

Marysville Police Department

Use of force Report

Incident Details

Date Received 07/31/2022

Entered By Custody Officer
Darryl Lee - 0212

Date/Time of Occurrence 07/31/2022 04:13

Date/Time Entered 07/31/2022 02:28

Record ID Number 2207

Case No 22-00036116

IA No 22UOF-032

Marysville PD [Pending assignment]

BlueTeam Assigned assignment]

Investigator

IAPro Assigned Un-assigned

Investigator

Incident Location

Location of Occurrence Marysville Jail

601 Delta Avenue
Marysville, WA, 98270
-122.17905, 48.05394



Precinct: Jail

Incident Summary

Restraint chair application for uncooperative booking

Use of Force Details

More Than 1 Citizen Involved	No	Reason For Using Force	Passive Resistance
Citizen Arrested	No	Distance to Citizen	—
Officer(s) Injured	No	Citizen Injured	No
Officer(s) Taken to Hospital	No	Citizen Taken to Hospital	No
Service Being Rendered	Investigation	Citizen Build	—
Weather Condition	Clear	Citizen Height	—
Light Condition	Indoor	Citizen Influence Assessment	—

Reporting/Involved Citizen

David A Gunderson

Date of Birth	10/26/1973	Gender	Male
Race	White	Ethnicity	Non-Hispanic
Role	—		
Address	1302 Park Hill Drive Arlington, WA, 98223	Phone Numbers	[None Entered]

Type of Resistance Passive Resistant
Citizen Used Against
Officer

Injuries Sustained By Citizen

—

Involved Officers

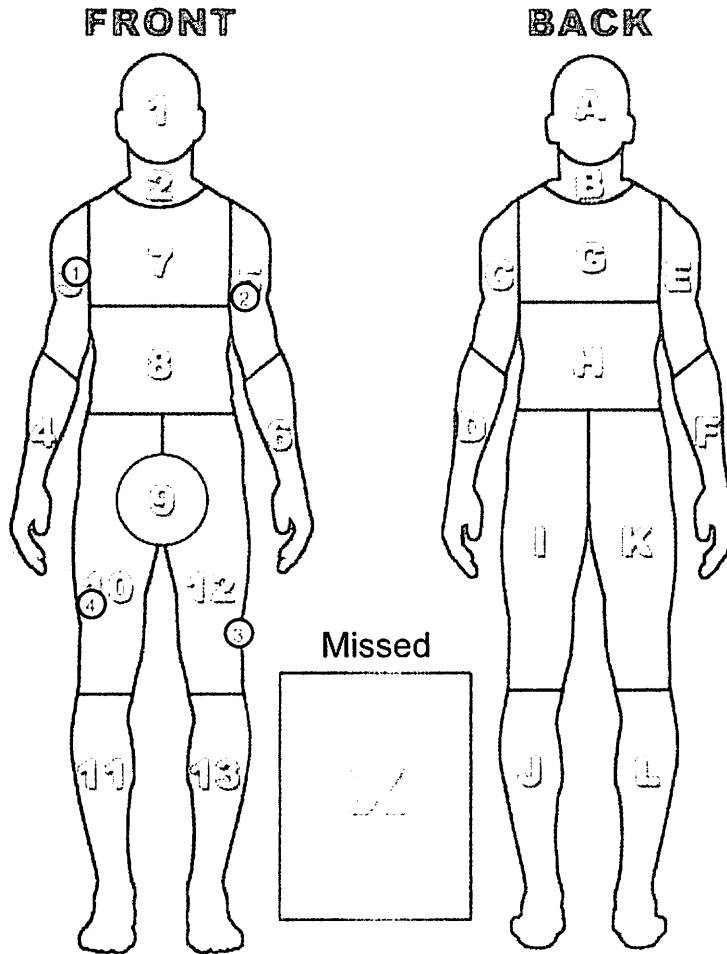
Custody Officer Alicia Johnson - 0210

Assignment Custody Officer Administrative Services/Custody
at time of
incident

Role —

Force used by this Officer against Citizen

- o Restraint Chair - Force Effective: Yes — Points: 1, 2, 3, 4



Injuries Sustained By Officer

No injuries noted or visible —
Points:

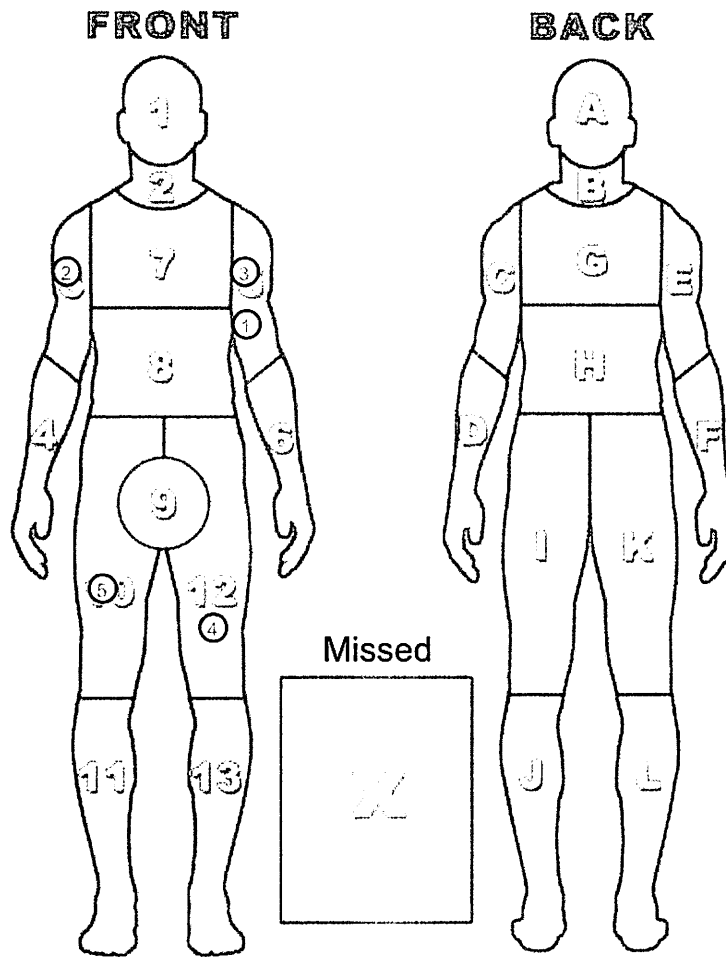
Custody Corporal Michael Burtis - 0108

Assignment at time of incident Custody Corporal Administrative Services/Custody/Supervisor

Role —

Force used by this Officer against Citizen

- o Physical Controls - Force Effective: Yes — Points: 1
- o Restraint Chair - Force Effective: Yes — Points: 2, 3, 4, 5



Injuries Sustained By Officer

No injuries noted or visible —
Points:

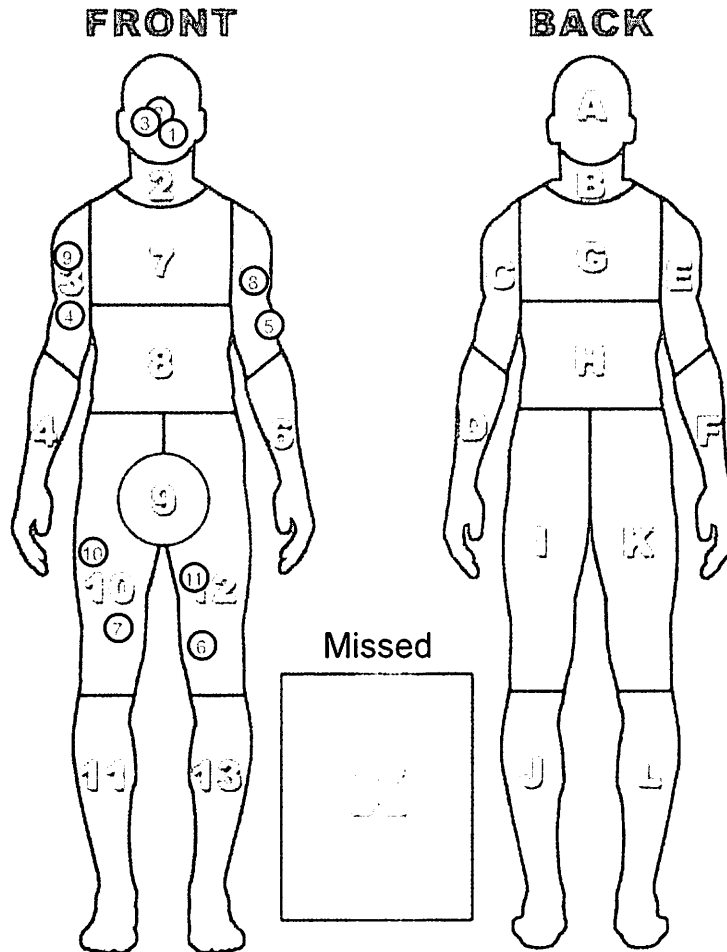
Custody Officer Darryl Lee - 0212

Assignment at time of incident Custody Officer Administrative Services/Custody

Role —

Force used by this Officer against Citizen

- o Physical Controls - Force Effective: No — Points: 1, 2, 3
- o Restraint Chair - Force Effective: Yes — Points: 4, 5, 6, 7
- o Restraint Chair - Force Effective: Yes — Points: 8, 9, 10, 11



Injuries Sustained By Officer

No injuries noted or visible —
Points:

Officer Witnesses

Sergeant Brandon Lawrenson - 0123

Assignment at time of incident Sergeant Patrol
Operations/Patrol/A
Nights/Supervisor

Role —

Police Officer Katherine Herrera - 0204

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

Role —

Police Officer Calen Roberts - 0149

Assignment at time of incident Police Officer
Patrol
Operations/Patrol/A
Nights

Role —

Police Corporal Keegan Stuver - 0173

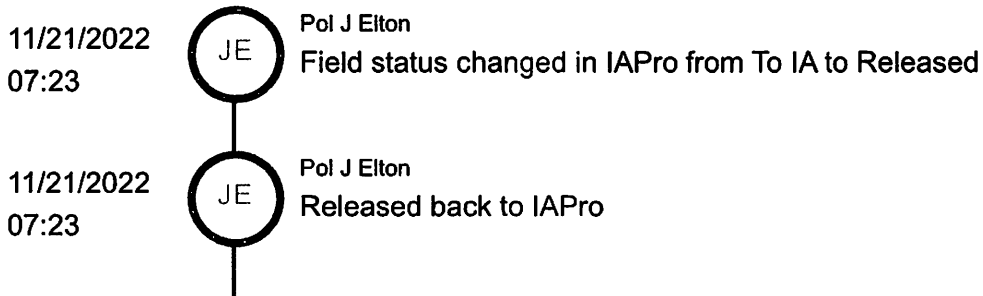
Assignment at time of incident Police Officer
Patrol
Operations/Patrol/A
Nights

Role —

Attachments

Date Attached	Attachment Description	Attachment Type
07/31/2022	20220730142356	pdf
08/23/2022	A.Johnson report	doc
08/12/2022	Gunderson	doc

Assignment History



Chain of Command History

07/31/2022 02:51 (DL) Custody Officer Darryl Lee » Sergeant Christopher Jones (Custody Corporal Michael Burtis)
Please review use of force

08/12/2022 15:13 (CJ) Sergeant Christopher Jones
Please see notes.
Signature line _____

08/12/2022 15:13 (CJ) Sergeant Christopher Jones » Custody Officer Darryl Lee (Custody Corporal Michael Burtis)
Couple of things here. The reports do not document the BWC or its activation. Also, Alicia's report still has the old jail address.

08/23/2022 00:29 (DL) Custody Officer Darryl Lee
[Forwarded by Custody Officer Darryl Lee]
Signature line _____

08/23/2022 00:29 (DL) Custody Officer Darryl Lee » Sergeant Christopher Jones (Custody Corporal Michael Burtis)
updated reports

09/08/2022 15:22 (CJ) Sergeant Christopher Jones
[Forwarded by Sergeant Christopher Jones]
Signature line _____

09/08/2022 15:22 (CJ) Sergeant Christopher Jones » Police Commander Mark Thomas
For your review.

10/12/2022 16:22 (MT) Police Commander Mark Thomas
Ready for PSU Review
Signature line _____

10/12/2022 16:22 (MT) Police Commander Mark Thomas » Police Commander Adam Vermeulen
Ready for PSU review

10/17/2022 08:46 (AV) Police Commander Adam Vermeulen
[Forwarded by Police Commander Adam Vermeulen]
Signature line _____

10/17/2022 08:46 (AV) Police Commander Adam Vermeulen » Assistant Police Chief James Lawless
For your review.

11/14/2022 18:03 (JL) Assistant Police Chief James Lawless
UOF within policy, no further action.
Signature line _____

11/14/2022
18:03



Assistant Police Chief James Lawless » Police Commander Jonathan Elton (Police Commander Adam Vermeulen)
UOF within policy, no further action.

11/21/2022
07:21



Police Commander Jonathan Elton
[Ready for IAPro by Police Commander Jonathan Elton]

Signature line _____

Assigned Investigator Signature Line

[Pending assignment]

**Marysville Police Department
Custody Officer A.JOHNSON/ MP0210**

CASE#: MP2022-00036116

SUSPECT/INVOLVED: GUNDERSON, DAVID ANTHONY

INCIDENT/CRIME: ARREST/CHAIR PLACEMENT

DATE OF OFFENSE/REPORT: 07/31/2022

AUTHORITY:

I, Alicia Johnson, am a Custody Officer with a limited commission by the City of Marysville, WA.

ASSIGNMENT:

- I am currently assigned to the Detention Division of the Marysville Police Dept.
- During this incident, I was wearing an approved Custody Officer uniform, department patches, badge, Axon body worn camera and Custody insignia.
- On the above date, I was working within the Marysville Jail located at 601 Delta Ave within the city limits of Marysville, Snohomish County, Washington.

ELEMENTS OF CRIME/INCIDENT:

STATEMENTS:

On 07/31/2022 AT APPROXIMATELY 0143 HOURS, I CUSTODY OFFICER (C/O) ALICIA JOHNSON (MP0210) WAS WORKING MY ASSIGNED POST AT THE JAIL WHEN ARRESTING OFFICERS CALLED AHEAD FOR JAIL STAFF TO MEET THEM IN THE SALLY PORT TO ASSIST IN RESTRAINING SUSPECT DAVID ANTHONY GUNDERSON (DOB: 10/26/1973). I RESPONDED WITH MY PARTNERS, ACTIVATED MY BODY WORN CAMERA AND PREPARED THE RESTRAINT CHAIR. GUNDERSON WAS PLACED INTO THE RESTRAINT CHAIR AND I APPLIED THE CHEST RESTRAINT OVER HIS HEAD AND SECURED BEHIND HIS ARMS AND MOVED TO THE FRONT AREA OF THE CHAIR TO SECURE EACH LEG. I CHECKED FOR APPROPRIATE TIGHTNESS USING MY HAND TO ENSURE CIRCULATION. GUNDERSON WAS TRANSPORTED TO A HOLDING CELL, SEARCHED AND THE RESTRAINTS WERE DOUBLE CHECKED. END OF REPORT.

OFFICER ACTIONS:

APPLIED RESTRAINTS IN CHAIR PLACEMENT OF DAVID ANTHONY GUNDERSON.

DISPOSITION:

END OF REPORT

This document was submitted on a device that is owned, issued 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.

***Custody Officer A.Johnson, MP0210
Marysville Police Department
Date: 07/31/2022***

**Marysville Police Department
Custody Officer D. LEE/ MP0213**

CASE#: 2022-36116

SUSPECT/INVOLVED: Gunderson, David 10/26/73

INCIDENT/CRIME: Assault

DATE OF OFFENSE/REPORT: 07/31/22

AUTHORITY:

I, Darryl Lee, am a Custody Officer with a limited commission by the City of Marysville, WA.

ASSIGNMENT:

- I am currently assigned to the Detention Division of the Marysville Police Dept.
- During this incident, I was wearing an approved Custody Officer uniform, including department patches, badge and Custody insignia.
- On the above date, I was working within the Marysville Jail located at 601 Delta Avenue within the city limits of Marysville, Snohomish County, Washington.

ELEMENTS OF CRIME/INCIDENT:

On 07/31/22 at approximately 0133 hrs Sgt. Lawrenson requested that jail staff standby with the WRAP via radio.

At approximately 0143 hrs 8N4 arrived at the jail. I activated my BWC which I wear on my vest. The back door of the patrol car was opened. David Gunderson refused to exit the back seat. Gunderson repeatedly asked to speak to a captain. Gunderson yelled out profanities towards several police officers.

Corporal Burtis tried to talk to Gunderson and after several refusals pulled Gunderson out of the patrol car. I was standing on the right side of Corporal Burtis. I controlled Gunderson's head so that he would not get injured or try to bite other officers. Gunderson was placed into the restraint chair and I was still controlling his head so he could not move it from side to side. After the restraints were secured I placed a spit mask over Gunderson's head.

Gunderson was brought into the jail and placed into padded room. I helped Corporal Burtis conduct a search of Gunderson and removed his belt.

END OF REPORT

This document was submitted on a device that is owned, issued 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.

***Custody Officer D. Lee, MP0213
Marysville Police Department
Date: 07/31/22***

**Marysville Police Department
Custody Corporal M. Burtis / MP0108**

CASE#: MP22-00036116

SUSPECT/INVOLVED: Gunderson, David A. (DOB 10/26/73)

INCIDENT/CRIME: Restraint Chair Application

DATE OF OFFENSE/REPORT: 7/31/22

AUTHORITY:

I, Michael Burtis, am a Custody Corporal with a limited commission by the City of Marysville, WA.

ASSIGNMENT:

- I am currently assigned to the Detention Division of the Marysville Police Dept.
- During this incident, I was wearing an approved Custody Officer uniform, including department patches, badge and Custody insignia.
- On the above date, I was working within the Marysville Jail located at 601 Delta Ave. within the city limits of Marysville, Snohomish County, Washington.

ELEMENTS OF CRIME/INCIDENT:

On 7/31/22 at approximately 0140, Sgt. Lawrenson advised that patrol was going to need assistance and the restraint chair in the sallyport with their subject being transported to the jail.

When Officers Herrera and Roberts arrived with the subject, later identified as David A. Gunderson (DOB 7/31/22), Officer Lee and I made contact with him in the back of the patrol car. Gunderson repeatedly stated he would not cooperate with staff, demanding to speak to a Captain or above to hear what he had to say. I advised him I was the supervisor of the jail and he stated that was not good enough and he would not cooperate with us.

Officer Herrera attempted to gain compliance as well, as she had some success in talking to him on scene. Gunderson continued his verbal defiance and stated he would not cooperate. At that time, I took hold of Gunderson's left arm and slid him out of the vehicle. Officer Lee and patrol assisted in taking control of his right side. Gunderson presented passive resistance, not assisting officers' efforts but not actively resisting or fighting.

Officers moved Gunderson from the patrol car to the restraint chair. In the process of doing so, his shirt ripped under his weight while we completed the transition. Once in the restraint chair, Gunderson threatened to kick Officer Stuver, given the opportunity. A spit hood was applied while Officers worked in close proximity to his head as a means to limit his ability to spit or bite after making threats of violence against Officers.

Once all restraints were secure, Gunderson was moved into the jail and placed in the padded cell. Prior to our exit from the cell, Gunderson's belt was removed and I checked restraints for security and comfort and found them to be properly fit. The spit hood was removed and Gunderson was secured in the cell and placed on 15 minute security checks.

END OF REPORT

This document was submitted on a device that is owned, issued 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.

***Custody Corporal M. Burtis, #0108
Marysville Police Department
Date: 7/31/22***