

The Great Banana Felony (a true story)

December 2, 2014, Grand Junction, CO – Never point fruit at a deputy sheriff – at least not in Grand Junction, Colorado.

November 23, 2014 Nathan Channing (listed in the actual incident report to have a date of birth of 7/16/14, making one question that he is either very young or very old) was walking southbound on the sidewalk of the 29 Road overpass in Grand Junction. A Mesa County sheriff's car with deputy Joshua Bunch driving (officially listed as victim number one) was proceeding north on the overpass facing Channing.

Channing pulled a banana from his right pocket and pointed it at the Sheriff's car as it drove towards him. Deputy Bunch, highly trained law enforcement reactions finely tuned to a razor's edge, realizing the danger of this particular fruit, fled the fruit packing Channing and, in Deputy Bunch's own words in his official incident report he wrote: *“Nathan drew the object in the same manner someone would draw a standard handgun from a concealed carry holster. I immediately ducked in my patrol car and accelerated continuing northbound, fearing it was a weapon. Based on training and experience, I have seen handguns in many shapes and colors and perceived this to be a handgun.”*

Deputy Bunch (no banana bunch pun intended) continued to run like a bunny escaping in his car from the banana wielding Channing for nearly 3 blocks leaving civilians on the road to contend with the obvious (to the deputy), dangerous and armed criminal. During his run from danger, Deputy Bunch made radio contact with another deputy who, ignorant of the incident, was heading straight towards Channing and his bad banana. Mesa County deputy sheriff Donald J. Love (officially listed as victim number two) was now on alert for the fatal fruit packing Channing.

Deputy Love was proceeding northbound on 29 Road and was suddenly face to face with the banana packing Channing, now some 2 ½ blocks south of the initial threat against deputy Bunch. Channing again pulled and pointed the fatal fruit, this time at deputy Love.

Deputy Bunch was now speeding back into action after his narrow miss with – well, whatever the hell a banana can do to a deputy sheriff in a car – was in communication with deputy Love via radio. He pulled into the intersection where Deputy Love and Channing were finished facing off and things were now under control. It seems that deputy Love stopped his car near Channing noting the “*unknown object*” – official incident report.

According to deputy Bunch's official incident report, deputy Love explained to deputy Bunch – “As Nathan (the banana packing bad guy) was pulling out the unknown object, he (deputy Love) slammed on his brakes and stepped out of his patrol car. Deputy Love informed me (deputy Bunch) he observed what appeared to be a yellow tube with a black center and stated he thought it was a gun. Deputy Love stated he was in fear of his life at this point and was in the process of pulling his handgun when Nathan yelled, 'It's a banana.'”

After disfruiting Channing, the deputies learned that Channing meant nothing actually menacing; that he is a standup comedian and was practicing for a YouTube taping (no cameras present at this incident) and that this was “just a joke.” Channing informed the deputies he thought it would “lighten the holiday spirit.” It did for someone (probably the lawyers) because when Mesa County Sheriff Supervisor deputy Corporal Doty arrived the three deputies discussed – (ok, let's face it, they worked to figure out something to charge him with) – the best action and then arrested and jailed Nathan Channing on two counts of felony menacing (one count for each of the two victimized and maybe traumatized for life, banana-fearing deputies) You can see what makes up this actually quite serious crime by Googling **C.R.S. 18-3-206(a)**.

The court appearance: At 8:00 a.m., December 2, 2014, the banana packing Channing and his attorney, Stephen L. Laiche (a former prosecutor from Louisiana) appeared before District Judge Richard T. Gurley. Prior papers by the attorney requested a jurisdiction move and charge reduction and the DA's office and judge agreed. The case has now been remanded down to a Mesa County Court on the now-lowered charge of obstruction. Channing's attorney remarked to this reporter regarding district Judge Gurley's ruling “Finally, some common sense.” The next court appearance is scheduled for December 17, 2014 in Mesa County Court.

The law regarding obstruction. In Colorado, **C.R.S. 18-8-104(1)(a)** basically states that a person who in the opinion of the officer pretty much does anything that physically obstructs, impairs or hinders penal law or preservation of the peace by a peace officer or other emergency workers from doing their job is obstructing. The offense under this law is a class 2 misdemeanor. It is reasonable to assume that once this arrives in county court that this charge may be further reduced for a guilty plea, but you can bet to somehow save face for the DA's office, deputies and sheriff's department, this will not be dismissed. Then again we must ask regarding the incident as stated in the deputy's report and the law, who was really hindering whom?

Epilogue:

Right now there are a ton of Saint Louis County sheriff deputies who would love to trade the Ferguson mess for the death threat of bananas suffered by deputies in Mesa County, Colorado.

Something of concern is if deputy Bunch actually thought the banana was a deadly weapon causing him to “fear it was a weapon” and that threat caused him to duck and drive from the area (three blocks) as he stated – he then left the area leaving unarmed civilians at the mercy of an obviously (to him) dangerous and armed criminal. Given their arrest or stronger powers and duty to citizens, that is not what law enforcement should do. He should have immediately pulled around to confront Channing and to protect the citizens in that area from this perceived deadly threat. Instead, he abandoned his post.

What should have happened. First, it is apparent from the details in the incident report that Channing was polite and remorseful for his non-lethal and, let's face it, seriously stupid action. At that point, Channing now probably handcuffed, searched and maybe even *Carmen Mirandized* who no doubt was scared stupid – should have had his butt chewed out by the deputies and, of course, a contact report place in a file should he ever do this again.

Signed,
Anonymous Source

p.s. We have NO official representation in any manner in this case or event, we just thought it was so stupidly funny that the incident needs further and accurate follow up information for the national and international attention it has received. Our information is first hand; we have copies of the incident report and personally attended the District Court hearing today. You have our permission to use any of the above information at no cost should you so wish.