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OFFICE OF THE  
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**SPOKANE POLICE DEPARTMENT  
CHARGING REQUEST AND WITNESS LIST  
Municipal Court City of Spokane**

DATE: 11-23-2011

REPORT NUMBER: 11-364413

CHARGES REQUESTED: Count 1-Unlawful Carry of Firearms  
Count 2-Weapons Apparently Capable of Producing  
Bodily Harm-Unlawful Carrying or Handling

DEFENDANT(S): Shea, Matthew T  
DOB: [REDACTED]

STATUS: Misd. Summons Request

VICTIM(S): Norris, Leroy W DOB: [REDACTED]  
DATE/TIME OF CRIME: 11-23-2011 11:49 hrs  
LOCATION OF CRIME: Downtown Spokane on Monroe from Main-14th  
INVESTIGATOR: S. Kennedy #616  
APPROVED BY: *[Signature]*

WITNESSES	ADDRESS	PHONE #
Donna Jasper	[REDACTED]	[REDACTED]
Leroy Norris	[REDACTED]	[REDACTED]
S. Kennedy #616	1100 W. Mallon	[REDACTED]

EVIDENCE CONSISTS OF: Statements

SUBMITTED TO PROSECUTORS OFFICE

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

**STATEMENT OF INVESTIGATING OFFICER  
AFFIDAVIT OF FACTS**

STATE OF WASHINGTON  
COUNTY OF SPOKANE

REPORTNUMBER: 11-364413

DEFENDANT(S): Shea, Matthew T DOB: [REDACTED]

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The undersigned, a law enforcement officer, competent to testify, states as follows: That he/she believes a crime was committed by the above named defendant/defendants in the City and County of Spokane, State of Washington, because:

**Witness Jasper can testify to the following:**

On 11-23-11 at approx. 1149hrs, driving in the downtown area, specifically Monroe/Main. She noticed a green Chevy Lumina driving aggressively. When the light turned green, the Chevy Lumina started driving in and out of traffic. Seeing the Lumina on the far west side of Monroe and then "darting" to the far east lanes of traffic. She heard horns honking then witnessed the Lumina still swerving in and out of traffic.

At approx. Monroe at Sprague the Lumina became, "horribly aggressive". The Lumina would speed up then slow down over and over. She was originally going to get on the interstate but decided to follow the Lumina to get the license plate number (WA 713YLK)

When she got to Monroe at 4<sup>th</sup> she was directly behind the Lumina and saw the w/m driver on his cell phone. When the light turned green the Lumina took off then slowed quickly then sped off at approx. 60mph. She followed the Lumina to 29<sup>th</sup>, where she lost sight of it.

**Victim Norris can testify to the following:**

On 11-23-11 at approx. 1150 hrs he was south on Monroe at approx. Main when a green pick-up cut him off, which forced him to slam on his brakes to avoid a collision. He honked his horn at the driver of the pick up. Admitting to aggressive lane changes with the pick-up, when the driver of the pick-up (the defendant), flipped him off. Continuing south the green pick-up was now behind him, when he saw the defendant pointing his hand like it was a gun at him, through the rear view mirror. Seeing the defendant fold his thumb down as if it was the hammer of a gun pointing his index finger at him.

Self admitting the anger which stemmed for this action, he flipped the defendant off. The defendant then pulled along side him and reached behind the passenger seat of his pick-up. The defendant made a large swooping motion over the top of the seat, at which time he saw what he believes to be a "black semi-automatic handgun".

He was certain what he saw was a handgun. At this point he "freaked out" and tried to get away from the defendant. He said he knew he was driving "crazy", but had reason to believe his life was in danger and wanted to get away from the defendant. He said he was in and out of traffic slowing and speeding up to avoid the defendant and maneuver around him.

He not only was afraid for his personal safety, but was afraid for his life as he thought he was going to be shot. The only thing he could think of was to slam on his brakes for fear of a collision with the defendant to make his pickup unable to drive so he could get away.

At approximately Monroe at 4<sup>th</sup>, he called police to report the incident and to advise the defendant had a gun. He finally lost the defendant on Monroe at 14<sup>th</sup>.

**Officer S. Kennedy can testify to the following:**

On 11-23-11 at approx. 1500hrs, being contacted to complete an investigation reference a road rage situation.

Contacting witness, Jasper and victim, Norris for statements.

Contacting the defendant for his statement. It should be noted at this time the defendant was wanting police contact to report the Lumina's behavior. The defendant told me he thought he was being targeted due to his work. On Monroe at Main, he may or may not have cut someone off, (the Lumina). The Lumina honked the horn at him. As they continued south the Lumina went to the far right lanes then made a "beeline" for the front of his car. The defendant had to swerve and take evasive action to avoid a collision, again he thought he was being targeted. The defendant pointed at the w/m driver of the Lumina and mouthed, "I'm reporting you". They continued south and now



between Sprague and 4<sup>th</sup> on Monroe. The defendant admitted to pulling his handgun out of his glove box, and admitted the driver of the Lumina could have seen the gun.

The defendant said the Lumina slowed and sped up over and over. At 4<sup>th</sup> the Lumina took off as he chased the vehicle to get the license plate number (WA plate 713 YLK). The Lumina then slammed on the brakes again up the Monroe St. Hill then took off at a high rate of speed. The defendant stopped chasing the Lumina at 14<sup>th</sup> on Monroe and turned off.

The defendant admitted calling 911 to also report what was happening.

During our conversation, the defendant admitted to letting his concealed weapons permit expire several years ago.

The defendant seemed to be concerned and asked me about the concealed gun carry law. I let the defendant read straight from my current 2011 Pocket Guide to Washington Criminal Laws on page 14. RCW 9.41.050. We verbally discussed the law, and discussed having a loaded hand gun in his vehicle, with no concealed weapons permit, was a violation of the law. The defendant never once disputed the violation and became very nervous and fearful in the face. His mouth became very dry (Cotton Mouth) as we continued to discuss the violation. It was obvious to me he was extremely nervous as when the defendant shook my hand at the end of our contact it was clammy and sweaty. Not the same as our initial hand shake up first contact.

At this time the defendant is in violation of, RCW 9.41.050, the Carrying of Firearms law by the following (in pertinent summary): A person shall not carry or place a loaded pistol in any vehicle unless the person has a license to carry a concealed pistol and the pistol is on the licensee's person, the licensee is within the vehicle at all time the pistol is there, or the licensee is away from the vehicle and the pistol is locked within the vehicle and is concealed from view from outside the vehicle.

At this time the defendant is also in violation of, RCW 9.41.270, Weapons Apparently Capable of Producing Bodily Harm-Unlawful Carrying or Handling by the following (in pertinent summary): It shall be unlawful for any person to carry, exhibit, display, or draw any firearm or any other weapon apparently capable of producing bodily harm in a manner under circumstances and at a time and place that warrants alarm for the safety of other persons. This is clearly shown by the victim's belief it was an emergent necessity to avoid and maneuver around the defendant, and attempt to get away from the defendant, in the manner in which he did.

PC does exist for: Count 1-Unlawful Carry of Firearms  
Count 2-Weapons Apparently Capable of Producing  
Bodily Harm-Unlawful Carrying or Handling

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct. (9A.72.085)

DATE: 11/25/11 PLACE: SPOKANE, WASHINGTON SIGNATURE: [Signature] #114