

Marysville Police Department

Use of force Report

Incident Details

Date Received 05/17/2022

Entered By Detective Jacqueline Albanese - 0189

Date/Time of Occurrence 05/17/2022 23:42

Date/Time Entered 05/20/2022 03:54

Record ID Number 2171

Case No 2022-000023097

IA No 22UOF-022

Marysville PD [Pending BlueTeam Assigned assignment]

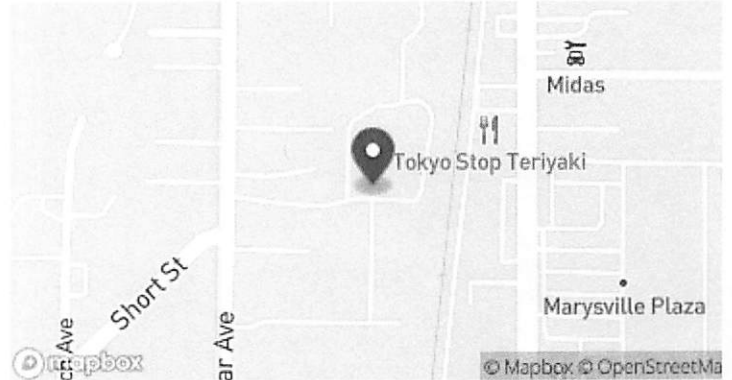
Investigator

IAPro Assigned Police Investigator Commander Brad Akau

Incident Location

Location of Occurrence Marysville

1350 Cedar Avenue
Marysville, WA, 98270
-122.17863, 48.06650



Incident Summary

ATTEMPTED TO ARREST SUSPECT. SUSPECT RESISTED AND WAS TAKEN TO THE GROUND.

Reviewed by Assistant Police Chief James Lawless [0191] on Aug 10, 2022 at 15:05

Decision:

Reviewer comment:

UOF within policy, no further action required.

Use of Force Details

More Than 1 Citizen Involved	No	Reason For Using Force	Active Resistance
Citizen Arrested	No	Distance to Citizen	1 feet to 3 feet
Officer(s) Injured	No	Citizen Injured	No
Officer(s) Taken to Hospital	No	Citizen Taken to Hospital	No
Service Being Rendered	Dispatched Call	Citizen Build	Medium
Weather Condition	Clear	Citizen Height	5'10" to 6'0"
Light Condition	Dark	Citizen Influence Assessment	Alcohol

Reporting/Involved Citizen

TEVEN H CALLAN

Date of Birth	03/19/1999	Gender	Male
Race	White	Ethnicity	Non-Hispanic
Role	—		
Address	2626 116th Street Northeast Tulalip, WA, 98271	Phone Numbers	[None Entered]

Type of Resistance Citizen Used Against Officer	Assaultive Active Resistant
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Charges Against Citizen	Misdemeanor- Person Crime Resisting Misdemeanor- Property Crime
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Injuries Sustained By Citizen

No injuries noted or visible —
Points: 1, 2

Involved Officers

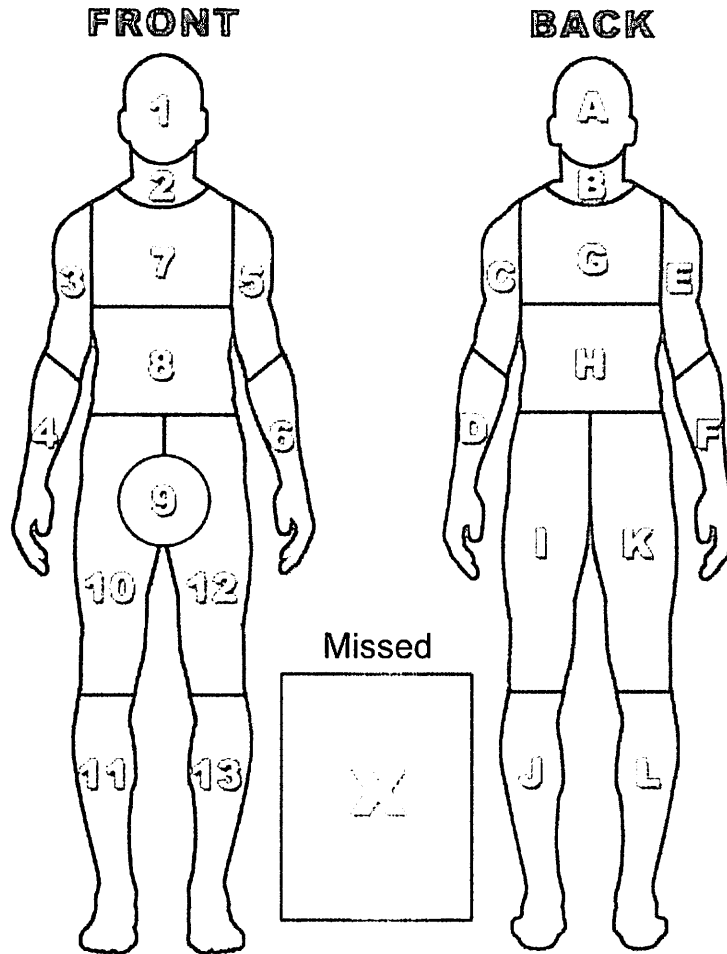
Police Corporal Nicholas Brevig - 0164

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

Role —

Force used by this Officer against Citizen

- o Verbal Commands - Force Effective: No — Points: Non-Contact
- o Physical Controls - Force Effective: Yes — Points: Force Location Unknown



Injuries Sustained By Officer

No injuries noted or visible —

Points:

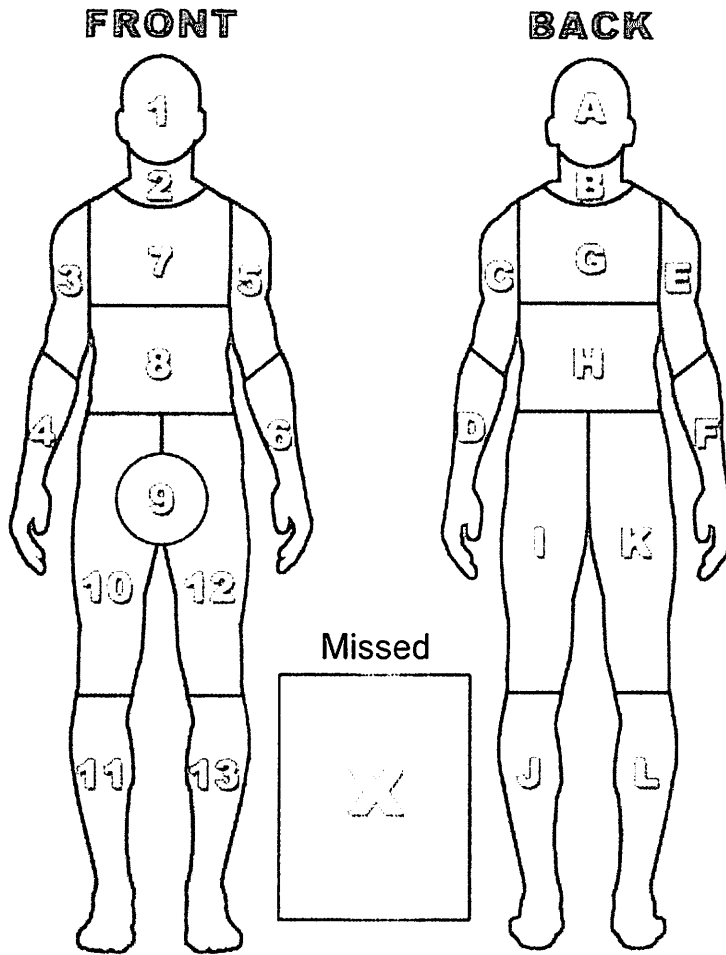
Police Officer Jake Wiggins - 0195

Assignment Police Officer Patrol Operations/Training/CJTC Academy
at time of incident

Role —

Force used by this Officer against Citizen

- o Verbal Commands - Force Effective: No — Points: Non-Contact
- o Physical Controls - Force Effective: Yes — Points: Force Location Unknown



Injuries Sustained By Officer

No injuries noted or visible —

Points:

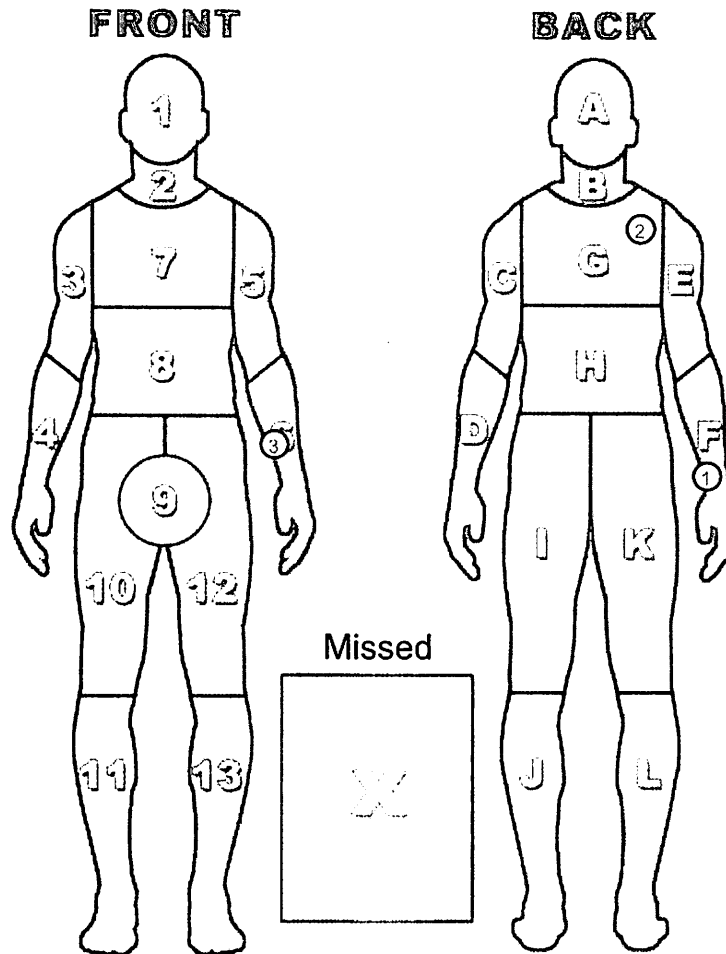
Detective Jacqueline Albanese - 0189

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

Role —

Force used by this Officer against Citizen

- o Verbal Commands - Force Effective: No — Points: Non-Contact
- o Physical Controls - Force Effective: Yes — Points: 1, 2, 3



Injuries Sustained By Officer

No injuries noted or visible —
Points:

Citizen Witnesses

ALEXIS K DOWNING

Date of Birth	07/13/1994	Gender	Female
Race	White	Ethnicity	Non-Hispanic
Role	—		
Address	1267 Woodgate Avenue Marysville, WA, 98270	Phone Numbers	(360) 913-5936

Officer Witnesses

Police Commander James Tolbert - 0124


Assignment at time of incident Sergeant Patrol
Operations/Traffic/B
Days/Supervisor


Role —

Attachments


Date Attached	Attachment Description	Attachment Type
05/20/2022	2022-00023097 Assault 4 Vehicle Prowl Sup	doc
05/20/2022	2022-00023097 Brevig	docx
05/20/2022	2022-00023097 Wiggins	docx


Assignment History


08/15/2022 10:07  Pol A Vermeulen
Field status changed in IAPro from To IA to Released


08/15/2022 10:07  Pol A Vermeulen
Released back to IAPro


Chain of Command History


05/20/2022 04:13  Police Officer Jacqueline Albanese » Sergeant Brandon Lawrenson
REVIEW


06/23/2022 05:08  Sergeant Brandon Lawrenson
[Forwarded by Sergeant Brandon Lawrenson]
Signature line _____


06/23/2022 05:08  Sergeant Brandon Lawrenson » Police Officer Jacqueline Albanese
Needs some corrections.


06/30/2022 05:34  Police Officer Jacqueline Albanese
[Forwarded by Police Officer Jacqueline Albanese]
Signature line _____

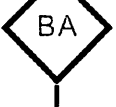
06/30/2022 05:34  Police Officer Jacqueline Albanese » Sergeant Brandon Lawrenson
Added information.


07/15/2022 04:21  Sergeant Brandon Lawrenson
[Forwarded by Sergeant Brandon Lawrenson]
Signature line _____

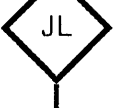
07/15/2022 04:21  Sergeant Brandon Lawrenson » Sergeant James Tolbert
Jay, it looks like you were the supervisor with this one. I
don't see any issue but you should probably review this
since they added you.


07/26/2022 08:16  Sergeant James Tolbert
[Forwarded by Sergeant James Tolbert]
Signature line _____

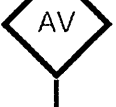
07/26/2022 08:16  Sergeant James Tolbert » Police Commander Bradley Akau
please review

08/08/2022 11:12  Police Commander Bradley Akau
within policy
Signature line _____

08/08/2022 11:12  Police Commander Bradley Akau » Assistant Police Chief James
Lawless
for your review

08/10/2022 15:05  Assistant Police Chief James Lawless
UOF within policy, no further action required.
Signature line _____

08/10/2022 15:05  Assistant Police Chief James Lawless » Police Commander Adam
Vermeulen
UOF within policy, no further action required.

08/15/2022 10:07  Police Commander Adam Vermeulen
[Ready for IAPro by Police Commander Adam
Vermeulen]
Signature line _____

Assigned Investigator Signature Line

[Pending assignment]

**Marysville Police Department
Officer Jacqueline Albanese # 189**

Case #: 2022-00023097

Date: 05/17/2022

Time: 2342 HOURS

Address: 1350 Cedar Ave, WA, 98270

Report Type: Warrant & Substance

I, Officer Jacqueline Albanese, #189, am a commissioned police officer in the State of Washington, County of Snohomish and employed by the City of Marysville. On the above date and time, my assignment was as a patrol officer. I was wearing an authorized Marysville Police Department patrol uniform complete with shoulder patches and badge. I was driving in a fully marked Marysville Police Department patrol vehicle equipped with emergency lights, siren, and decals.

On the above day and time, I responded to the above listed address for a suspicious male attempting to get into a vehicle that did not belong to him. Simultaneously, there was also another call coming in that reported two males fighting in the parking lot at the same location.

The following narrative is my account of what occurred on scene during the investigation. My account is not verbatim of the AXON body worn camera (BWC) footage.

Prior to contact, the male was identified as Callan, Teven H. (DOB 03/19/1999) by Officer Boggs from a previous contact.

When I arrived, I exited my patrol vehicle and stood near Officer Boggs and Sergeant Tolbert. Callan was wearing blue jeans, a blue hooded sweatshirt, and a camouflage baseball cap. He was instructed to sit on the curb which he did. The male then stated "I'm gunna need to go here in a minute or two to meet my uhhh." I could tell that the male was under the influence due to his slurred speech and fractured thought process.

I observed Callan staring at Sergeant Tolbert while Officer Boggs checked a nearby vehicle. I asked Callan if the vehicle was his and he stated "don't ask me." I observed that Callan had fixated on Sergeant Tolbert and continuously stared at him. I heard Sergeant Tolbert ask "why are you staring at me like you want to fight me, man?" Callan responded to Sergeant Tolbert but I was not able to understand Callan due to his slurred speech.

Callan remained sitting on the sidewalk for approximately twenty minutes while waiting for Officer Boggs to conduct her investigation. Callan would periodically stand by and would sit back down when told to do so. Callan appeared to calm down while sitting on the sidewalk.

Officer Boggs reported via the radio that she was performing a field show up and that she would have the victim in her patrol vehicle. Officer Boggs drove past Callan and the victim identified Callan as the suspect (100% certainty).

At this time, Officer Wiggins and Officer Brevig had arrived on scene and were standing on Callan's right side. Callan remained seated on the sidewalk. I was given the go to place Callan in custody and I instructed Callan to stand up. Callan stood up and I instructed him to put his hands behind his back which he did. I told him that I would fill him in "in a second" and took control of his left wrist. I immediately saw and felt Callan tense up so I told him to relax, twice. I attempted to move Callan's sweatshirt from his wrist so I could place him in handcuffs properly. While I was trying to navigate Callan sweatshirt, he had grabbed a hold of my fingers and squeezed. I stated "if your gunna keep doing that..." and then Callan turned toward me. I stepped back and was able to maintain my grip of Callan's left wrist until he was taken to the ground by Officer Wiggins.

I observed Officer Wiggins and Officer Brevig roll Callan over onto his stomach and attempt to get Callan into a safe cuffing position. I repositioned myself and used my right hand to grab the hoodie of his sweatshirt. I placed my left hand on the base of Callan's head in an attempt to stabilize and prevent injury as Callan continued to resist. I told Callan that he was under arrest for assault 4 and he yelled "Oh yeah, assault four. You want me to go into assault four?" I told Callan that "I would rather you not," as he continued to resist.

At this time I was able to reposition myself to Callan's right shoulder. I used my right knee to pin his shoulder to the ground and extended my left leg for stabilization. I then used my right hand and patted Callan on the back, reassuring him that he was doing good as he began to calm down. Callan's left side of his body was on the sidewalk and the right side of his body was partially in the road.

I requested Officer Wiggins check to make sure he initiated the double lock on the handcuffs which he did. At this time Callan began breathing heavy and spraying saliva. I placed my right hand at the base of Callan's head and direct his face away from officers. Periodically, I attempted to used Callan's hoodie on his sweatshirt as a barrier in case he decided to start spitting at Officers.

Callan then started telling officers "to fuck off." I placed my hand on Callan's back again and told him to stop because he started to tense up again. Callan then stated "you keep fuck off to fucking bitch." Callan continued to yell and swear at officers. Once the handcuffs were double locked, Callan remained on the ground until he calmed down.

Callan was eventually assisted to his feet and escorted to Officer Xiong's patrol vehicle. Callan was searched by Officer Xiong. While Callan was being searched, Callan intentionally head butted the patrol vehicles passenger rear window. Callan was then secured in the back of Officer Xiong's patrol vehicle at which time Callan head butted the partition. Based on my observation, Callan was not injured.

Officer Xiong transported Callan to Marysville jail. I followed Officer Xiong to the Marysville jail with Callan's cellphone, baseball hat, and some quarters (UNKNOWN amount). Callan was processed without incident.

This concludes my involvement.

All photographs and BWC footage have been uploaded to evidence.com.

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.

**Officer Jacqueline Albanese # 189
Marysville Police Department
Date: 05/17/2022**

Marysville Police Department

Officer N. Brevig #0164

Date: 5/17/2022

Time: 2342 Hours

Incident: Prowl/Response of Force

Case: 2022-00023097 Supp

Location: 1350 Cedar Ave J11

Assignment: At the time of this incident, I, **Officer Nicholas Brevig**, am a fully commissioned Police officer assigned to the Marysville Police Department, Patrol Division. I was wearing an authorized Marysville Police Department Patrol uniform complete with patches and badge. I drive a fully marked Marysville Police Department Patrol vehicle equipped with emergency lights, siren and decals.

Actions: On the above stated date and time, I was acting as Field Training Officer for Ofc. Wiggins, when he responded as a backing officer to a vehicle prowling and priority assault call. I activated my BWC as we arrived on scene with Ofc. Boggs, who was speaking to the victims. The suspect, identified as Tevin H. Callan (DOB 3/19/99), had been detained by Ofc. Albanese and Sgt. Tolbert on the north end of the complex. Ofc. Boggs had one of the victims take a seat in her patrol vehicle in order to bring him to Callan for a field show up.

We followed Ofc. Boggs to Callan's location, and she informed us that Callan was positively identified as the suspect by the victim, and that she had established PC for Assault 4 and Vehicle Prowl. As I exited the patrol vehicle, I activated my BWC. Ofc. Wiggins and I met with Ofc. Albanese, Sgt. Tolbert, and Callan, who was seated on a curb in front of the "M" building. We remained with Callan while Ofc. Boggs and Sgt. Tolbert discussed a plan.

Based on my training and experience, Callan was clearly impaired. He swayed while seated, spoke in a choppy delayed manner, and his speech was slurred. He alternated between calm and aggressive when speaking. Sgt. Tolbert signaled to Ofc. Albanese, Ofc. Wiggins, and I that we were going to make a physical arrest. Ofc. Albanese asked Callan to stand and place his hands behind his back. She and Ofc. Wiggins took control of his arms, and instructed him to relax, and he was tensing and refusing to bend them. Ofc. Albanese repeatedly told Callan to relax his arms and he did not comply.

Callan then quickly turned toward Ofc. Albanese, lunging at her. Ofc. Wiggins grabbed onto Callan's back and ordered him to get down. I assisted Ofc. Wiggins, moving to Callan's left side, using my arms and body weight to force him to the ground. Callan continued to trash and try to stand up while Ofc. Wiggins ordered him to stop, and I ordered him to get on his stomach. Once laid onto the ground, Ofc. Wiggins and I held him in place, initially using my knee to pin his hip down. Ofc. Albanese informed Callan he was under arrest for Assault 4 and Malicious Mischief, and he continued resisting, attempting to turn onto his back. When informed he was under arrest, Callan clearly heard what he was told, yelling "Oh yeah, assault 4? You want, you want me to go into assault 4?"

Both Ofc. Albanese and Sgt. Tolbert tried to calm him, telling him to relax and to calm down. I moved off Callan, secured his left arm and brought it to the small of his back, Ofc. Wiggins gained control of the right arm. I instructed Ofc. Wiggins to place Callan in handcuffs, which he did. Once handcuffed and under control, I stood up, allowing Ofc. Wiggins to double lock the cuffs. Callan continued to move in place and scream at Sgt. Tolbert and Ofc. Albanese. Callan was warned that if he did not calm down he would be placed in a hobble. Callan acknowledged the warning briefly calming down.

While we waited for the transport vehicle, Callan continued to move around and attempted to grab onto Ofc. Wiggin's groin. Callan continued to squirm in place, prompting Ofc. Wiggins to again order him to stop. Callan was assisted to his feet and escorted to Ofc. Xiong's patrol vehicle. While being searched incident to arrest, Callan attempted to turn toward Ofc. Wiggins, prompting him to grab Callan's sweatshirt and face him toward the patrol vehicle. As the search continued, Callan intentionally struck his head on the patrol vehicle window. Callan was placed in the back of the patrol car, and the door was closed. Callan again intentionally struck his head into the interior of the vehicle.

We followed Callan as he was transported to Marysville Jail. We assisted in escorting Callan inside, where he was transferred to the Marysville Jail staff. See other involved officer's reports for further information.

Nothing Further.

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.

Officer Nicholas Brevig Badge #0164
Marysville Police Department

Date **5/20/2022**

**Marysville Police Department
Officer Wiggins #0195
Case # 2022-00023097
Supplemental Report**

I, Officer Wiggins #0195, am a commissioned police officer in the State of Washington, County of Snohomish and employed by the City of Marysville. On the above date and time, my assignment was as a patrol officer. I was wearing an authorized Marysville Police Department patrol uniform. I was driving in a Marysville Police Department patrol vehicle equipped with emergency lights, and siren. I am equipped with a body worn camera that was on and activated during this event. All video was uploaded to Evidence.com.

On Tuesday May 17 at approximately 23:45 hours I responded as a backing unit to a suspicious call at the Westend Apartments at 1350 Cedar Ave.

When I arrived on scene, Officer Boggs was speaking with a male individual who turned out to be the victim in this incident. Officer Boggs said that she was taking this individual to for a field show up with a male that he had said had been prowling his vehicle. Sergeant Tolbert and Officer Albanese had the male detained at the other end of the apartment complex.

I followed Officer Boggs in my patrol vehicle as she drove the victim to do a field show up. Officer Boggs advised over the air that the identity had been confirmed by the victim.

Officer Albanese told the male detained, who was identified as Callan, Teven H DOB 1-19-1999, to stand up. Officer Albanese and I stood Callan up to handcuff him and he immediately tensed his arms and did not listen when Officer Albanese told him to "relax" his arm. Callan then grabbed and squeezed Officer Albanese's hand. Officer Albanese then ordered Callan to stop resisting with his arms, he spun around and lunged towards her. I maintained the hold I had on Callan's right arm and told him to "get down" and he attempted to pull away from me. I had to pull him to the ground as he then began trying to pull away from Officer Brevig, who began assisting me, and myself. I told Callan to get on his stomach; Callan did not comply and I had to take hold off him and roll him onto his stomach while placing my knee on his lower back to maintain control; at this time Officer Albanese informed Callan that he was under arrest for Assault 4. I then took control of Callan's right arm and Officer Brevig, my Field Training Officer, grabbed hold of his left arm. I took out my handcuffs and placed them on Callan's wrists and then double locked them. As I was handcuffing Callan, he pulled his arms up and Officer Albanese told him to "stop" to which he replied "fuck off you fucking bitch". Sergeant Tolbert attempted to

explain to Callan why he need to stop resisting and Callan replied by saying "shut the fuck up you fucking cunt". Callan attempted to roll off of his stomach and pull away multiple times and I therefore I had to maintain control of him by keeping my weight on his lower back until he stopped trying to roll away. Callan also moved his arms around multiple times and appeared to be trying to grab at me with his hands. At one point Callan stuck his arms straight into the air and appeared to be trying to grab at us; I had to take his arms and pull them back down to his back and tell him to stop doing what he was doing. Callan was told by myself and other officer's on scene to stop resisting multiple times.

Officer Xiong arrived on scene to transport and I stood Callan up and walked him to Officer Xiong's patrol vehicle. Officer Xiong searched Callan and I kept control of him. As Officer Xiong was searching Callan, Callan moved around and had to be told to stop; Callan also moved to face me and I had to tell him to turn away. Callan also forcibly struck his own head into the Officer Xiong's patrol vehicle at one point during the search and I had to pull him back and tell him to stop. When the search was complete, I placed him in the back of Officer Xions patrol vehicle. Once Callan was in the patrol vehicle, he again struck his head on the inside of the vehicle.

I followed Officer Xiong to the Marysville jail where Callan was transferred to Custody staff and booked.

Nothing further.

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.

Jake Wiggins
Officer Jake Wiggins #0195
Marysville Police Department

5/18/2022
Marysville, Washington