



EAST WENATCHEE POLICE DEPT

Incident Report for 23E05434

23E05434

Nature: DUI **Address:** 8TH ST NE & N GROVER AVE, EAST WENATCHEE WA 98802

Complainant: 105298 **When Reported:** 23:15:01 09/15/23

Last: BRITO **First:** LEONOR **Mid:**

DOB: 08/20/91 **Dr Lic:** 1B-Drivers Lic No **Address:** 1G-Personal Info

Race: H **Sex:** M **Phone:** 1G-Personal Info **City:** 1G-Personal Info

Offense Codes

Reported: DUI DUI Alcohol or Drugs

Observed: DUI DUI Alcohol or Drugs

Additional Offense: DUI DUI Alcohol or Drugs

Additional Offense: FLNE Felony Elude

Additional Offense: TOFF Traffic Offense

Additional Offense: REND Reckless Endangerment

Involvements

Date	Type	Description	
09/16/23	Name	BAIRD, DANIELLE LAREE	WITNESS
09/16/23	Name	PLY, JIMMY DALE	WITNESS
09/15/23	Name	NCW TOWING, 5472	TOW USED
09/15/23	Name	BRITO, LEONOR	Complainant
09/15/23	Name	MAY, ANTHONY JAY	ARRESTED
09/15/23	Offense	MAY , ANTHONY JAY : ATTEMPT TO ELUDE - F	Charged With
09/15/23	Offense	DWLS 3RD - M	Charged With
09/15/23	Offense	RECKLESS DRIVING - M	Charged With
09/15/23	Offense	OPER VEH W/O IGNITION INTERLOC - GM	Charged With
09/15/23	Offense	DUI - GM	Charged With
09/15/23	Offense	OBSTRUCT LAW ENFORCEMENT OFFIC - GM	Charged With
09/15/23	Vehicle	GRY 1996 FORD F250 WA	TOWED
09/15/23	Cad Call	23:15:01 09/15/23 DUI	Initiating Call

Narrative**STOLEN/RECOVERED/DAMAGED/VALUE:**

1. N/A

EVIDENCE:

1. Body camera footage uploaded to Evidence.com
2. (2) Blood vials
3. Photographs uploaded to Evidence.com

SUSPECT(S):

1. Anthony J. May (DOB 6-30-1996)

CHARGE(S):

1. RCW 46.61.024 - Attempt to Elude Police Vehicle
2. RCW 46.61.502 - DUI
3. RCW 46.20.342.1C - DWLS 3rd Degree
4. RCW 46.20.740 - Operate Vehicle w/o Ignition Interlock Device
5. RCW 46.61.500 - Reckless Driving
6. RCW 9A.76.020 - Obstructing a Law Enforcement Officer

INVESTIGATOR'S NAME(S):

1. Officer Conley

INVESTIGATION:

On 9-15-2023, I, Officer Conley, was on patrol for the City of East Wenatchee in police uniform while driving a marked police vehicle. At approximately 2323 hours, I responded to the report of a pickup truck stopped in the middle of the roadway with a male sleeping inside. The reporting party stated to Rivercom they were not comfortable contacting the male to see if he was alright.

While driving to the location, I spoke with the reporting party via phone. He was Leonor Brito (DOB 8-20-1991). He stated he did not see the truck move, but observed the male passed out at the wheel while driving by him. He stated he had to drive around the male and his pickup truck due to the truck being parked in the middle of the roadway at the intersection of North Grover and 8th Street NE.

Rivercom Dispatch advised the registered owner of the truck was Anthony J. May

(DOB 6-30-1996). Further, they advised Anthony had a suspended driver's license in the 3rd degree through the Washington State Department of Licensing with an ignition interlock requirement. I reviewed a DOL photograph of Anthony on the Mobile Data Computer (MDC) in my patrol car.

I arrived in the area at approximately 2322 hours. I approached the intersection from the south and observed the truck as described stopped at the intersection of North Grover and 8th Street NE facing north-bound. The vehicle's driver's side front and rear tire were parked in the oncoming lane of travel and over the yellow painted line on the asphalt. I positioned my patrol car behind the truck and activated my overhead emergency lights.

Officer Mason and I contacted the pickup truck. I instantly observed an open case of orange Bodhizafa IPA beer in the backseat and an open beer can in the center console cup holder. The driver was sweating profusely and not initially responding to us. I could smell an odor of intoxicants emitting from inside of the vehicle through the driver's side window which was rolled down approximately one inch. The truck was running and the keys were in the ignition.

I knocked on the window multiple times and Anthony eventually woke up. Anthony looked at me and I observed his eyebrows become raised and he seemed surprised. He would not respond to my commands to shut the truck off. Anthony had a suspended driver's license in the 3rd degree through the Washington State DOL.

While attempting to speak with Anthony, he appeared to be manipulating a switch on the driver's kick panel below the steering column. I later realized this was an aftermarket switch used to increase the horsepower to the vehicle's engine.

The vehicle was equipped with a manual transmission. Anthony had difficulty placing the truck in gear. Initially, I believed Anthony was trying to take the truck out of gear before exiting the vehicle. Once he was successful placing the truck in gear, he looked at me as he began to drive away. While looking at him, I observed his eyes to be bloodshot and his face was flushed.

Based on Anthony parking his truck in the roadway, the open beer cans in the truck, the odor of intoxicants emitting from the vehicle and my observations of Anthony's face, I believed he was under the influence of intoxicants. I advised to Sergeant Mohns I had reasonable suspicion for DUI. Sergeant Mohns authorized a vehicle pursuit.

The pursuit began east-bound on 8th Street NE at approximately 40 miles per hour. Once Officer Mason was behind me, I advised him to call out the pursuit as he was the secondary unit. Speeds elevated to 60 miles per hour. There was no traffic. Anthony failed to stop at the clearly marked stop sign at the intersection of 8th Street NE and Kentucky Ave.

Sergeant Mohns advised in an attempt to end the pursuit as soon as possible, he was setting up for spike strips at Eastmont Ave and 9th Street NE.

Officer Mason and I pursued Anthony east-bound on 8th Street NE at speeds of approximately 74 miles per hour. I observed the lights on Anthony's truck become dim. I believe this was done intentionally in an attempt to become less visible to our pursuing police vehicles.

Anthony continued to drive recklessly at speeds of approximately 60 miles per hour through North Nile Ave. Anthony did not stop or slow down for the clearly posted stop sign at the intersection of 8th Street NE and Nile Ave.

At the end of 8th Street NE, Anthony made the left turn to drive on Stark Ave north-bound until the roadway turned into 10th Street NE going west-bound. I requested permission to utilize a PIT maneuver at speeds below 40 miles per hour. Sergeant Mohns granted permission to PIT via radio.

As defined in EWPD policy 307.1 - Vehicle Pursuits, a PIT maneuver, or Pursuit Intervention Technique is a low-speed maneuver designed to cause the suspect vehicle to spin out, stall, and come to a stop.

Anthony made a left turn on Nile Ave and drove south-bound. I positioned my patrol car on the left side of the pickup truck's left side and to the rear attempting to get into position to conduct the PIT maneuver. Almost immediately, Anthony merged left and drove in front of me. I had to slow to avoid being struck by his vehicle. Anthony continued to drive in the left-hand and oncoming lane of travel for several blocks at speeds of approximately 75 miles per hour. There was no traffic.

Anthony drove through the intersection of Grant Road and Nile Ave without stopping or slowing down for the clearly marked stop sign. Speeds were approximately 85 miles per hour. There was no traffic. He continued to drive at speeds of approximately 80 miles per hour until reaching State Route 28. Anthony failed to stop or slow down for the clearly marked stop sign at the intersection of Rock Island Road and South Nile Ave.

Anthony drove on State Route 28 east-bound at speeds of 90-100 miles per hour. There was no traffic. During this time, my overhead emergency lights and sirens remained activated. Officer Mason who was driving behind me also had his overhead emergency lights and siren activated.

At approximately milepost 8 on State Route 28, there was a construction zone. The right/east-bound lane of travel was stopped. There were multiple cars in a line which were not moving. Anthony drove in the left-hand oncoming lane of

travel around them. Officer Mason and I slowed our speed but continued to observe as Anthony was driving at speeds of approximately 80 miles per hour. There was no vehicles driving west-bound in the oncoming lane.

I believe there was a flagger stationed at the beginning of the traffic revision. It was reasonable to believe the flagger alerted other workers via radio to not send traffic through to avoid a collision with Anthony. The construction zone ended at the intersection of Rock Island Drive and State Route 28.

In the intersection, I observed two construction workers on the left-hand side of the roadway. They were both wearing high visibility reflective clothing. Anthony drove past them at speeds of approximately 60 miles per hour before turning left and driving north-bound on Rock Island Drive. At some point when Anthony was turning north-bound, I observed a traffic cone flying through the air while I believed Anthony had struck. The cone was clearly visible as it was marked with reflective tape. Once on Rock Island Drive, there was no traffic.

Anthony drove his vehicle onto Parkway Drive which was a dead end street. Once his vehicle came to a stop, I positioned my patrol car behind his vehicle to prevent him from moving. Anthony fled from the truck on foot and jumped into a nearby pond. After approximately one minute, he exited the pond and was placed under arrest without further incident. I did not observe an ignition interlock device in his vehicle which was impounded by NCW towing.

Due to Anthony fleeing from Law Enforcement in his vehicle and on foot and also being soaking wet from jumping into a pond, I did not ask if he would be willing to perform voluntary field sobriety tests.

At approximately 0000 hours, I arrived at the Chelan County Regional Justice Center with Anthony for the administrative process of the DUI. I conducted a mouth check at 0002 hours. I did not locate any foreign substances in his mouth.

I advised Anthony of his Miranda rights from the DUI packet at approximately 0007 hours. Anthony was handcuffed and unable to sign the packet, but stated "Yes" that he understood his rights. He requested to speak with his attorney.

Kambra Møllergaard was contacted and spoke with Anthony. I left the room for their conversation. I conducted a second mouth check at 0024 hours. I did not observe any foreign substances in his mouth.

After the fifteen minute observation period was complete, I entered the required information into the Draeger Alcotest 9510. At approximately 0043 hours, Anthony refused to provide a BAC sample.

I requested Rivercom to provide me with Anthony's criminal history. I observed him to have one prior DUI conviction in the past 10 years.

At approximately 0127 hours, I received a signed search warrant from the Honorable Judge Huber. The warrant allowed me to seize 2 vials of blood from Anthony's person. The warrant was served at 0153 hours on 9-16-2023. The blood was later entered into evidence.

Based on my investigation, I developed probable cause Anthony committed the crime RCW 46.61.024 - Attempt to Elude Police Vehicle by willfully failing or refusing to immediately bring his or her vehicle to a stop and who drives his or her vehicle in a reckless manner while attempting to elude a pursuing police vehicle, after being given a visual or audible signal to bring the vehicle to a stop.

Based on my investigation, I developed probable cause Anthony J. May (DOB 6-30-1996) committed the crime RCW 46.61.502 - DUI by operating his vehicle while under the influence of intoxicating liquor and or drugs.

Based on my investigation, I developed probable cause Anthony J. May (DOB 6-30-1996) committed the crime RCW 46.20.342.1C - DWLS 3rd Degree by operating a motor vehicle in the state of Washington while his Washington State Driver's license was suspended in the 3rd degree through the Washington State Department of Licensing.

Based on my investigation, I developed probable cause Anthony J. May (DOB 6-30-1996) committed the crime RCW 46.20.740 - Operate Vehicle w/o Ignition Interlock Device for operating a motor vehicle without an ignition interlock device equipped when being required to do so from the Washington State DOL.

Based on my investigation, I developed probable cause Anthony J. May (DOB 6-30-1996) committed the crime RCW 46.61.500 - Reckless Driving for driving his vehicle in a willful disregard for the safety of persons and property through the construction zone which was occupied by construction workers and traffic control equipment.

Based on my investigation, I developed probable cause Anthony J. May (DOB 6-30-1996) committed the crime RCW 9A.76.020 - Obstructing a Law Enforcement Officer by refusing to comply with my commands to shut his truck off and interfering with my DUI investigation.

Anthony was booked into the Chelan County Jail without further issue. Anything further will be documented in a supplemental report.

End of report.

This document is being submitted to a judge, magistrate, court and/or prosecutor from an electronic device that is owned, issued and/or maintained by a criminal justice agency.

I certify (declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Officer Conley 1DO17
East Wenatchee Police Department
Washington State

9-17-2023 0256 hours

Date / Time

Approved by

Date / Time

Supplement

STOLEN/RECOVERED/DAMAGED/VALUE:

1.

EVIDENCE:

1. Body Camera Footage- Evidence.com
2. Photographs- Evidence.com

SUSPECT(S):

1. Anthony J May DOB 6/30/1996

CHARGE(S):

1. See 1D17's report

INVESTIGATOR'S NAME(S):

1. Mason

INVESTIGATION:

On 9/15/2023, I was on uniformed patrol for the East Wenatchee Police Department while driving a fully marked patrol vehicle. At approximately 2315 hours, I assisted Officer Conley #1D17 with a traffic offense at 8th St NE & N Grover Ave. Upon arrival, I observed the registered owner, Anthony J May DOB 6/30/1996 in the driver seat of a gray and white 1996 Ford F250 with WA registration D54969C. I noticed May appeared to be asleep behind the wheel. His head was tilted backwards, and his eyes were closed. I noticed May was the only occupant in the vehicle.

Officer Conley and I contacted the truck. The keys were in the ignition and the truck was running. I looked in the vehicle through the windows and observed a large amount of Bodhizafa IPA beer cans throughout the vehicle. I noticed some of them were opened and observed one in the center cup holder.

The truck's exhaust and engine were very loud, so we knocked on the window. Officer Conley shouted at May and identified himself as "police." I observed May briefly wake up and look forward. He quickly shut his eyes and appeared to pass out. I used my flashlight and knocked on the passenger window. May woke up and looked at me. I heard Officer Conley continually yelling at May through the window. May started fumbling around with a switch below the steering wheel and put the truck into gear. My initial thought was May was trying to put the truck into neutral. I observed May press on the accelerator and the truck move forward.

May appeared incoherent and did not seem to listen to Officer Conley's commands. I believed May was under the influence of intoxicating liquor. I observed May press on the accelerator again and the truck lurched forward a couple feet. I backed away from the truck fearing he might try to drive away from us.

Officer Conley advised Sergeant Mohns #1D7 there was reasonable suspicion for DUI and it appeared May might be fleeing from us. I heard Sgt Mohns grant permission to pursue May. I ran back towards my patrol vehicle as May began driving away from us going eastbound on 8th St NE. Officer Conley and I followed May in our patrol vehicles with lights and sirens activated.

Officer Conley advised RiverCom Dispatch we were in pursuit and requested I take over communications. I advised RiverCom we were eastbound on 8th St SE from N Iowa going 53 mph with no traffic.

The roadway was bare and dry, and the weather was clear. I frequently updated RiverCom of our location, speeds, and traffic conditions.

Officer Conley and I pursued May eastbound on 8th St NE with speeds reaching up to approximately 74 mph. May turned northbound on N Stark Ave and then westbound on 10th St NE. May drove southbound on N Nile Ave reaching speeds of approximately 84 mph. There were no other vehicles on the road during the pursuit.

May drove southbound on N Nile, crossed over Grant Rd, and continued onto S Nile Ave. I requested

RiverCom advised WSP of the pursuit incase May reached SR 28. May turned left onto SR 28 from S Nile going eastbound. There were no other vehicles on SR 28. We reached speeds up to 102 mph.

Around milepost 8, I advised RiverCom we were approaching a construction zone. Traffic was stopped both directions on SR 28 allowing us to continue following May. Officer Conley and I reduced speed and provided more distance between ourselves and May's vehicle.

May turned left into Rock Island and then drove southbound on Parkway Dr. Officer Conley advised Parkway was a dead end road. I was familiar with the area and knew the road eventually stopped near Putters Lake. May drove through an unoccupied rock quarry and stopped his vehicle about 20 feet from Putters Lake.

Officer Conley advised RiverCom May was running on foot. As I approached Officer Conley, I observed May running northbound through the rock quarry and climb over a large dirt mound. I exited my vehicle and ran towards May.

I climbed over the dirt mound and observed May in the water swimming along the bank. I heard Officer Conley shout at May to stop and told him he was under arrest. I approached May as he in the water. He stopped swimming and stood in the water along the bank. It appeared he was tired and was giving up.

I drew my taser and activated the lasers. I pointed the lasers towards May and gave him verbal commands. May complied and was taken into custody by Officer Conley. I helped escort May to Officer Conley's patrol vehicle. I was overwhelmed by the odor of intoxicants coming from May's breath.

I photographed the alcoholic beverages in the vehicle which were uploaded to Evidence.com.

May was searched incident to arrest and placed in Officer Conley's patrol vehicle. May's vehicle was impounded by NCW Towing for a DUI 12 hour hold.

During the pursuit, I heard Sgt Mohns and units from DCSO set up stop sticks but each location was unsuccessful.

For more information, see Officer Conley's report.

This document is being submitted to a judge, magistrate, court and/or prosecutor from an electronic device that is owned, issued and/or maintained by a criminal justice agency.

I certify (declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Mason _____ 19 _____
Officer 1DO
East Wenatchee Police Department
Washington State

9/17/23_____0025_____
Date / Time

Approved by

Date / Time

Supplement

STOLEN/RECOVERED/DAMAGED/VALUE:

1.

EVIDENCE:

1.

SUSPECT(S):

1.

CHARGE(S):

1.

INVESTIGATOR'S NAME(S):

1.Sgt. C.MOHNS 1D7

INVESTIGATION:

On 9-15-2023 at approximately 2330 hours I, Sgt. C. Mohns of East Wenatchee Police Department, was working as a supervisor for night shift patrol. RiverCom Dispatch advised our office of a pickup truck with the driver "passed out" in the middle of the road at N. Grover and 8th Street NE.

Units contacted the vehicle and saw obvious signs of intoxication, open and unopened alcoholic beverages, and a male sweating profusely. The truck was running but not moving. Officer Conley and Officer Mason attempted contact with the male. While doing so an obvious odor of intoxicants was smelled coming from the vehicles inside.

The driver woke up after numerous attempts and then drove off. Officer Conley

requested permission to pursue after he attempted a stop. I could hear his lights and siren in the background of the radio transmission.

Based on the above observations officers had well above reasonable suspicion for a DUI. I authorized the pursuit due to the obvious serious threat to the public's safety, the pursuit was necessary to apprehend the subject, the risks associated with failing to apprehend the driver were greater than the risk associated with the pursuit.

Officer Mason immediately took over radio as the number two car in the pursuit. These were the only two patrol vehicles associated with the pursuit the entire time of the pursuit. I monitored all radio traffic closely and attempted at several times to get into an area to set up stop sticks to stop the truck.

Officer Mason continued to provide location, roadway conditions, speeds, and vehicular traffic. The roads were dry, the speeds were not excessive, and there were not cars on the roadway until the very end of the pursuit. There were no other alternatives to the pursuit. We didn't have air support or the ability to follow without being in the pursuit. There were no minors in the vehicle.

I asked RiverCom Dispatch to notify Douglas County Sheriff's Office of the pursuit as parts of it were in the county. I requested assistance as soon as the pursuit was headed towards Rock Island. At no time was a unit available to assist us. Eventually after the apprehension Deputies Pratt and Adams showed up.

I was asked if a PIT maneuver was authorized and I told Officer Conley at speeds of 40 MPH or below he was authorized to do so. At no time was a PIT attempted. Speeds of the suspect vehicle never exceeded 102 MPH as reported to me. This speed occurred in one section on State Route 28.

While following the pursuit from about a mile back units advised the driver drove into a dead end street, foot-bailed, and went for a swim in the Rock Island Ponds in an attempt to get away. I had Dispatch notify fire in case any rescue swimmers were needed.

After about one minute units on scene advised he was in custody.

I arrived and saw no damage to any vehicles, no interlock installed on the Ford Truck, and a very wet male driver who refused any aid.

Officer Conley transported him to CCRJC for the purposes of DUI processing and Officer Mason remained to tow the subjects vehicle.

This document is being submitted to a judge, magistrate, court and/or prosecutor from an electronic device that is owned, issued and/or maintained by a criminal justice agency.

I certify (declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Sgt. C. Mohns 1D7
East Wenatchee Police Department
Washington State

9-26-2023/0245 hours _____
Date / Time

Approved by

Date / Time

Vehicles

Vehicle Number:

306097

License Plate: D54969C

State: WA

Vehicle Year: 1996

Make: FORD Ford

Color: GRY /

Vehicle Type: PU Pick up

License Type: TK Truck

Expires: 08/22/24

VIN: 1FTHX26FXTEA00
312

Model: F250

Doors: 0

Value: \$0.00

Owner:

Last: MAY **First:** ANTHONY **Mid:** JAY

DOB: 06/30/96 **Address:** [REDACTED] 1G-Personal Info

Race: W **Sex:** M **Phone:** [REDACTED] 1G-Personal Info **City:** [REDACTED] 1G-Personal Info

Vehicles

Agency:

Date Recov/Rcvd: **/**/**

Officer:

Area:

UCR Status:**Wrecker Service:** TIM***Local****Status:****Storage Location:****Status Date:** **/**/****Release Date:** **/**/****Comments:**

Name Involvements:**ARRESTED :** 159630**Last:** MAY **First:** ANTHONY **Mid:** JAY**DOB:** 06/30/96 **Address:** 1G-Personal Info**Race:** W **Sex:** M **Phone:** 1G-Personal Info **City:** 1G-Personal Info

Complainant : 105298**Last:** BRITO **First:** LEONOR **Mid:****DOB:** 08/20/91 **Address:** 1G-Personal Info**Race:** H **Sex:** M **Phone:** 1G-Personal Info **City:** 1G-Personal Info

WITNESS : 279029**Last:** PLY **First:** JIMMY **Mid:** DALE**DOB:** 10/03/79 **Address:** 1G-Personal Info**Race:** W **Sex:** M **Phone:** 1G-Personal Info **City:** 1G-Personal Info

WITNESS : 100665**Last:** BAIRD **First:** DANIELLE **Mid:** LAREE**DOB:** 06/26/88 **Address:** 1G-Personal Info**Race:** W **Sex:** F **Phone:** 1G-Personal Info **City:** 1G-Personal Info

TOW USED : NCWT**Last:** NCW TOWING **First:** **Mid:****DOB:** **/**/** **Address:** 29 N CHELAN AVE**Race:** **Sex:** **Phone:** (509)662-2080 **City:** WENATCHEE, WA 98801

Redaction Log

Total Number of Redactions in Document: 19

Redaction Reasons by Page

Page	Reason	Description	Occurrences
1	1B-Drivers Lic No	Driver's License Number - A driver's license number is exempt from public inspection and copying. RCW 42.56.230(5); RCW 9.35.005; RCW 42.56.230(7)(c)	1
1	1G-Personal Info	Personal Information and or Invasion of Privacy - A record used to prove identity, age, address, or other information required to apply a a driver's license is exempt from public inspection and copying. Or, (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public. RCW 42.56.230(7)(a); 42.56.590)10)(a)(i)(F); 42.56.505	3
12	1G-Personal Info	Personal Information and or Invasion of Privacy - A record used to prove identity, age, address, or other information required to apply a a driver's license is exempt from public inspection and copying. Or, (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public. RCW 42.56.230(7)(a); 42.56.590)10)(a)(i)(F); 42.56.505	3
13	1G-Personal Info	Personal Information and or Invasion of Privacy - A record used to prove identity, age, address, or other information required to apply a a driver's license is exempt from public inspection and copying. Or, (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public. RCW 42.56.230(7)(a); 42.56.590)10)(a)(i)(F); 42.56.505	12

Redaction Log

Redaction Reasons by Exemption

Reason	Description	Pages (Count)
1B-Driver's Lic No	Driver's License Number - A driver's license number is exempt from public inspection and copying. RCW 42.56.230(5); RCW 9.35.005; RCW 42.56.230(7)(c)	1(1)
1G-Personal Info	Personal Information and or Invasion of Privacy - A record used to prove identity, age, address, or other information required to apply a driver's license is exempt from public inspection and copying. Or, (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public. RCW 42.56.230(7)(a); 42.56.590(10)(a)(i)(F); 42.56.505	1(3) 12(3) 13(12)