm gonna blast all five? all six of you officers."

"As soon as I get my gun?"

"So when I get my gun I'm gonna pop all of your asses, all five of you guys, all six of you guys. How many is there? One, two, three, four, five, six."

"I'm about to murder all you guys. Fuck who you guys are."



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Follow Up Report # 1

"Fuck who you believe in, fuck y'all's family."

"So you better give me all the charges you can give me."

"You lucky I didn't pull out my bat and start swingin' on you guys wit it."

"I swear to God all you guys are gonna to die."

While Sgt. Brown was on the phone screening the arrest with a lieutenant I observed S/MUIED continue to reinforce the threats he made minutes before. S/MUIED made a point to speak and say "tell 'em I threatened to kill you too? I put it on my life that I'm gonna all you officers."

"All you? (something inaudible) officer are going to die."

I assisted in escorting S/MUIED to the transport van and conducted a final custodial search prior to transport before he entered the transport van.

I left the scene and arrived at the West Precinct where I uploaded my ICV from this incident.

END OF STATEMENT



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Follow Up Report # 2

Related Text Page(s)

Narrative Text # 1

Document STATEMENT

Author 7564 - GOODWIN, JOSHUA J.

Subject OFFICER STATEMENT

Related Date/Time JUL-22-2016 (FRI.) 1740

On 07/22/2016 Officer Kellett and I were in full uniform and logged in as unit "2-David-88", a West Precinct mountain bicycle patrol unit. At approximately 1616 hours, we were processing an unrelated warrant arrest at 400 Pine St, when I heard Officer Jokela #5453 advise radio of a felony warrant suspect in Westlake Park, located at 401 Pine St. From my location, I was able to see Officers Jokela and Dunbar #7515 initiate contact with the suspect at the north end of the park, near the fountains. Moments later, Sergeant Brown responded to their location, where I could clearly observe all three with the suspect.

At approximately 1627 hours, Sergeant Brown requested that I respond to their location for assistance, as the suspect did not want to go to jail and had indicated he may resist arrest. As I rolled over to their location, Officer Kellett remained with our warrant suspect on the west edge of Starbucks.

Upon arriving at the park, I immediately recognized the suspect as A/MUIED, NAIL M (DOB 11/12/1977), with whom I've had dealings with during prior incidents. He was seated on a concrete ledge near the fountains, and was wearing a backpack, which contained an aluminum baseball bat protruding from the top. Further, I was aware of MUIED's propensity to be assaultive to officers, as well as making verbal threats to kill.

As Officers Jokela and Dunbar attempted to take hold of MUIED's wrists, I began removing his backpack. As soon as the backpack came off, MUIED quickly stood upright and began tensing up. I set the backpack on the ground near my feet, at which time I took hold of the back of MUIED's jacket. At that time, I saw MUIED spit directly in Sergeant Brown's face, as Sergeant Brown was standing in front of MUIED, facing him.

I then assisted in bringing MUIED's arms behind his back, so that Officer Jokela could place handcuffs on him. Once MUIED was securely in handcuffs, I gently pressed down on his shoulder as I instructed him to take a seat, to which he complied.

Per Sergeant Brown's request, I ran back to retrieve my bicycle from Officer Kellett's location. Upon rolling it back to the park, I then obtained a department-issued spit sock from my bike bag. I handed said spit



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Follow Up Report # 2

sock to Officer Kellet, as I then looked for a MyClens Germ Spray for Sergeant Brown, which I could not locate.

I then stood by with my initial warrant suspect, as the remaining officers on scene processed the arrest of MUIED. As I did so, I was able to hear as MUIED angrily ranted toward officers, however due to the distance, I was unable to make out any of his statements.

Upon the arrival of the transport van, both MUIED and my warrant suspect were placed into the van, at which time they were subsequently transported to KCJ for booking.

Upon my return to the West Precinct, I submitted this Officer Statement.



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Follow Up Report # 4

Related Text Page(s)

Narrative Text # 1

Document NARRATIVE

Author 7732 - KELLETT, JAMES M.

Subject KELLETT FELONY STATEMENT

Related Date/Time JUL-22-2016 (FRI.) 1823

On 07/22/2016 at approximately 1616 hours, I was in full uniform, working as a two officer bike patrol unit, 2-David-88, I was working with Officer J. Goodwin #7564, in the City of Seattle, for the Seattle Police Department. At this time we were across the street on a separate arrest on the NE corner of 4 AV/Pine St. While we were preparing our prisoner for transport Sgt. Brown and other Officers were on the SE corner of the intersection preparing to arrest Nail M. Muied (DOB 11-12-1977) on a felony warrant.

Sgt. Brown #6194 requested additional officers respond as Muied had become aggressive towards officers. Officer Goodwin walked across the street while I watched our prisoner (awaiting transport). I could see officers struggling with taking Muied into custody and then heard Sgt. Brown advise that Muied was in custody and under control.

With the prisoner that I had in custody I walked across the street to the other officers and Muied. I could see that Sgt. Brown had just been spat upon, Brown informed me that Muied had spit on his face. Due to the assault on Sgt. Brown I placed a spit sock over Muied's head in order to prevent any further assault on officers by Muied.

I walked over to Muied and could hear Officer Dunbar #7515 reading Muied his Miranda rights. I could also hear Officer Loux #7766 advise Muied that he was being audio recorded.

While at the scene Muied made multiple death threats to both myself and all the officers I was with. The threats and statements were violent in nature and included the following direct quotes (recorded on Officer Loux's DICV):

"As soon as I get my gun I'm gonna pop all of your asses."

"Fuck ya'lls families."

"I'm about to murder all you guys."

"You're lucky I didn't pull out my bat and start swinging on you guys with it, bitch."

"I swear to God all you guys are gonna die."



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Follow Up Report # 4

"Fuck you and this whole government, nigger."

"You monkey-ass fucking white boys, you fucking faggot ass peckerwoods."

"I put on my life that I am going to kill all of you officers."

This list does not include the entirety of the death threats that Muied made towards officers. Muied made multiple racial, homophobic, malicious, and threatening statements. Based on Muied's statements, threats, and assault on Sgt. Brown, I am concerned and fear for both my safety and other officer's safety should there be future encounters between law enforcement officers and Muied.

I ended my contact with Muied by assisting in placing him in the prisoner transport van. This ended my involvement with the incident and arrest.

-End of Statement-

I hereby declare (certify) under penalty of perjury under the laws of the State of Washington that this report is true and correct to the best of my knowledge and belief (RCW 9A.72.085)

Electronically signed:
KELLETT, JAMES M.

Date: Jul-22-2016

Place: Seattle, WA



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Follow Up Report # 5

Related Text Page(s)

Narrative Text # 1

Document NARRATIVE

Author 7515 - DUNBAR, JOSHUA D

Subject DUNBAR STATEMENT

Related Date/Time JUL-22-2016 (FRI.) 1741

On 07-22-2016 I was working uniformed bicycle patrol duty with Ofc. Jokela as Unit 2D86 for SPD. At around 1616 hours we were patrolling with Sgt. Brown (U2D80) in the area of 4 Ave/Pine St. Ofc. Jokela informed me that a B/M seated at the fountain in Westlake Park had an outstanding felony warrant. The suspect was previously known to Ofc. Jokela.

We rode over to him and Ofc. Jokela made contact with him. I was the established cover Officer. Ofc. Jokela told the suspect (identified as Muid, Nail M (11-12-77)) to sit down and he complied. I observed that S/Muid had a baseball bat sticking out of his backpack, which was slung over his back.

While we were awaiting radio's verification, S/Muid balled his right hand into a fist and began telling Officers that we had no jurisdiction and that he had no warrant and we needed to leave him alone. Sgt. Brown called for an addition Officer and Ofc. Goodwin arrived.

Once radio confirmed and verified the warrant we had S/Muid stand up in order to take him into custody. I held onto S/Muid's right arm in an escort position. While we were placing him into custody, I observed Sgt. Brown begin to move in front of S/Muid. S/ Muid then spat saliva very quickly and with force into Sgt. Brown's face, causing the saliva to cover Sgt. Brown's face.

Sgt. Brown stepped away to begin the decontamination of his face. Myself, Ofc. Jokela and Ofc. Goodwin quickly placed S/Muid into custody.

We applied two spit socks to S/Muid in an attempt to prevent any further spitting on Officers.

I advised S/Muid of his Miranda rights.

We requested a transport and while we were awaiting S/Muid began to make numerous threats towards the Officers present, including myself. S/Muid told us very collectively and calmly that once he was released he was going to get his gun, and come back and kill each one of us by "shooting us in the face". He informed us of this threat numerous times as well as calling us "faggot ass peckerwoods" and "fucking ass white boy". He told us that he should have had his "bat out" and should have swung it at us. While S/Muid was making these threats he was controlled in his mannerisms and looked at me directly in the eyes. The vocal tones were that of a person who was not in distress nor did it seem that he was emotional. He spoke to us very matter of factly regarding these death threats until the transport arrived. Once transport arrived S/Muid was booked directly into KCJ.

I then wrote this statement.



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Follow Up Report # 5

I hereby declare (certify) under penalty of perjury under the laws of the State of Washington that this report is true and correct to the best of my knowledge and belief (RCW 9A.72.085)

Electronically signed:
DUNBAR, JOSHUA D

Date: Jul-22-2016

Place: Seattle, WA