



SNOQUALMIE POLICE DEPARTMENT

Officer Report for Incident 19S-4319

9Z1059403

Nature: DISTURBANCE

Address: 6501 RAILROAD AVE SE; SALISH
LODGE

Location: SNO

Snoqualmie WA 98024

Offense Codes: 158

Received By: T DAVENPORT

How Received: T

Agency: SNO

Responding Officers: J FISCHBECK, B LANHAM

Responsible Officer: J FISCHBECK

Disposition: CAA 09/15/19

When Reported: 22:31:48 09/15/19

Occurred Between: 22:31:24 09/15/19 and 22:31:24 09/15/19

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported: 321 DISTURBANCE

Observed: 158 INTIMIDATION

Additional Offense: 158 INTIMIDATION

Circumstances

Responding Officers:

Unit :

J FISCHBECK

660

B LANHAM

650

Responsible Officer: J FISCHBECK

Agency: SNO

Received By: T DAVENPORT

Last Radio Log: **:*.**:** **/**/**

How Received: T TELEPHONE

Clearance: CR CASE REPORT

When Reported: 22:31:48 09/15/19

Disposition: CAA **Date:** 09/15/19

Judicial Status: STP

Occurred between: 22:31:24 09/15/19

Misc Entry: APPROVED

and: 22:31:24 09/15/19

Involvements

Officer Report for Incident 19S-4319

Date	Type	Description	
09/17/19	Name	GARDNER, BRIAN T	Witness
09/17/19	Name	OBENSKI, BRYSON JON	Witness
09/17/19	Name	JOHANNES, MELISSA LEONE	Witness
09/15/19	Name	COSTELLO, JUSTIN J	Defendant
11/06/19	Citation	CRIMINAL/NON-TRAFFIC	Citation
09/18/19	Offense	Offense#: S03763 - GM - 1 count	Charged With
09/15/19	Offense	Offense#: S03926 - GM - 2 counts	Charged With
09/15/19	Cad Call	22:31:48 09/15/19 DISTURBANCE	Initiating Call

Narrative

OFFICER: J. FISCHBECK, #660
SNOQUALMIE POLICE DEPARTMENT
CASE NUMBER: 19S-4319
VICTIM / OFFENDER RELATIONSHIP: NA
NARRATIVE:

On 09/15/2019 at about 2231 hours, Snoqualmie Officers were advised of a disturbance at the Salish Lodge (6501 Railroad Ave SE in the City of Snoqualmie). Employee, Brian Gardner, reported a drunk male in front of the business being disruptive and verbal with employees. The subject had been causing issues inside of the business for a while. At about 2238 hours, Brian called back and advised the subject was very verbal and was threatening the valet driver. At about 2240 hours, while I was on the way to the incident, Brian called back and advised the subject was physical with the valet.

I arrived and [REDACTED] the subject (later identified with WA ID as Justin J Costello DOB [REDACTED] 80) and three employees of the Salish Lodge on the east end of the proper [REDACTED] Railroad Ave SE (The employees were later identified as Brian Gardner DOB [REDACTED] 79, Bryson Obenski DOB [REDACTED] 81, and Melissa Johannes DOB [REDACTED] 81). Justin was about 200 feet away from the group as I approached. The group pointed out Justin and stated he was the subject. Justin began walking back to the group. I told the group to stay back while I detained Justin.

Justin was walking towards the group and me. Justin's fists were clenched and he was staring at me. Justin appeared to be fixated and walking with a purpose towards me. Based on the dispatched information and Justin's current actions. I believed it was likely Justin was approaching to cause harm to myself or another member of the group behind me. I drew my taser and gave Justin an order to get down on the ground or he would be tased. Justin was about 25 feet away at this time. Justin ignored my command and continued to advanced towards me in the same manner. I gave Justin two more commands to get down on the ground or he would be tased. Justin got about 10-12 feet away from me and finally complied and got onto the ground. I talked Justin into a prone handcuffing position and placed him into handcuffs without further incident.

The group of employees stated they would provide statements for the events and that Justin had threatened them. I provided the employees statement forms and received signed, sworn statements. Justin was informed he was under arrest at this time. Justin was read his constitutional rights and invoked his right to remain silent.

Bryson Obenski:

"Guest was screaming profanities over the phone. I was watching him to see if he was okay. He approached me as if he was going to hit me. He put his hand on me and I told him not to touch me. He got angry and told me I made a huge mistake and he was going to send "his boys after me" tomorrow. He got in my face and kept trying to start a fight. We followed him to make sure the police could locate & detain."

Bryson stated Justin was a billionaire from Bellevue. Bryson thought that Justin had the means to send people after him. Bryson took this to mean these people would cause physical harm to his person.

Brian Gardner:

"Justin was threatening Bryson saying he was sending people to "take care" of

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him. We followed him until Police showed up.

Prior I took care of him and 3 guests in the attic (*Officer note: a restaurant at the Salish Lodge*) . He was verbally threatening his girlfriends sister causing them to leave him here. As I left the building I heard yelling so I came back up to the valet and witnessed the altercation between Justin & Bryson. I saw Justin put his hands on Bryson."

Melissa Johannes:

"I was headed out the building and talking to a coworker when we heard yelling and cussing. We went up to valet to make sure everything was ok, the valet attendant Bryson was there and pointed out a guy on the phone, very belligerent and angry. Bryson approached him to see if everything was ok in which the guy walked right up to Bryson and got in his face. He started threatening Bryson, saying he was gonna have "his guys" come back tomorrow and deal with him. That he's making a huge mistake. My coworker Brian had called the police at this point. The drunk guy wouldn't let up, was approaching Bryson as he was trying to assist guests arriving. At this point I stepped in to try and get him away from the other guests. He kept threatening us, Bryson, the lodge. He took off down the side of the lodge and the police finally arrived."

Melissa thought Justin was threatening to send people after the group to physically harm them.

Although I did not detect the odor of alcoholic intoxicants coming off Justin, his speech was repetitive and he continually asked the same questions as if impaired.

See Ofc Lanham's report for Justin's threats towards him during detention.

I took custody of Justin and began transport to the Issaquah City Jail for misdemeanor harassment charges. On the way to the ICJ, Justin repeatedly made the following statements that I wrote down:

"You guys are so fucked."
"I am going to sue you civilly."
"Google me."
"I'm a really rich man."
"I'm a billionaire."
"You messed with the wrong dude."
"Not a good move."
"Hope you have a lot of legal insurance."
"You guys realize I'm going to hit you civilly."
"I'm going to civilly hit you in the fucking ass."
Justin asked where I lived several times.
"I am going to find out who you are, where you work."
"You should be very scared of me."
"This is gonna cost you brother, a lot of money."

After these statements, it became apparent Justin was attempting to threaten me with financial repercussions if I did not change my arrest decision and release him. I diverted from ICJ to the King County Jail to book Justin on Intimidating a Public Servant.

At the King County Jail, Justin refused to walk and I had to physically move him to the booking area from my vehicle. During the forced walk, Justin told me "don't do this" twice. Justin demanded I speak with Dan Marcinko about this (the former City of Snoqualmie Public Works Director). Justin again told me that he was going to sue me civilly and it was going to cost me a lot of money.

Officer Report for Incident 19S-4319

I booked Justin into the KCJ on a single count of felony Intimidating a Public Servant.

Justin's actions and statements to myself and Ofc Lanham appear consistent with his interactions with the three Salish Lodge employees. Justin was attempting to use his social position to threaten me financially into changing my arrest decision. As such, I believe probable cause to exist that Justin committed the crime of Intimidating a Public Servant with the threat specifically intended to harm substantially me with respect to my business and my financial condition.

I also believe probable cause to exist for two counts of Harassment for threatening to send people after Bryson and Melissa. Both victims took Justin's words to mean these people would physically cause harm to them and both believe Justin was capable of doing this. I also believe probable cause to exist for one count of Obstructing a Law Enforcement Officer based on Justin's continued advance when directed to get on the ground during the initial detention.

I completed a super form, charge sheet, and certification of probable cause. This case to be forwarded to the KCPAO for review and filing.

I certify under penalty of perjury under the laws of the State of Washington that all statements made herein are true and accurate and that I am entering my authorized User ID and password to authenticate it (RCW 9A.72.085).

Electronically Signed: Yes Signature: J Fischbeck
Snoqualmie-North Bend/King/Washington Date: Wed Sep 18 05:09:40 PDT 2019

Supplement

OFFICER: B. Lanham #650
SNOQUALMIE POLICE DEPARTMENT
CASE NUMBER: 19S-4319
VICTIM / OFFENDER RELATIONSHIP:
NARRATIVE:

On 09-15-19 at around 22:30 hrs Officer J. Fischbeck was dispatched to 6501 Railroad Ave SE to a disturbance call. Dispatch advised that a male was being disruptive and verbally arguing with employees. Then dispatch changed the call from a disturbance to an unwanted subject. Dispatch also advised the male was verbally arguing and threatening the valet. I advised dispatch I would assist Ofcr Fischbeck.

Ofcr Fischbeck advised he was going to activate his lights to get on scene faster due to dispatch advising the subject was now physical with the valet. A short time later once Fischbeck arrived on scene he advised dispatch he was being challenged by the male.

I arrived shortly after and observed a male laying on the ground face down in handcuffs and Ofcr Fischbeck talking to another male. It should be noted I did not see Ofcr Fischbeck's patrol unit in the area. I asked Ofcr Fischbeck if he wanted me to put the unknown male in the back of my patrol car which he advised me he did.

I walked to the suspect who was identified as Costello, Justin J. ([REDACTED]-81) and assisted him to his feet. I then walked Justin to my fully marked patrol car, while walking Justin to my patrol vehicle he was swaying side to side as if he was extremely intoxicated. I checked to make sure the handcuffs were locked and properly fit for his safety. I asked Justin if he needed medically checked and if he had any injuries, Justin stated, "No I'm fine." Due to the call notes, once at the vehicle I read Justin his Constitutional warnings. While reading the warnings Justin kept yelling I don't understand what you are saying. Once I was done reading his warnings from my department issued card I asked if Justin understood his rights and he yelled "No." I asked Justin if he wanted me to read his rights to him again and he stated, "Yes."

Ofcr Fischbeck walked to the vehicle after talking to the victims and informed Justin he was under arrest for harassment and possibly disorderly conduct. Justin asked several times "What am I being arrested for." (about 4 times) Ofcr Fischbeck answered the question every time it was asked of him. I then reread Justin's Constitutional warnings and Justin replied he understood and didn't wish to talk. While I was reading his warnings this time Justin laughed at me and stated, "Do you know who I am bitch, Google me mother fucker." "I have 12 lawyers that work for me I'm a billionaire, I'm going to sue you civilly mother fucker." I shut the door to my police car and was contacted by an unknown female. The female asked what was going on and stated, "She was with Justin." The female's speech was very slurred, and she was unsteady on her feet. She appeared to be under the influence of intoxicant. I explained to her several times what was happening and where she could pick him up. She was very distraught and seemed confused. She asked several times as well to repeat what officers were telling her. I told the female again she could pick him up at jail once he was booked.

Justin was then transported to the valet area where Ofcr Fischbeck's car was located so he could transport him to jail.

Officer Report for Incident 19S-4319

While I was driving Justin to the valet area he made several more threats:

"I'm going to get my people after you"
"You are so fucked"
"Bro take these handcuffs off, so I can kick your ass"
"Call Dan Marcinko he will vouch for me"
"I'm going to own you mother fucker"

It should be noted that while Justin was threatening me, I was concerned for my safety due to the amount of money that he stated he had making his threats possible.

Once I arrived at Ofcr Fischbeck's car I informed him of the repeated threats that Justin was making. We then transported Justin from my patrol car to Ofcr Fischbeck's car. While walking to the car Justin continued threatening and telling Ofcr's, "You guys are so fucked."

Once Justin was placed in Ofcr Fischbeck's car I was contacted again by the unknown female that stated she was Justin's girlfriend. I advised her again where she could get Justin, I also asked her to get a ride due to her intoxicated state.

Ofcr Fischbeck got statements from the victims and then I was able to clear the scene no further incident.

I certify under penalty of perjury under the laws of the State of Washington that all statements made herein are true and accurate and that I am entering my authorized User ID and password to authenticate it (RCW 9A.72.085).

Electronically Signed: Yes Signature: B. Lanham #650
Snoqualmie-North Bend/King/Washington Date: Tue Sep 17 19:38:01 PDT 2019

Supplement

OFFICER: J. FISCHBECK, #660
SNOQUALMIE POLICE DEPARTMENT
CASE NUMBER: 19S-4319
VICTIM / OFFENDER RELATIONSHIP: NA
NARRATIVE:

After review, the KCPAO requested the case be filed in municipal court.

I have completed a SECTOR citation and am forwarding this case to the Snoqualmie Prosecutor with recommendations Justin be charged with two counts of Harassment and one count of Obstructing a Law Enforcement Officer.

This concludes this supplemental.

I certify under penalty of perjury under the laws of the State of Washington that all statements made herein are true and accurate and that I am entering my authorized User ID and password to authenticate it (RCW 9A.72.085).

Electronically Signed: Yes Signature: J. FISCHBECK, #660
Snoqualmie-North Bend/King/Washington Date: Mon Nov 04 12:31:55 ST 2019

Name Involvements:

Witness : 271444

Last: OBENSKI

DOB: [REDACTED]/81

Race: W **Sex:** M

First: BRYSON

Dr Lic: [REDACTED]

Phone: (253)545-1644

Mid: JON

Address: 1610 E MAIN ST

City: Auburn, WA 98002-5837

Witness : 244972

Last: GARDNER

DOB: [REDACTED]/79

Race: W **Sex:** M

First: BRIAN

Dr Lic: [REDACTED]

Phone: (805)748-4758

Mid: T

Address: 16432 SE 263 ST

City: Covington, WA 98042

Defendant : 271411

Last: COSTELLO

DOB: [REDACTED]/80

Race: W **Sex:** M

First: JUSTIN

Dr Lic: [REDACTED]

Phone:

Mid: J

Address: 38180 SE NORTHERN ST

City: Snoqualmie, WA 98065

Witness : 271445

Last: JOHANNES

DOB: [REDACTED]81

Race: W **Sex:** F

First: MELISSA

Dr Lic: [REDACTED]

Phone: (425)269-7603

Mid: LEONE

Address: 21833 SE 271 ST

City: Maple Valley, WA 98038



SNOQUALMIE/NORTH BEND POLICE

STATEMENT

CASE# 195-4319

Date: 9/15 Time: 10:50 Victim: ☒ Witness: ☐

Name: Bryson Obenski

DOB: [REDACTED]/81 Sex: M ☒ F ☐ Race: W

Address: 1610 E. Main Street
Auburn WA 98002

Telephone: Primary (253)545-1644 Secondary () -

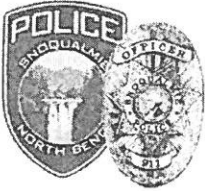
Guest was screaming profanities over the phone. I was watching him to see if he was okay. He approached me as if he was going to hit me. He put his hand on me and I told him not to touch me. He got angry and told me I made a huge mistake and he was going to send "his boys after me" tomorrow. He got in my face and kept trying to start a fight. We followed him to make sure the police could locate & detain.

JK

This statement was written for me by SELF, at my request and was made freely, voluntarily, and without any threats or promises of any kind. It is true and correct to the best of my knowledge and I will testify to these facts in a court of law.

X Bryson Obenski Date 9/15/19

Officer: JKLusick #668 Witness: _____



SNOQUALMIE/NORTH BEND POLICE

STATEMENT

CASE# 195-4319

Date: 9.15.19 Time: 10:57 Victim: ☐ Witness: ☒

Name: Melissa Johannes

DOB: [REDACTED] 81 Sex: M ☐ F ☒ Race: W

Address: 21833 SE 271st St
Maple Valley, WA 98038

Telephone: Primary (425) 269-7603 Secondary () -

I was headed out the building and talking to a coworker when we heard yelling and cussing. We went up to valet to make sure everything was OK, the valet attendant Bryson was there and pointed out a guy on the phone, very belligerent and angry. Bryson approached him to see if everything was OK in which the guy walked right up to Bryson and got in his face. He started threatening Bryson, saying he was gonna have "his guys" come back tomorrow and deal with him. That he's making a huge mistake. My coworker Brian had called the police at this point. The drunk guy wouldn't let

This statement was written for me by myself, at my request and was made freely, voluntarily, and without any threats or promises of any kind. It is true and correct to the best of my knowledge and I will testify to these facts in a court of law. →

x [Signature] Date 9.15.19

Officer: J. Fischbeck HGO Witness: _____

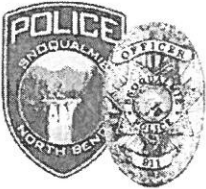
STATEMENT

up, was approaching Brynson as he was trying to assist guests arriving. At this point I stepped in to try and get him away from the other guests. He kept threatening us, Brynson, the lodge. He took off down the side of the lodge and the police finally arrived.

This statement was written for me by myself, and was made freely, voluntarily, and without any threats or promises of any kind. It is true and correct to the best of my knowledge and I will testify to these facts in a court of law.

X [Signature] Date 7.15.19

Officer: JFischbeck #660 Witness: _____



SNOQUALMIE/NORTH BEND POLICE

STATEMENT

CASE# 195-4314

Date: 9/15/19 Time: 10:50 Victim: ☐ Witness: ☒

Name: Brian Gardner

DOB: [REDACTED] 49 Sex: M ☒ F ☐ Race: White

Address: 6501 Railroad Ave SE
SNOQUALMIE WA 98065

Telephone: Primary 805-748-4758 Secondary () -

Justin was ~~threatening~~ threatening Bryson saying he was sending people to "take care" of him. We followed him until Police showed up.

Prior I took care of him and his 3 guests in the attic. He was verbally threatening his girlfriends sister causing them to leave him here. As I left the building I heard yelling so I came back up to the 1st floor and witnessed the altercation between Justin + Bryson. I saw Justin put his hands on Bryson.

This statement was written for me by Self, at my request and was made freely, voluntarily, and without any threats or promises of any kind. It is true and correct to the best of my knowledge and I will testify to these facts in a court of law.

X [Signature] Date 9/15/19

Officer: J Fischer #660 Witness: _____



CRIMINAL <input type="checkbox"/> TRAFFIC <input type="checkbox"/> NON-TRAFFIC <input checked="" type="checkbox"/>		L.E.A. ORI #: WA0172200		COURT ORI #: WA0172K1J		921059403		REPORT #: 19S-4319	
IN THE <input type="checkbox"/> DISTRICT <input checked="" type="checkbox"/> MUNICIPAL COURT OF		ISSAQUAH MUNICIPAL COURT		CITY/TOWN OF		SNOQUALMIE		, PLAINTIFF VS. NAMED DEFENDANT	
STATE OF WASHINGTON <input type="checkbox"/> COUNTY OF									
THE UNDERSIGNED CERTIFIES AND SAYS THAT IN THE STATE OF WASHINGTON									
DRIVER'S LICENSE NO.		STATE: WA	EXPIRES 08-01-24	PHOTO ID MATCHED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	NAME: LAST COSTELLO	FIRST JUSTIN	MIDDLE J	SFX	CDL/CLP <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
ADDRESS 38180 SE NORTHERN ST				<input type="checkbox"/> IF NEW ADDRESS		CITY SNOQUALMIE	STATE WA	ZIP CODE 98065	
EMPLOYER					EMPLOYER LOCATION				
OF BIRTH -80	RACE W	SEX M	HEIGHT 5'1"	WEIGHT 165	EYES BLU	HAIR	RESIDENTIAL PHONE NO.	CELL/PAGER PHONE NO.	WORK PHONE NO.
VIOLATION DATE ON OR ABOUT 09/15/2019 22:31		INTERPRETER NEEDED		AT LOCATION RAILROAD AVE SE		M.P. BLOCK # 6501		CITY/COUNTY OF SNOQUALMIE/KING	
DID OPERATE THE FOLLOWING VEHICLE/MOTOR VEHICLE ON A PUBLIC HIGHWAY AND									
VEH LIC NO	STATE	EXPIRES	VEH YR	MAKE	MODEL	STYLE	COLOR		
TR #1 LIC NO	STATE	EXPIRES	TR YR	TR #2 LIC NO		STATE	EXPIRES	TR YR	
OWNER/COMPANY IF OTHER THAN DRIVER									
ADDRESS					CITY		STATE	ZIP CODE	
ACCIDENT	BAC	COMMERCIAL VEHICLE	<input type="checkbox"/> YES <input type="checkbox"/> NO	16+ PASS	<input type="checkbox"/> YES <input type="checkbox"/> NO	HAZMAT	<input type="checkbox"/> YES <input type="checkbox"/> NO	EXEMPT VEHICLE	<input type="checkbox"/> FIRE LEA
DID THEN AND THERE COMMIT EACH OF THE FOLLOWING OFFENSES									
1. VIOLATION/STATUTE CODE 9A.76.020		<input type="checkbox"/> D V OBSTRUCT LAW ENFORCEMENT OFFICER							
2. VIOLATION/STATUTE CODE 9A.46.020.1		<input type="checkbox"/> D V HARASSMENT							
3. VIOLATION/STATUTE CODE 9A.46.020.1		<input type="checkbox"/> D V HARASSMENT							
4. VIOLATION/STATUTE CODE		<input type="checkbox"/> D V							
5. VIOLATION/STATUTE CODE		<input type="checkbox"/> D V							
RELATED #		DATE ISSUED 11-04-19							
MANDATORY COURT APPEARANCE		APPEARANCE DATE		TIME		One of the following options applies: MANDATORY APPEARANCE			
<input type="checkbox"/> TICKET SERVED ON VIOLATOR		<input checked="" type="checkbox"/> TICKET REFERRED TO PROSECUTOR							
<input type="checkbox"/> BOOKED									
CRIMINAL CITATION									
You are charged with the crime(s) described on this form. You must respond to the court below.									
ISSAQUAH MUNICIPAL COURT 135 E SUNSET WAY PO BOX 7005 ISSAQUAH WA 98027				Traffic citations may go on your driving record.					
Court Contact Info: Phone 1: (425)837-3170 Website: To pay online please go to www.issaquahtix.com				IF YOU DO NOT APPEAR this may result in a warrant for your arrest and detention in jail. Also, if "Traffic" is checked you may lose your driver's license/privilege.					
I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT I HAVE ISSUED THIS ON THE DATE AND AT THE LOCATION ABOVE, AND I HAVE PROBABLE CAUSE TO BELIEVE THE ABOVE NAMED PERSON COMMITTED THE ABOVE OFFENSE(S), AND I AM ENTERING MY AUTHORIZED USER ID AND PASSWORD TO AUTHENTICATE IT.				RCW 46.61.502 Driving Under the Influence (DUI) drive a motor vehicle and either: have a 0.08 or higher breath or blood alcohol concentration or THC concentration of 5.00 or higher within 2 hours after driving or be under the influence of or affected by liquor, marijuana, or any drug, or a combination of liquor, marijuana, and any drug. RCW 46.20.342(1)(a) First Degree Driving While Suspended/Revoked (DWLS) be an habitual traffic offender and drive a motor vehicle while an order of revocation issued under chapter 46.65 RCW prohibiting such operation is in effect. RCW 46.20.342(1)(b) Second Degree Driving While Suspended/Revoked (DWLS) drive a motor vehicle while an order of suspension or revocation prohibiting such operation is in effect, and not be eligible to reinstate the license or driving privilege. RCW 46.20.342(1)(c) Third Degree Driving While Suspended/Revoked (DWLS) drive a motor vehicle while the license or privilege to drive is suspended or revoked for (1) failure to furnish proof of satisfactory progress in a required alcoholism or drug treatment program; or (2) failure to furnish proof of financial responsibility pursuant to chapter 46.29 RCW; or (3) failure to comply with chapter 46.29 RCW relating to uninsured accidents; or (4) failure to respond to a notice of traffic infraction, failure to appear at a requested hearing, violation of a written promise to appear in court, or failure to comply with the terms of a notice of traffic infraction or citation; or (5) suspension or revocation in another state that would not result in suspension or revocation in this state; or (6) failure to reinstate the driver's license or privilege after suspension or revocation in the second degree; or (7) the person has a suspension under RCW 46.20.267 relating to intermediate driver's licenses; or (8) not in compliance with child support order, or any combination of the above.					
OFFICER JOHN FISCHBECK				# 660					
OFFICER				#					