

# **EXHIBIT 11**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 17-cv-00884-CMA-STV

CHAYCE AARON ANDERSON,

Plaintiff,

v.

JASON SHUTTERS,

Defendant.

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**DECLARATION OF CHAYCE AARON ANDERSON**

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I, Chayce Aaron Anderson, declare as follows:

1. I am the named Plaintiff in the above-captioned case. I have personal knowledge of the facts recited below, and if called upon to testify concerning them under oath, I could and would do so competently.

2. I have read the Second Amended Complaint filed in the above-captioned case and I am familiar with the allegations therein.

3. On August 28, 2015, I was arrested (the "Arrest") by Defendant Jason Shutters ("Defendant").

4. At all times immediately leading up to and during the Arrest, I was nonconfrontational and fully compliant with all instructions given to me by all police officers, detectives, and/or sergeants.

5. The time between Defendant Shutters first speaking with me before the Arrest and my being transported to the Fort Collins Police Department (“FCPD”) was very short, not more than 10-15 minutes.

6. During the Arrest, Defendant handcuffed me.

7. When Defendant handcuffed me during the Arrest, I did not resist in any way.

8. When Defendant placed handcuffs on me during the Arrest, he initially tightened the handcuffs on me in a manner that did not cause severe pain.

9. After Defendant initially tightened the handcuffs on me during the Arrest, but before he double-locked the handcuffs to prevent further tightening, Defendant further squeezed the handcuffs tighter so that it caused severe pain.

10. A transport officer escorted me to and placed me in a transport vehicle after Defendant overtightened the handcuffs on me.

11. I immediately complained that the handcuffs were too tight and were causing pain. I complained several times about the pain to the transport officer while in the transport vehicle.

12. Once transported to FCPD, I was placed in a room.

13. While waiting in the room in FCPD, I complained again to at least one FCPD officer Defendant had overtightened the handcuffs on me and that the overly-tight handcuffs were causing me serious pain.

14. While waiting in the room in FCPD, Defendant never entered the room or made himself available to speak to me.

15. While waiting in the room in FCPD, an FCPD officer removed the overly-tightened handcuffs and photographed my hands, wrists, and forearms.

16. While waiting in the room in FCPD, FCPD called an ambulance for me because of the wrist injury.

17. While waiting in the room in FCPD, on one occasion when the door to the room was open, I observed Defendant in the hallway speaking with various people. He appeared animated and was gesturing. I also observed that Defendant appeared to be red in the face.

18. I told the emergency medical technicians (“EMTs”) who arrived with the ambulance that I was experiencing numbness and wrist pain from handcuffs being over-tightened on me.

19. I was transported via ambulance to Poudre Valley Hospital (“PVH”).

20. I reported my pain and numbness to medical providers at PVH.

21. While in an examination room at PVH, when the door to the examination room was briefly open, I observed Defendant was speaking with medical personnel and with another FCPD officer.

22. No tests to confirm nerve damage were performed on me while at PVH.

23. At all times since the Arrest, I have been incarcerated at various facilities.

24. Since the Arrest, I have experienced pain in my wrists.

25. Since the Arrest, over three years ago, and through present day, I have experienced intermittent shooting pains in both of my wrists, with the shooting pains occurring more frequently in my left wrist.

26. My ongoing shooting wrist pain limits the activities that I am able to do. I am unable to exercise in ways that put a strain on my wrists. For example, I no longer do pull-ups and push-ups.

27. When I experience shooting wrist pain, I immediately limit the motion of the effected wrist or wrists.

28. Since the Arrest, I have utilized the limited resources available to me to manage my shooting wrist pain. I have verbally complained of the pain to nurses on several occasions, including nurses at the Larimer County Jail. I have also obtained over-the-counter ("OTC") pain medication.

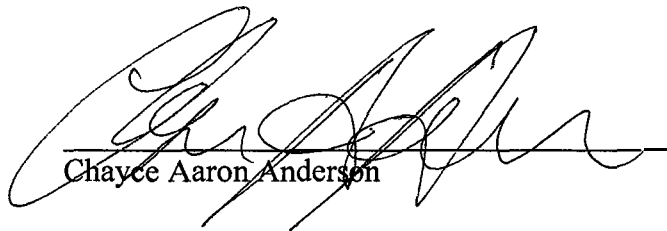
29. Prior to the Arrest, I had a long history of working with heavy equipment for various employers. In my experience, operation of heavy equipment requires steady hands, as a small movement of a joystick or other means of operating a piece of heavy equipment may translate to a large movement of the piece of heavy equipment. In my experience, I have operated heavy equipment in surroundings where a mistaken-movement of a piece of heavy equipment would be dangerous and/or have negative impacts on the job site. For example, a mistaken -movement of a piece of heavy equipment could injure the operator of the piece of heavy equipment, another person on the job site, or cause damage to property on the job site.

30. Based on my familiarity with the tasks associated with operating heavy equipment and the shooting wrist pain that I've been experiencing over the past 3+ years, I do not believe that I could safely operate heavy equipment at this time. The unpredictability of my wrist pain and the sharpness of the pain would not make it safe

for me to perform any task where prolonged, steady use of my hands and wrists is required.

I certify under penalty of perjury that the foregoing is true and correct to the best of my personal knowledge and belief.

Executed on July 22, 2019.



Chayce Aaron Anderson