

# Marysville Police Department

## Use of force Report

### Incident Details

Date Received 10/09/2022  
Entered By Police Officer Daniel Hamburg - 0207  
Date/Time of Occurrence 10/09/2022  
Date/Time Entered 10/09/2022 19:05  
Record ID Number 2257  
Case No 2022-00048606  
IA No 22UOF-040  
Marysville PD BlueTeam Assigned Investigator [Pending assignment]  
IAPro Assigned Investigator Assistant Police Chief James Lawless

### Incident Location

Location of Occurrence Marysville  
10200 block and State Ave  
, WA, 98270  
Precinct: Marysville

### Incident Summary

Pushed male off bike. Detained male for bike theft.

\*\*\*\*\*

Reviewed by Assistant Police Chief James Lawless [0191] on Oct 10, 2022 at 12:26

Decision:

Reviewer comment:

UOF within policy, no further action.

### Use of Force Details

More Than 1 Citizen Involved	No	Reason For Using Force	Active Resistance
Citizen Arrested	Yes	Distance to Citizen	Contact
Officer(s) Injured	No	Citizen Injured	Yes
Officer(s) Taken to Hospital	No	Citizen Taken to Hospital	No
Service Being Rendered	Investigation	Citizen Build	Medium
Weather Condition	Clear	Citizen Height	6'1" to 6'3"
Light Condition	Day	Citizen Influence Assessment	Unknown Drugs

### Reporting/Involved Citizen

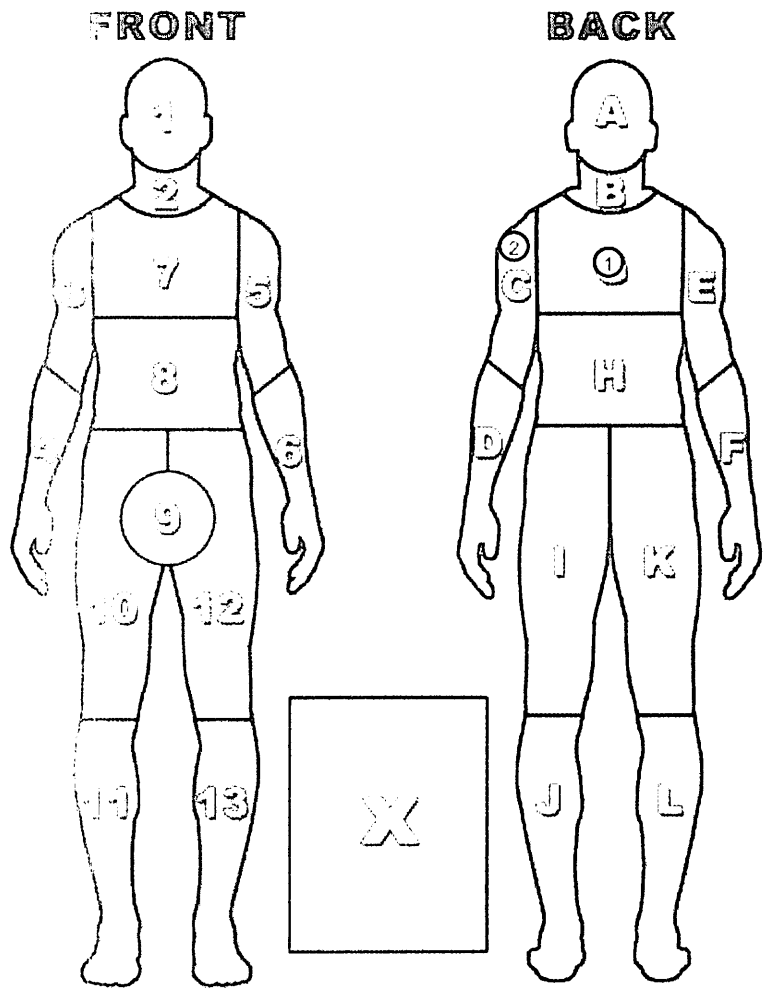
**Mitchell Zebra**

Date of Birth	09/07/1995	Gender	Male
Race	White	Ethnicity	Non-Hispanic
Role	—		
Address	[None Entered]	Phone Numbers	[None Entered]
Type of Resistance Citizen Used Against Officer	Active Resistant		
Charges Against Citizen	Resisting Felony-Person Crime		

Injuries Sustained By Citizen

Aid-Offered/ Refused —

Points: 1, 2



Involved Officers

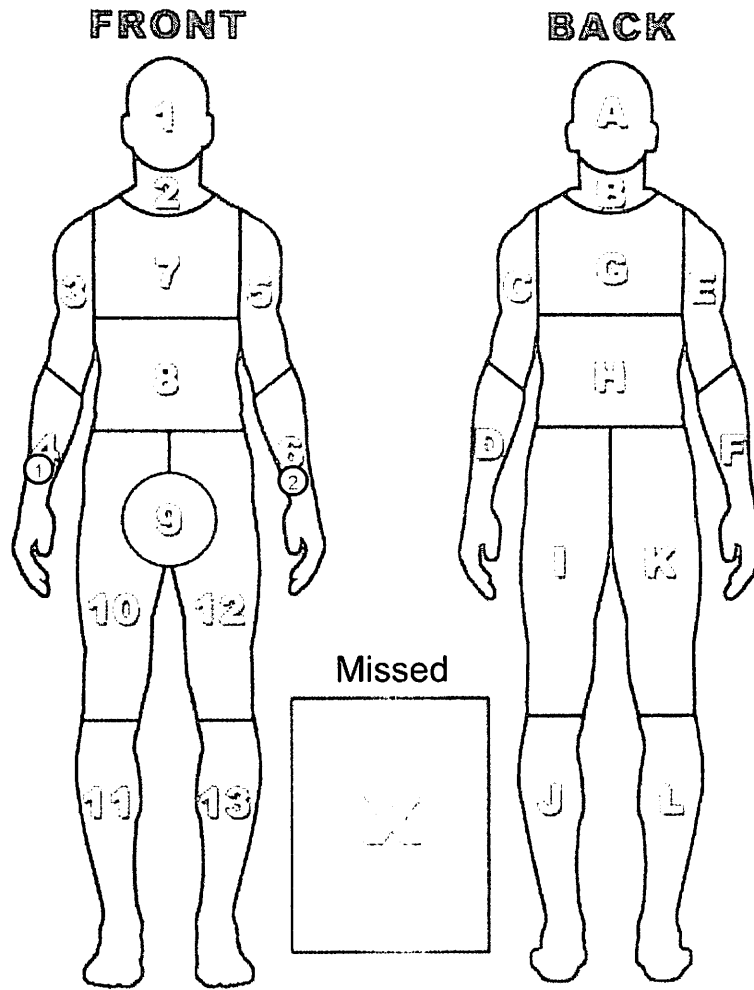
Police Officer Daniel Hamburg - 0207

Assignment at time of incident      Police Officer Patrol Operations/FTO/FTO

Role      —

Force used by this Officer against Citizen

- o Physical Controls - Force Effective: Yes — Points: 1, 2





Injuries Sustained By Officer

No injuries noted or visible —  
Points:

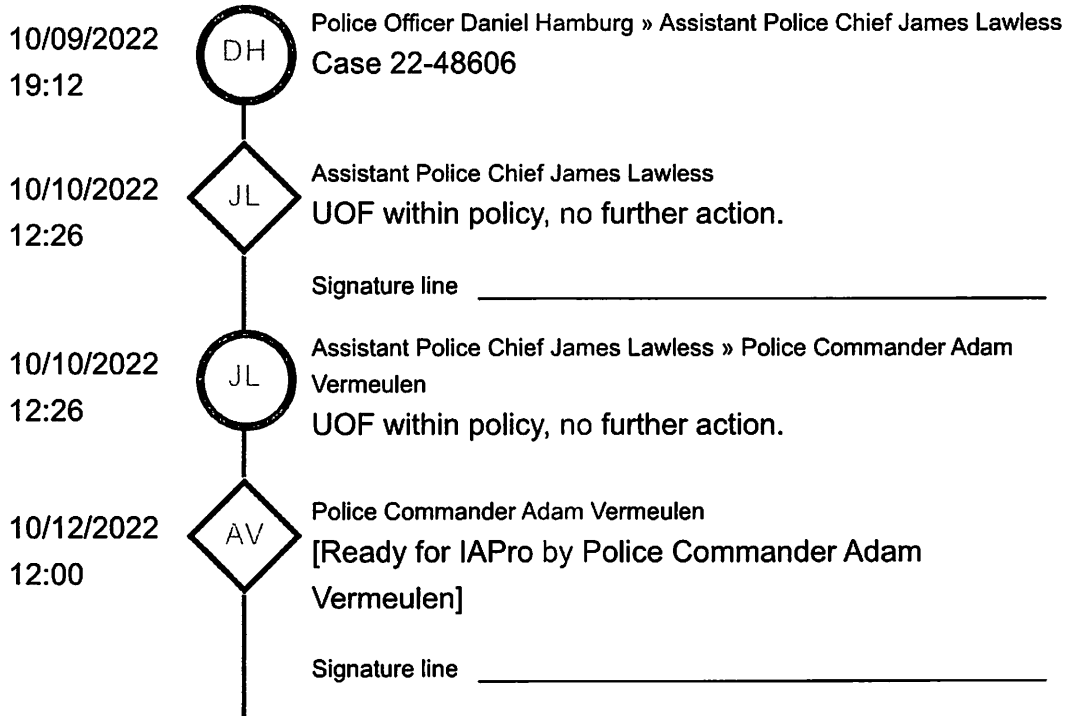
Attachments

Date Attached	Attachment Description	Attachment Type
10/09/2022	2022-00048606 Theft 3 Assault 3 resist	doc

Assignment History

- 10/12/2022 12:01  Pol A Vermeulen  
Field status changed in IAPro from To IA to Released
- 10/12/2022 12:01  Pol A Vermeulen  
Released back to IAPro

## Chain of Command History



### Assigned Investigator Signature Line

\_\_\_\_\_

[Pending assignment]

**Marysville Police Department  
Officer D. Hamburg Report**

**Case: 2022-00048606**

**Date: 10/09/2022**

**Time: 15:51**

**Weather: Clear**

**Location: Burger King – 1315 Fourth St**

**Incident: Theft 3 / Assault 3 / Resisting Arrest**

**Assignment: Patrol**

I (Officer D. Hamburg MP0201) work for the city of Marysville in the county of Snohomish. I am assigned to the Marysville Police Department Patrol Division. On the above date and time I was assigned as a beat car. I was wearing the standard Marysville Police Department patrol uniform and driving a fully marked Marysville Police Department patrol car equipped with emergency lights, siren and decals. I was wearing my department issued body worn camera from Axon. All video footage has been uploaded to evidence.com.

**Officers Action:**

On the above date and time, I was flagged down at 9<sup>th</sup> and State Ave by the reporting party, Kirill Zhurankou DOB 07/13/2007, claiming that his bike was just stolen from address above.

Kirill stated that the theft happened approximately 5 minutes prior to contacting me. Kirill stated that his dad, Aliaksei Zhurankou DOB 03/05/1977 had an Apple airtag on the bike under the water bottle holder. I asked Kirill to describe the bike to me. He describe the bike as a gray and red Trek mountain bike.

Kirill contacted Aliaksei on the phone. Aliaksei stated that the bike was located at the Pizza hut located at 1375 State Ave. I contacted Aliaksei on my department issued phone and requested Kirill to remain at State ave and 9<sup>th</sup> St.

I responded to Pizza hut and did not locate the bike. I informed Aliaksei and he stated that the air tag updated and the bike was northbound on State Ave in the 9400 block. I continued North on State Ave and observed a male on a bike matching the description provided from Kirill in the 9700 block on State Ave.

I asked Aliaksei if was willing to press charges. He stated yes. I informed dispatch of the theft and updated my location to the 10200 block of State Ave.

I exited my patrol vehicle and attempted to stop the male. I called out to the male and told him to stop. The male made eye contact with me and continued Northbound. He rode off the sidewalk into Southbound traffic lanes in an attempt to ride away from me. I looked at southbound traffic and there was no oncoming traffic at that time. I entered the road way and intercepted the male and the bike in the center turn lane. The male was at a low rate of speed and I pushed the male over. The male fell to the ground and attempted to secure the male.

The male immediately began to actively resist me. The male was swinging his arms causing my bodyworn camera to be knocked off my vest and knocking my glasses off my face. I instructed the male to "stop" multiple times while notifying units I was struggling with a male in the center turn lane. The male continued to reach for items located on my vest. Due to being on the ground struggling with the male in the middle of the road with traffic passing and being alone, this placed me in fear of the male accessing my tools located on my duty vest and duty belt.

I repositioned myself to his back with his left side pinned to the ground. The male continued to resist my attempts to detain him while I continued to tell him to "Stop". I was able to hold the male on the ground with my body weight while securing the males arms. The male began stating that he could not breathe. At no time did I impend the males airway in the head or neck region. I acknowledge his statements and verified this during the his active resistance.

Units responded to my location and told the male to stop resisting. The male continued to refuse to comply with units commands. I was able to roll the male onto his stomach and secured the male in handcuffs, gauged and double locked.

Units escorted the male from the center lane. I searched the male. During the search, the male was kicking and continued to not comply with commands. Units instructed the male to stop moving. I informed the male that I received a call for a stolen bike that matched the description of the bike he was riding. He stated that he saw the bike at Burger King and took the bike. I did not ask any further question. I did not advise the male of his constitutional rights due to the constant change in behavior. The male attempted to stand on the push bar of my patrol vehicle. Units requested Jail staff to respond to the scene to transport the male.

Units identified the male as Mitchell Zebra DOB 09/07/1995.

Units photographed Mitchell's injuries. Mitchell had minor bleeding from his back and on his left should. Aid crews were requested to evaluate Mitchell at the scene. Mitchell decline aid to do anything further and asked them for water only.

Based on my investigation, I developed probable cause to arrest Mitchell for Theft 3, Assault 3, and resisting arrest.

Mitchell was transported and booked in the Marysville Jail.

I transported the bike back to Marysville Police Department and returned the bike to Kirill. Aliaksei and Kirill provided me with a written statement. I have included the statements in the case jacket.

This concludes my involvement in this case.

***THIS DOCUMENT WAS SUBMITTED ON A DEVICE THAT IS OWNED, ISSUES OR MAINTAINED BY THE MARYSVILLE POLICE DEPARTMENT WHICH IS AN IDENTIFIED CRIMINAL JUSTICE AGENCY IN WASHINGTON STATE.***

***I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THE FOREGOING IS TRUE AND CORRECT (RCW 9A.72.085) AND I AM ENTERING MY AUTHORIZED USER ID AND PASSWORD TO AUTHENTICATE IT.***

***OFFICER Daniel Hamburg #0201  
MARYSVILLE POLICE DEPARTMENT  
DATE: 10-09-2022***