

**Texas State University  
POLICE DEPARTMENT**

Page **2**

Case No. **0502233**

Type: \_\_\_\_\_ Seq: **1**

Crime / Incident  
**002 Void**

Attempt

**Narrative Report**

On 070305 at 1512 hours, I was dispatched to the dam at Joe's Crab Shack for a drowning. Upon arrival, I observed SMFD personnel, Roger Olson, throwing a buoy and line to Mr. Newman, who was across the river at the dam area. Mr. Newman was sitting in the water on the concrete spillway area of the dam. Mr. Olson stated several times for Mr. Newman to leave the area. Mr. Newman refused the orders of SMFD personnel Olson. There were multiple members of the SMFD and EMS on scene, attempting to ascertain the number of victims and their location. The fire department personnel were attempting to clear the waterway so they could perform necessary water rescue operations as needed. Mr. Newman was interfering by refusing to leave the area.

At this time Mr. Duamani, the suspected drowning victim was on shore and talking with SMFD personnel Ken Bell. The SMFD continued to throw the buoy to Mr. Newman and advised him to leave the area. Mr. Newman stated, "Why do I? The guy is out of the water." Mr. Newman continued to refuse to leave the area where SMFD were attempting to secure the scene and locate any further victims. Mr. Newman stood up and climbed back onto the concrete area of the spillway. After I secure the scene with boundary tape to prevent spectators from entering the area, I walked over to where Mr. Newman was in front of me across the water and ordered Mr. Newman to exit the area. Mr. Newman looked up and smirked and stated, "Why?" I advised him to come over to my location. Mr. Newman appeared annoyed by my order and stood in the water for approximately 15 seconds. Mr. Newman then began swimming down stream and I again stated for him to come over to me. Mr. Newman swam over to my location. Ken Bell stated Mr. Newman had refused the lawful order to get out of the water several times so the SMFD could continue rescue operations. Ken Bell stated the SMFD personnel could not attempt a rescue on anyone until Mr. Newman was safely away from the scene. Mr. Newman exited the river and was arrested for interfering with public duties and refusing a lawful order. As I placed handcuffs on Mr. Newman the spectators began verbally assaulting officers by cursing and stated we were wrong and they would have our jobs. As I began to walk Mr. Newman to my vehicle, several people including two male subjects attempted to block our walk to my unit. One of the male subjects stated he was the chaplain for Gov. Perry and then asked if I knew who Gov Perry was. I could smell a strong odor of alcohol on the subject's breath. The subject stated several times he would have my TCLEOSE license. The other subject continued to block the path to my vehicle. The subject was advised to step back and let me through. I advised Ofc. Dorsey of the situation and asked for his assistance. I then placed Mr. Newman in my patrol for transport to the HCLEC. During transport, Mr. Newman admitted he heard the lawful order by the SMFD to leave the spillway area and stated, "I saved the guy and there was no need for me to leave."

Officer ID: <b>OFF MARK MORRIS</b>	<b>216148</b>	Reviewed By:	Date:
------------------------------------	---------------	--------------	-------

