

CAUSE NO. \_\_\_\_\_



**CERTIFICATION FOR DETERMINATION  
OF PROBABLE CAUSE**  
**JAN 22 2019**

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|---------------------------------|
| GENERAL OFFENSE #<br>2019-25444 |
| UNIT FILE NUMBER                |

That Julie Wight is a Detective with the Seattle Police Department and has reviewed the investigation conducted in Seattle Police Department Case Number 2019-25444;

There is probable cause to believe that Timothy A. Clemans (DOB 07/19/90) committed the crime(s) of Investigation of Assault within the City of Seattle, County of King, State of Washington.

This belief is predicated on the following facts and circumstances:

At approximately 1849 hours, on Saturday January 19<sup>th</sup> 2019, suspect Timothy A. Clemans (DOB 07/19/90) called 911 and reported he was attempting "suicide by cop" and that he had an "airsoft gun." This incident took place in front of the Seattle Police Department West Precinct (810 Virginia St.) in the City of Seattle, County of King, State of Washington. The call history noted that Clemans "covered the tip of the airsoft gun" which in turn would make the air soft pistol appear like an actual pistol (intended to fire a bullet).

Multiple Officers responded to, and arrived on scene within a minute, and located Clemans standing directly in front of the West Precinct at the base of the stairs, on the sidewalk, holding what appeared to be a black pistol. According to Officer Passarella, Clemans was "holding the pistol waist level, pointing the muzzle of the pistol at a team of Officers standing at the West Precinct entrance" (to include victim Officer(s) J. Bedford #7789, J. Johnson #7754, J. Cruz #8605 and Sgt. S. Schenck #6918). Clemans was reported to be holding a phone in his other hand, and believed to be talking with dispatch.

In his statement, Officer Murphy reported he witnessed Clemans holding a black pistol in his hand and said Clemans was "obviously in a state of crisis" and was exclaiming "Kill me! Kill me!" Multiple Officers commanded Clemans on multiple occasions to drop the gun, but he refused. Officer Virgilio, who was working in a two-person car with Officer Beecroft, arrived on scene and noted he could hear Clemans yelling that "he wanted to die." Officer Virgilio was equipped with a less-lethal 40mm launcher (which deploys eXact iMPact 40mm blue nose impact rounds) and again advised Clemans to drop the gun; Clemans refused at which point Officer Virgilio deployed a single 40mm round which struck Clemans in the left thigh. Officer Virgilio instructed Clemans to comply with his commands to drop the gun, which he again refused to do. Officer Murphy noted "astonishingly, the impact had no effect" and that Clemans then turned and pointed his firearm at Officer Virgilio.

Officer Bedford was also equipped with a less-lethal 40mm launcher, and reportedly took up a position by the front door of the precinct. Shortly after Officer Virgilio deployed his 40mm, Officer Bedford fired a single 40mm round at Clemans, striking him in his "pelvic girdle." Officer Murphy stated "again, the round had no positive effect." Sgt. Kraus who was on scene stated "after the deployment of the blue nose, I noted that Clemans appeared to focus on the location of the less lethal Officers west of me. At that point, I observed that he began to point his handgun in the



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direction of the less lethal Officers.” From an approximate distance of 15 feet, Sgt. Kraus reported he deployed his Taser, and that both prongs struck Clemans; one in the left hamstring area and the other on his back near the belt line. The deployment was successful, at which point Officers approached Clemans and took him into custody without further incident. It was not until Clemans was in custody, that it was confirmed the weapon he was pointing at Officers, was in fact a replica Sig Sauer BB gun. Additionally, Clemans had wrapped the end of the gun with black electrical tape, to hide the bright orange tip on the gun. The orange tip is specifically designed to make it very apparent that the gun is a replica, and not a “genuine gunpowder fired projectile weapon.” The below is a photo of the weapon recovered from Clemans.



Officer Passarella spoke with Clemans after he was taken into custody, and stated Clemans reported the following (in summary):

“he was Bipolar, and he was tired of living. He went to Dick’s Sporting Goods today, and purchased the Sig pistol with a plan to use it to provoke police officers. He wanted Police to shoot him, he was tired of being tired, and depressed. He reached out for help several times before without any results. He told his case worker he was suicidal, and his case worker didn’t believe him.”

It should be noted that over the past year, from July 16<sup>th</sup> 2018 through January 19<sup>th</sup> 2019 (most recent above incident), Clemans has been involved in ten total reported crisis/suicide incidents with the Seattle Police Department. Three of these incidents have been “suicide by cop” and have taken place in the past three months. Additionally, the SPD Crisis Response Unit are very familiar with Clemans and have concerns over his escalating behavior related to his “suicide by cop” suicidal behavior. Officer Murphy summarized his statement as follows, which seems to very clearly articulate the concern over Clemans escalating behavior.

“CLEMANS has repeated his behavior, and has escalated each time, I fear that CLEMANS will eventually find a way to obtain a firearm, and attempt to harm, and, or kill Law Enforcement. I would like to urge the Seattle Law Department

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to refer this incident to Mental Health court, before CLEMANS has the opportunity to create a life ending event through his actions. In this incident, CLEMANS took a substantial step in his suicidal agenda. This time, he showed up to a Police precinct, and lured officers out to him. He then pointed the weapon at Officers, in hopes that he would be shot. Due to his escalation, it was feared that CLEMANS had learned from his past failures with a replica gun, and would utilize his modus operandi to lull officers into complacency, hoping they would believe the gun to be "fake". Only to have a "real" firearm this time, and harm an Officer. Officers on scene prepared for this scenario, treating the threat level as deadly force against them, until it was verified as a replica after the incident was concluded, and the gun was in Police custody."

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct to best of my knowledge and belief. Signed and dated by me this 22<sup>nd</sup> day of January, 2019, at Seattle, Washington.

