

EXHIBIT 2

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF COLORADO

3 Civil Action No. 1:17-cv-00884-CMA-STV

4 DEPOSITION OF CHAYCE AARON ANDERSON
5 MAY 2, 2019

6 CHAYCE AARON ANDERSON,

7 Plaintiff,

8 vs.

9 JASON SHUTTERS,

10 Defendant.

11
12 PURSUANT TO NOTICE, the deposition of
13 CHAYCE AARON ANDERSON was taken on behalf of the
14 Defendant, pursuant to the Federal Rules of Civil
15 Procedure, at the Arkansas Valley Correctional Facility,
16 12750 State Highway 96, Ordway, Colorado, on May 2,
17 2019, at 10:03 a.m., before Laura K. McMahon, Registered
18 Professional Reporter and Notary Public within Colorado.

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1 by, and they administer medication if you already have
2 it on your record. If you don't have it on your record,
3 they skip your cell. So, they don't even come up and
4 say -- they -- the only thing they might have said to me
5 was, are you doing okay? And I would probably respond,
6 I am -- I am -- I am doing all right, or as best as can
7 be expected, and then they'd move on. So --

8 Q At Bent County, did you ever submit any sort
9 of request to see a doctor in relation to pain in your
10 wrists?

11 A I would say "no," and it wouldn't be
12 reasonable, that I had, because I was only there for two
13 weeks --

14 Q All right.

15 A -- at tops (sic).

16 Q So we have got Arkansas Valley, Colorado
17 Territorial, Bent County, and Larimer County Detention
18 Facility. Are those all the prison, or jail facilities,
19 that you have -- you have been at -- since being
20 arrested for this matter?

21 A Yeah, it was Larimer County Jail, DRDC --

22 Q Oh, DRDC. Let me ask you about that. Denver
23 Reception & Diagnostic Center?

24 A Yeah.

25 Q And did you ever submit a request for medical

1 Q What sort of complaints did you make to the
2 nurses --

3 A Verbal complaints to the nurses.

4 Q All right, you have got to let me finish.
5 Other than -- well, strike that. At Larimer County,
6 what -- what were you complaining about to the nurses --

7 A Well --

8 Q -- in regards -- in regards to your wrists?

9 A Physical pain, shooting pains in my wrists.
10 Originally, for the first couple days, my wrists were
11 really swollen, and it improved over time, but I've had
12 sort of like nerve damage in my wrists. It's more of
13 like a -- a reoccurring, spontaneous shooting pain in my
14 wrist. It's sort of -- it feels to me like a pinched
15 nerve, but it's more of -- it comes and goes, but it's
16 shooting pain, it's physical pain in my wrist.

17 Q To your knowledge, has a doctor ever diagnosed
18 you with nerve damage to your wrists?

19 A I -- I -- I do not recall or I -- I do not
20 believe so.

21 Q Okay. Has a -- have you -- strike that. Have
22 you ever been diagnosed with a pinched nerve in your
23 wrists?

24 A I do not believe so.

25 Q Okay. Have you ever suffered any injuries to

1 something they saw happen, something that they don't
2 want other inmates to know, that they have provided to
3 the police or the correctional officers here.

4 So a kite -- when you said "kite" -- is a
5 request for an interview, and you drop it in the
6 mailbox. And it's not anything to do with medical.

7 Q Have you ever submitted a kite, while you were
8 here at Arkansas Valley?

9 A Well, I would have never submitted a kite
10 regarding medicals. It's a medical --

11 Q I am not asking you about medical. I am
12 asking you, in general. Have you ever submitted a kite
13 while here at Arkansas Valley?

14 A I have submitted a kite, yes.

15 Q Okay. After you were arrested -- well, strike
16 that. After you were arrested in August of 2015 for
17 sexual assault, was there any period in time where you
18 had been released?

19 A No.

20 Q So, you -- since August of 2015, you have
21 always been incarcerated, correct?

22 A Yes.

23 Q All right. Let's talk about your arrest in
24 August 2015. I have August 28th, 2015. Does that sound
25 right?

1 A It was either the 28th or 29th of August,
2 2015.

3 Q Okay. And do you remember that day?

4 A Yes, I do.

5 Q All right. And do you remember talking to
6 anyone from the Fort Collins Police Department?

7 A I believe Sergeant Cochran and a transport
8 officer named Andrew Edmonds.

9 Q Okay. In regards to Sergeant Cochran, what
10 did you tell Sergeant Cochran? What kind of
11 conversation did you have?

12 A She was asking me about my vehicle, my truck,
13 which had been hit by a drunk driver on the previous
14 night. So I had received a card on my windshield, on my
15 diesel truck, and I had voicemails, the recording of
16 deputies, so, our entire interaction was me playing the
17 voicemails, for her to listen to, and answering some of
18 her basic questions, about where I had been the night
19 before. So --

20 Q All right. And did Detective Shuttles show up
21 on that scene at any point?

22 A Yes, he did.

23 Q Okay. And -- well, let me ask you this.
24 Let's back up. You had come to the scene to go check on
25 your -- on your truck, correct?

1 A Well, I had been checking on my truck all day.
2 I was coming to my truck to get a change of clothes out
3 of a suitcase.

4 Q Were you living out of your car?

5 A I was for about a month --

6 Q Okay.

7 A -- in my relocation from Denver. I was
8 working at Denver International Airport, and I was
9 constantly traveling. And I had a lease, that fell
10 through, so I didn't move into a new house, so I decided
11 to relocate. And I was sleeping in my truck for about a
12 month --

13 Q All right.

14 A -- or -- or in hotel rooms.

15 Q About what time of day or night did you talk
16 to Sergeant -- Sergeant Cochran?

17 A About -- probably about 9:30 p.m. to
18 10:30 p.m. Somewhere around there.

19 Q All right. What -- where were you coming from
20 before you arrived on-scene to speak with Sergeant
21 Cochran?

22 A I had long-board -- I had long-boarded, in a
23 pair of shorts, and a cut-off T-shirt, to get a -- eat
24 at a sub restaurant. It's sort of on -- I can't
25 remember the name of it, but it's right behind -- Silver

1 friendly with both, the transport officer and the
2 ranking officer on the scene, Sergeant Cochran, and I
3 was basically entrapped at my vehicle and not told the
4 reason why I was being questioned. I was told that I
5 had to answer questions and that -- he wouldn't tell me
6 what questions, about what case -- and so it was sort of
7 like blind questions. So I exercised my right to remain
8 silent, and I asked for a lawyer. And then he detained
9 me.

10 Q Okay. And when you said he -- you -- he
11 detained you -- how did he do that?

12 A He told me to face my vehicle. He took some
13 things out of my hand, I believe my wallet and my -- and
14 a cup that I had from the sub restaurant, where I had
15 been eating. He did a -- had me place my hands on the
16 back of my head. He did a pat-down with one hand, while
17 he held my hands, and then he applied handcuffs to me
18 before placing me in a transport office -- like a
19 transport vehicle to the jail -- or -- well, I didn't go
20 to the jail. I went to the police station. So --

21 Q Okay. And how was Detective Shuttters'
22 demeanor towards you?

23 A It was cordial or friendly but with a sinister
24 element to it. There was a -- it was definitely not
25 somebody being friendly or trying to be my friend. It

1 A Possibly, in the same examination which would
2 have been done. All of my tattoos were documented,
3 so -- the top and bottom of my wrists, in the hospital,
4 emergency room, would have been taken as well.

5 Q You -- you -- it's your position that you
6 still have pain from being handcuffed by
7 Detective Shuttters, correct?

8 A That is correct.

9 Q All right. Well, what sort of things could
10 you do before you were arrested in August of 2015, that
11 you can't do now, because of your wrists?

12 A Well, I haven't been not incarcerated. So,
13 most of the things I would have done before -- I am
14 currently incarcerated, so, I can't do it because I am
15 incarcerated.

16 Q Okay.

17 A But in terms of like -- like exercise -- you
18 know, gripping, gripping things -- possibly, it might
19 affect -- my -- my hands are very valuable for operating
20 heavy-duty equipment. It could have an impact on my
21 ability to control a joystick of a machine, if I have a
22 shooting pain, and I react to my pain in my wrist
23 (indicating). I could do a sudden movement with the
24 machine and -- and, possibly, damage equipment or injure
25 somebody on a job site.

1 So, it does have implications toward my
2 career. So --

3 Q Uh-huh. What sort of exercise is limited by
4 the pain in your wrists?

5 A Anything that puts pressure. You know, I --

6 Q Well, give me an example.

7 A -- I used to be able -- I used to be able to
8 do pull-ups. I can't do pull-ups really anymore.

9 Push-ups; I have trouble doing push-ups
10 because of the -- the pressure on my wrists -- can cause
11 shooting pains. I mean I can do other types of
12 exercise, like walking and jogging and stuff like that,
13 but that's no pressure on my wrist. So --

14 Q Okay. All right, give us a couple minutes.

15 (Brief recess was taken from 11:23 a.m. to

16 11:25 a.m.)

17 BY MR. RATNER:

18 Q Mr. Anderson, have you ever been diagnosed
19 with arthritis?

20 A With arthritis?

21 Q Yeah.

22 A No.

23 Q Have you ever had any issues with your
24 fingers, prior to -- prior to being arrested in August
25 of 2015?

1 A No.

2 Q Have you ever had any issues with, or injuries
3 to your hands, being -- prior to your arrest in
4 August 2015?

5 A None that I am aware of --

6 Q What --

7 A -- or none that I can recall.

8 Q Okay. Had you ever broken any of your hands
9 or wrists or --

10 A I have never broken any finger in my -- or
11 bone in my wrists or -- or hands.

12 Q All right. Have you ever had a broken bone?

13 A No, I have never had a broken bone.

14 Q Okay.

15 MR. RATNER: Got anything else?

16 MR. DUVAL: No. Good.

17 MR. RATNER: Mr. Anderson, I think that's all
18 the questions I have. Thank you.

19 THE WITNESS: Yep. Thank you for coming.

20 EXAMINATION

21 BY MR. JORDAN:

22 Q All right. Mr. Anderson, let's talk about
23 your time at Larimer County, real brief, that Mr. Ratner
24 spoke about. Is it true that, as an inmate at Larimer
25 County, you can file administrative complaint forms?

1 A Yes, you can.

2 Q Is it true that you gave your attorneys
3 permission to produce those administrative complaint
4 forms?

5 A Yes, I did.

6 Q And is it true that those administrative
7 complaint forms are, typically, for non-medical related
8 items?

9 A Yeah, that is true.

10 Q Did you make a request, to visit the law
11 library, using those forms?

12 A That is true.

13 Q Did you request blankets, for your cell, using
14 those forms?

15 A I believe I did, yes.

16 Q And so, with respect to any medical requests,
17 did you make any, using those forms?

18 A I would have not.

19 Q Is it accurate to say that your requests, for
20 medical attention at Larimer County, were made verbally?

21 A That is true.

22 Q And they were made to nursing personnel?

23 A That is true.

24 Q Okay.

25 (Discussion off the record between Mr. Jordan