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Log No: 1028736 Type:CR

Investigation Conflict Certification

I hereby certify that to the best of my knowledge, neither I, nor my spouse or domestic partner, my parent, my sibling or my child (hereinafter my household or immediate family), has a personal, professional (outside of Department business) or financial relationship with the victim/subject/detainee(s), reporting parties, accused/involved department member(s), witness department member(s), or civilian witness(es).

I further certify that to the best of my knowledge, the resolution of the matter under investigation will not positively or negatively affect my financial interests or the financial interest of any member of my household or immediate family.

I acknowledge that I must disclose to the head of the Internal Affairs Division or the head of the Independent Police Review Authority, in writing, the acquisition of any financial interest or the development or the discovery of any personal interest that would directly affect my ability to conduct an impartial objective investigation and render unbiased decisions concerning the matter under investigation.

I acknowledge that I must disclose to the head of the Internal Affairs Division or the head of the Independent Police Review Authority, in writing, the discovery that a member of my household or immediate family has a personal, professional or financial relationship with the victim/subject/detainee(s), reporting parties, accused/involved department member(s), witness department member(s), or civilian witness(es) or if a member of my household or immediate family will be positively or negatively affected by the resolution of the matter under investigation.

Signed by

Detailed Unit N/A

Signed by CONNOLLY, KEVIN Star No. N/A

Employee No. [REDACTED]

Entered Date/Time 04-AUG-2009 11:20 Position INVESTIGATOR III COPA Assigned Unit 113



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Log No: 1028736 Type:CR

Investigation Conflict Certification

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I acknowledge that I must disclose to the head of the Internal Affairs Division or the head of the Independent Police Review Authority, in writing, the discovery that a member of my household or immediate family has a personal, professional or financial relationship with the victim/subject/detainee(s), reporting parties, accused/involved department member(s), witness department member(s), or civilian witness(es) or if a member of my household or immediate family will be positively or negatively affected by the resolution of the matter under investigation.

Signed by

Detailed Unit N/A

Signed by WEBB, MAIRA

Star No. N/A

Employee No. [REDACTED]

Entered Date/Time 12-AUG-2009 16:19 Position INVESTIGATOR II COPA Assigned Unit 113

STATICAL RESPONSE REPORT/Chicago Police Department

1. DATE OF INCIDENT 29-JUL-2009		TIME 18:10:00		2. ADDRESS OF OCCURRENCE [REDACTED] CHICAGO, IL 60621			3. LOCATION CODE 303		4. BEAT/CORNER 0712				
5. POSITION 9161		6. LAST NAME JOVANOVICH		7. FIRST NAME NICHOLAS M		8. STAR NO. 6789		9. SEX <input checked="" type="checkbox"/> 01 M <input type="checkbox"/> 02 F		10. RACE CODE (11. AGE) WHI [REDACTED] 1980		12. HT. 603	13. WT. 175
14. DATE OF APPT. 26-SEP-2005		15. EMPLOYEE NO [REDACTED]		16. UNIT & BEAT OF ASSIGNMENT 007 0715		17. DUTY STATUS <input checked="" type="checkbox"/> 01 On <input type="checkbox"/> 02 Off		18. MEMBER INJURED? <input type="checkbox"/> 01 Yes <input checked="" type="checkbox"/> 02 No		19. MEMBER IN UNIFORM? <input checked="" type="checkbox"/> 01 Yes <input type="checkbox"/> 02 No			
20. LAST NAME [REDACTED]		21. FIRST NAME [REDACTED]		22. M.I. D	23. SEX <input checked="" type="checkbox"/> 01 M <input type="checkbox"/> 02 F	24. RACE BLK	25. D.O.B. [REDACTED] 1991		26. HT. 507	27. WT. 165			
28. ADDRESS [REDACTED] CHICAGO, IL 60621			29. TELEPHONE NO. [REDACTED]		30. WAS SUBJECT ARMED/VERBAL THREAT (ASSAULT, HANDS/FISTS) <input type="checkbox"/> 01 Yes <input checked="" type="checkbox"/> 02 No			31. SUBJECT INJURED? <input type="checkbox"/> 01 Yes <input checked="" type="checkbox"/> 02 No		32. SUBJECT ALLEGED INJURY? <input type="checkbox"/> 01 Yes <input checked="" type="checkbox"/> 02 No			
33. WHERE WAS MEDICAL TREATMENT OBTAINED? [REDACTED]				34. BY WHOM? [REDACTED]		35. CONDITION <input checked="" type="checkbox"/> 01 Apparently Normal <input type="checkbox"/> 02 Under Influence <input type="checkbox"/> 03 Hospitalized <input type="checkbox"/> 04 Not Hospitalized <input type="checkbox"/> 05 Refused Medical Aid							
36. CHARGES PLACED 720 ILCS 5.0/31-1-A, 720 ILCS 5.0/12-2-A-6, 720 ILCS 5.0/12-2-A-6										37. CB NO. [REDACTED]		IR NO. [REDACTED]	DNA <input type="checkbox"/>

SUBJECTS ACTIONS	PASSIVE RESISTER	ACTIVE RESISTER	ASSAULT-ASSAULT	ASSAULT-BATTERY	ASSAULT-DEADLY FORCE
	DID NOT FOLLOW VERBAL DIRECTION <input checked="" type="checkbox"/> STIFFENED (DEAD WEIGHT) <input checked="" type="checkbox"/> OTHER _____	FLED <input type="checkbox"/> PULLED AWAY <input checked="" type="checkbox"/> OTHER _____	IMMINENT THREAT OF BATTERY <input checked="" type="checkbox"/> OTHER <u>CLENCHED FISTS</u>	ATTACK WITH WEAPON <input type="checkbox"/> ATTACK WITHOUT WEAPON <input type="checkbox"/> OTHER _____	USES FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM <input type="checkbox"/> WEAPON <input type="checkbox"/> OTHER _____
MEMBER'S RESPONSE	MEMBER PRESENCE <input checked="" type="checkbox"/> VERBAL COMMANDS <input checked="" type="checkbox"/> ESCORT HOLDS <input type="checkbox"/> WRISTLOCK <input type="checkbox"/> ARMBAR <input type="checkbox"/> PRESSURE SENSITIVE AREAS <input type="checkbox"/> CONTROL INSTRUMENT <input type="checkbox"/> OC/CHEMICAL WEAPON W/AUTHORIZATION <input type="checkbox"/> OTHER _____	OPEN HAND STRIKE <input type="checkbox"/> TAKE DOWN / EMERGENCY HANDCUFFING <input type="checkbox"/> OC CHEMICAL WEAPON <input type="checkbox"/> CANINE <input type="checkbox"/> TASER (Probe Discharge) <input type="checkbox"/> TASER (Contact Stun) <input type="checkbox"/> TASER (Laser Targeted) <input type="checkbox"/> TASER (Spark Displayed) <input type="checkbox"/> OTHER _____	ELBOW STRIKE <input type="checkbox"/> CLOSED HAND STRIKE/PUNCH <input type="checkbox"/> IMPACT WEAPON (Describe in Box 40) <input checked="" type="checkbox"/> OTHER <u>STRIKES TO DELIVERY SYSTEM</u>	KNEE STRIKE <input type="checkbox"/> KICKS <input type="checkbox"/> IMPACT MUNITION (Describe in Box 40) <input type="checkbox"/>	FIREARM <input type="checkbox"/> OTHER _____

39. OC/CHEMICAL WEAPON AUTHORIZED BY (NAME) [REDACTED]			40. ADDITIONAL INFORMATION BATON STRIKES		
POSITION	STAR NO.	UNIT			

41. WEAPON TYPE <input type="checkbox"/> 01 REVOLVER <input type="checkbox"/> 02 RIFLE <input type="checkbox"/> 03 SHOTGUN <input type="checkbox"/> 04 SEMI-AUTO PISTOL <input type="checkbox"/> 05 CHEMICAL WEAPON <input type="checkbox"/> 06 TASER (Probe Discharge) <input type="checkbox"/> 07 OTHER		42. INCIDENT OCCURRED <input type="checkbox"/> Indoors <input checked="" type="checkbox"/> Outdoors		43. LIGHTING CONDITIONS <input checked="" type="checkbox"/> 01 Daylight <input type="checkbox"/> 02 Night <input type="checkbox"/> 03 Dawn <input type="checkbox"/> 04 Dusk <input type="checkbox"/> 05 Poor Artificial <input type="checkbox"/> 06 Good Artificial		44. WEATHER CONDITIONS CLEAR	
45. MAKER/MANUFACTURER		46. MODEL		47. BARREL LENGTH		48. CALIBER/GAUGE	

49. TASER DART ID NO.		50. WEAPON SERIAL No. (include Letters)		51. CHICAGO GUN REG. NO.		52. IL FIREARM OWNER ID. NO.		53. HANDGUN CERTIFICATE NO.	
54. SPECIAL WEAPON CERTIFICATE NO.		55. PROPERTY INVENTORY NO.		56. TYPE OF AMMUNITION USED		57. NO. OF WEAPONS DISCHARGED BY THIS MEMBER		58. TOTAL NO. OF SHOTS MEMBER FIRED	

59. WHD FIRED FIRST SHOT <input type="checkbox"/> 01 MEMBER <input type="checkbox"/> 02 OFFENDER <input type="checkbox"/> 03 OTHER (Specify)		60. WAS FIREARM RELOADED DURING INCIDENT <input type="checkbox"/> 01 YES <input type="checkbox"/> 02 NO		61. NO. OF CARTRIDGES/SHOT SHELLS RELOADED		62. HOW WAS MEMBER'S HANDGUN WORN <input type="checkbox"/> 01 RT. SIDE (WAIST) <input type="checkbox"/> 02 LT. SIDE (WAIST) <input type="checkbox"/> 03 OTHER (Specify)	
63. HOW WAS MEMBER'S HANDGUN DRAWN <input type="checkbox"/> 01 STRONG SIDE DRAW <input type="checkbox"/> 02 CROSS DRAW <input type="checkbox"/> 03 OTHER (Specify)		64. SPECIFY METHOD/EQUIPMENT USED TO RELOAD				65. DID MEMBER USE SIGHTS <input type="checkbox"/> 01 YES <input type="checkbox"/> 02 NO	
66. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR, FURNITURE, ETC)				67. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED <input type="checkbox"/> 01 0 - 05 FT. <input type="checkbox"/> 02 05 - 10 FT. <input type="checkbox"/> 03 10 - 15 FT. <input type="checkbox"/> 04 OVER 15 FT.			
68. PERSON/SUBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBER'S WEAPON <input type="checkbox"/> 01 PERSON <input type="checkbox"/> 02 OBJECT <input type="checkbox"/> 03 BOTH <input type="checkbox"/> 04 UNKNOWN				69. POSITION OF MEMBER DISCHARGING WEAPON <input type="checkbox"/> 01 STANDING <input type="checkbox"/> 02 LYING DOWN <input type="checkbox"/> 03 SITTING <input type="checkbox"/> 04 KNEELING <input type="checkbox"/> 05 OTHER (SPECIFY)			

NOTIFICATIONS (OC OR TASER INCIDENT): <input type="checkbox"/> OEMC <input checked="" type="checkbox"/> DESK SGT. & W.C./DIST. OF OCCUR.		NOTIFICATIONS (FIREARM INCIDENT): <input type="checkbox"/> OEMC <input type="checkbox"/> DESK SGT. & W.C./DIST. OF OCCUR. <input type="checkbox"/> OP COMMAND <input type="checkbox"/> DET. DIV.	
Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.			

73. REPORTING MEMBER (Print Name) JOVANOVICH, NICHOLAS M		STAR/EMPLOYEE NO. 6789		SIGNATURE [REDACTED]	
29-JUL-2009 19:55:05					

74. REVIEWING SUPERVISOR (Print Name) BRUNO, KEVIN D				STAR NO. 1844		SIGNATURE [REDACTED]		DATE REVIEWED 29-JUL-2009 20:31:46		TIME	
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LOG #1028736
Attachment # 4

WATCH COMMANDER/OCIC REVIEW

THE WATCH COMMANDER WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS THAT DID NOT INVOLVE THE DISCHARGE OF A FIREARM; 2.) FIREARM DISCHARGE INCIDENTS INVOLVING THE DESTRUCTION OF AN ANIMAL OR; 3.) ACCIDENTAL DISCHARGE OF A FIREARM NOT RESULTING IN AN INJURY TO ANY PERSON.

THE ADS WILL COMPLETE THE REVIEW SECTION FOR ALL INCIDENTS INVOLVING: 1.) THE DISCHARGE OF A FIREARM OR IMPACT MUNITIONS BY OR AT A DEPARTMENT MEMBER EXCEPT FOR AN ANIMAL DESTRUCTION OR AN ACCIDENTAL DISCHARGE THAT DOES NOT RESULT IN AN INJURY TO ANY PERSON; 2.) MEMBER'S USE OF FORCE BY WHATEVER MEANS THAT RESULTS IN THE DEATH OF A PERSON; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE DNA REFUSED UNABLE TO INTERVIEW (Specify Reason)

After arrestee was advised of his rights, arrestee refused to give a statement and wanted to have his lawyer with him.

76. WATCH COMMANDER/OCIC RATIONALE FOR BOX 77 FINDING

Given the information available at this time, R/WC has concluded that the member's actions were in compliance with Department procedures and directives.

77. WATCH COMMANDER/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION:

I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES.

I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO /CRNO _____ OBTAINED

78. WATCH COMMANDER/OCIC (Print Name)

FITZGERALD, PATRICK J

SIGNATURE



DATE COMPLETED TIME

29-JUL-2009 20:48:35

79. DISTRIBUTION OF ORIGINAL TRR

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE OFFICE OF PROFESSIONAL STANDARDS.

ATTACHMENTS - PHOTOCOPIES OF:

CASE REPORT
 ARREST REPORT

SUPPLEMENTARY REPORT
 OFFICER BATTERY REPORT
 TO-FROM-SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

I O D REPORT
 CR INITIATION REPORT

80. TOTAL TRR'S THIS EVENT No

2

LOG # 1028736
Attachment # 4

OFFICER'S BATTERY REPORT
CHICAGO POLICE DEPARTMENT

RD NO. [REDACTED]

INSTRUCTIONS: This form is to be completed for all incidents when: (1) a sworn member is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while performing a police function either on-duty or off-duty, (2) a detention aide is the victim of a murder, aggravated battery, battery, aggravated assault, or assault while in the performance of his or her duties.

"X APPLICABLE BOXES"

OFFICER INFORMATION		INCIDENT INFORMATION	
NAME (LAST - FIRST - M.I.) JOVANOVIICH, NICHOLAS M		<input type="checkbox"/> 1. INDOOR <input checked="" type="checkbox"/> 2. OUTDOOR	
BAR NO. 6789	POSITION POLICE OFFICER	ADDRESS OF OCCURRENCE [REDACTED]	
DATE OF APPOINTMENT 26-SEP-2005	EMPLOYEE NO. [REDACTED]	CITY <input checked="" type="checkbox"/> CHICAGO	STATE (If outside Chicago)
VIT OF ASSIGNMENT 007	BEAT/CALL NO. 0715	LOCATION CODE 303-SIDEWALK	BEAT OF OCCURRENCE 0712
SEX <input checked="" type="checkbox"/> 1. M <input type="checkbox"/> 2. F	RACE WHITE	DOB [REDACTED]-1980	DATE OF OCCURRENCE 29-JUL-2009
HEIGHT 603	WEIGHT 175	TIME 18:10:00	DAY OF WEEK WEDNESDAY
TYPE OF ASSIGNMENT WHEN BATTERY OCCURRED		NO. OF OFFICERS BATTERED <u>2</u>	
<input checked="" type="checkbox"/> 1. ON DUTY <input checked="" type="checkbox"/> A. UNIFORM, PATROL DUTY <input type="checkbox"/> B. UNIFORM, OTHER DUTY Describe _____ <input type="checkbox"/> C. CITIZEN'S DRESS <input type="checkbox"/> D. TACTICAL <input type="checkbox"/> E. B.I.S. UNIT <input type="checkbox"/> F. SPECIAL EMPLOYMENT <input type="checkbox"/> G. OTHER _____ <input type="checkbox"/> 2. OFF DUTY <input type="checkbox"/> 3. SPECIAL EMPLOYMENT <input type="checkbox"/> 4. SECONDARY / OTHER		WERE THERE ASSISTING UNITS ON SCENE? 1. <input checked="" type="checkbox"/> YES 2. <input type="checkbox"/> NO IF YES HOW MANY ASSISTING OFFICERS WERE PRESENT AT TIME BATTERY (EXCLUDING YOU OR YOUR PARTNERS) ? <u>10</u>	
WORKING: <input type="checkbox"/> A. ALONE <input checked="" type="checkbox"/> B. WITH ONE PARTNER <input type="checkbox"/> C. WITH MULTIPLE PARTNERS How many? _____ PATROL TYPE: <input checked="" type="checkbox"/> A. SQUAD CAR <input type="checkbox"/> B. FOOT <input type="checkbox"/> C. BICYCLE <input type="checkbox"/> D. APV/MOTORCYCLE <input type="checkbox"/> E. SQUADROL <input type="checkbox"/> F. OTHER _____		MANNER OF ATTACK	
TYPE OF ACTIVITY		<input type="checkbox"/> 01. SHOT <input type="checkbox"/> 02. SHOT AT <input type="checkbox"/> 03. STABBED/CUT (INCLUDING ACTUAL ATTEMPT) <input type="checkbox"/> 04. STRUCK/BLUNT FORCE (INCLUDING ACTUAL ATTEMPT) <input checked="" type="checkbox"/> 05. OTHER (INCLUDING VERBAL THREATS)	
<input type="checkbox"/> A. AMBUSH -NO WARNING <input type="checkbox"/> B. TRAFFIC STOP/PURSUIT <input type="checkbox"/> C. INVESTIGATING SUSPICIOUS PERSON <input type="checkbox"/> D. DISTURBANCE - DOMESTIC <input type="checkbox"/> E. DISTURBANCE - MENTAL PATIENT <input type="checkbox"/> F. DISTURBANCE - RIOT/MOB ACTION/CIVIL DISORDER <input type="checkbox"/> G. DISTURBANCE - OTHER <input type="checkbox"/> H. MAN WITH A GUN <input type="checkbox"/> I. PURSUING/ARRESTING OFFENDER (Specify) CHARGE _____ IUCR CODE _____		TYPE OF WEAPON/THREAT	
<input type="checkbox"/> J. PROCESSING/TRANSPORTING/GUARDING A PRISONER (Specify) ORIGINAL CHARGE _____ ORIGINAL IUCR CODE _____ <input checked="" type="checkbox"/> K. OTHER		(Check all that apply) <input type="checkbox"/> A. FIREARM CALIBER _____ <input type="checkbox"/> 1. REVOLVER <input type="checkbox"/> 2. SEMI-AUTOMATIC <input type="checkbox"/> 3. RIFLE <input type="checkbox"/> 4. SHOTGUN <input type="checkbox"/> B. VEHICLE <input type="checkbox"/> 1. OFFICER STRUCK WITH VEHICLE <input type="checkbox"/> 2. ATTEMPTED TO STRIKE OFFICER WITH VEHICLE <input type="checkbox"/> C. KNIFE/OTHER CUTTING INSTRUMENT <input type="checkbox"/> I. BLUNT INSTRUMENT <input checked="" type="checkbox"/> D. HANDS/FISTS <input type="checkbox"/> E. FEET <input type="checkbox"/> F. MOUTH (SPIT, BITE, ETC.) <input checked="" type="checkbox"/> G. VERBAL THREAT (ASSAULT) <input type="checkbox"/> H. OTHER (SPECIFY) _____	
TYPE OF INJURY TO OFFICER		FIREARM USE INFORMATION (Check all that apply): <input type="checkbox"/> A. OFFICER AT GUNPOINT <input type="checkbox"/> B. OFFICER'S OWN WEAPON OBTAINED <input type="checkbox"/> C. ATTEMPTED TO OBTAIN OFFICER'S OWN WEAPON	
<input type="checkbox"/> A. FATAL <input type="checkbox"/> B. NON-FATAL - MAJOR INJURY (Broken Bones/Serious Lacerations/Internal Injuries) <input type="checkbox"/> C. NON-FATAL - MINOR INJURY (Bruises/Swelling/Minor Abrasions) <input checked="" type="checkbox"/> D. NONE APPARENT/NONE		OFFENDER INFORMATION	
LIGHTING CONDITIONS AT INCIDENT		SEX <input checked="" type="checkbox"/> 1. M <input type="checkbox"/> 2. F RACE BLACK DOB [REDACTED] 1991 CB NO. [REDACTED] IR NO.	
<input checked="" type="checkbox"/> A. DAYLIGHT <input type="checkbox"/> D. DUSK <input type="checkbox"/> B. NIGHT <input type="checkbox"/> E. ARTIFICIAL LIGHT <input type="checkbox"/> C. DAWN <input type="checkbox"/> 1. POOR <input type="checkbox"/> <input type="checkbox"/> 2. GOOD		WAS THE OFFENDER'S ACTIVITY: DRUG RELATED? GANG RELATED? <input type="checkbox"/> 1. YES <input type="checkbox"/> 1. YES <input checked="" type="checkbox"/> 2. NO <input checked="" type="checkbox"/> 2. NO <input type="checkbox"/> 3. UNKNOWN <input type="checkbox"/> 3. UNKNOWN NO. OF OFFENDERS PRESENT? <u>1</u>	
WEATHER CONDITIONS		APPROXIMATE OUTDOOR TEMPERATURE <u>85°</u> # <u>1028736</u>	
<input checked="" type="checkbox"/> A. CLEAR <input type="checkbox"/> D. FOG / SMOKE / HAZE <input type="checkbox"/> G. OTHER <input type="checkbox"/> B. RAIN <input type="checkbox"/> E. SLEET / HAIL <input type="checkbox"/> C. SNOW <input type="checkbox"/> F. SEVERE CROSS WIND		Attachment # <u>5</u>	

CRITICAL RESPONSE REPORT/Chicago Police Department

1. DATE OF INCIDENT 29-JUL-2009		TIME 18:10:00		2. ADDRESS OF OCCURRENCE [REDACTED] CHICAGO, IL 60621		3. LOCATION CODE 303		4. BEAT/OCCUR 0712			
5. POSITION 9161		6. LAST NAME BONGIOVANNI		7. FIRST NAME KELLY M		8. STAR NO. 19854		9. SEX <input type="checkbox"/> 01 M <input checked="" type="checkbox"/> 02 F			
10. RACE CODE WHI		11. AGE [REDACTED] 1983		12. HT. 506		13. WT. 166					
14. DATE OF APPT 27-AUG-2007		15. EMPLOYEE NO. [REDACTED]		16. UNIT & BEAT OF ASSIGNMENT 007 0715		17. DUTY STATUS <input checked="" type="checkbox"/> 01 On <input type="checkbox"/> 02 Off		18. MEMBER INJURED? <input type="checkbox"/> 01 Yes <input checked="" type="checkbox"/> 02 No			
19. MEMBER IN UNIFORM? <input checked="" type="checkbox"/> 01 Yes <input type="checkbox"/> 02 No		20. LAST NAME [REDACTED]		21. FIRST NAME [REDACTED]		22. M.I. D		23. SEX <input checked="" type="checkbox"/> 01 M <input type="checkbox"/> 02 F			
24. RACE BLK		25. D.O.B. [REDACTED] 1991		26. HT. 507		27. WT. 165					
28. ADDRESS 6018 S MORGAN ST CHICAGO, IL 60621				29. TELEPHONE NO. [REDACTED]		30. WAS SUBJECT ARMED/REAL THREAT (ASSAULT), HANDS/FISTS <input type="checkbox"/> 01 Yes <input checked="" type="checkbox"/> 02 No		31. SUBJECT INJURED? <input type="checkbox"/> 01 Yes <input checked="" type="checkbox"/> 02 No			
32. SUBJECT ALLEGED INJURY? <input type="checkbox"/> 01 Yes <input checked="" type="checkbox"/> 02 No				33. WHERE WAS MEDICAL TREATMENT OBTAINED? [REDACTED]		34. BY WHOM? [REDACTED]		35. CONDITION <input checked="" type="checkbox"/> 01 Apparently Normal <input type="checkbox"/> 02 Under influence			
36. CHARGES PLACED 720 ILCS 5.0/31-1-A, 720 ILCS 5.0/12-2-A-6, 720 ILCS 5.0/12-2-A-6				37. CB NO. [REDACTED]		38. IR NO. [REDACTED]		39. DNA <input type="checkbox"/> DNA			
SUBJECT'S ACTIONS	PASSIVE RESISTER		ACTIVE RESISTER		ASSAILANT: ASSAULT		ASSAILANT: BATTERY		ASSAILANT: DEADLY FORCE		
	DID NOT FOLLOW VERBAL DIRECTION <input checked="" type="checkbox"/> STIFFENED (DEAD WEIGHT) <input checked="" type="checkbox"/> OTHER _____		FLED <input type="checkbox"/> PULLED AWAY <input checked="" type="checkbox"/> OTHER _____		IMMINENT THREAT OF BATTERY <input checked="" type="checkbox"/> OTHER: CLENCHED FISTS _____		ATTACK WITH WEAPON <input type="checkbox"/> ATTACK WITHOUT WEAPON <input type="checkbox"/> OTHER _____		USE OF FORCE LIKELY TO CAUSE DEATH OR GREAT BODILY HARM <input type="checkbox"/> WEAPON <input type="checkbox"/> OTHER _____		
MEMBER'S RESPONSE	MEMBER PRESENCE <input checked="" type="checkbox"/> VERBAL COMMANDS <input checked="" type="checkbox"/> ESCORT HOLDS _____ WRISTLOCK _____ ARMBAR _____ PRESSURE SENSITIVE AREAS _____ CONTROL INSTRUMENT _____ OC/CHEMICAL WEAPON W/AUTHORIZATION _____ OTHER _____		OPEN HAND STRIKE <input type="checkbox"/> TAKE DOWN / EMERGENCY HANDCUFFING <input checked="" type="checkbox"/> OC CHEMICAL WEAPON _____ CANINE _____ TASER (Probe Discharge) _____ TASER (Contact Stun) _____ TASER (Laser Targeted) _____ TASER (Spark Displayed) _____ OTHER _____		ELBOW STRIKE <input type="checkbox"/> CLOSED HAND STRIKE/PUNCH _____ IMPACT WEAPON (Describe in Box 40) _____ OTHER _____		KNEE STRIKE <input type="checkbox"/> KICKS _____ IMPACT MUNITION (Describe in Box 40) _____		FIREARM <input type="checkbox"/> OTHER _____		
	40. CHEMICAL WEAPON AUTHORIZED BY (NAME) [REDACTED]				40. ADDITIONAL INFORMATION [REDACTED]						
POSITION [REDACTED]		STAR NO. [REDACTED]		UNIT [REDACTED]							
41. WEAPON TYPE <input type="checkbox"/> 01 REVOLVER <input type="checkbox"/> 02 RIFLE <input type="checkbox"/> 03 SHOTGUN		42. SEMI-AUTO PISTOL <input type="checkbox"/> 43. CHEMICAL WEAPON <input type="checkbox"/> 44. TASER (Probe Discharge) <input type="checkbox"/> 45. OTHER <input type="checkbox"/>		46. INCIDENT OCCURRED <input type="checkbox"/> Indoors <input checked="" type="checkbox"/> Outdoors		47. LIGHTING CONDITIONS <input type="checkbox"/> 01 Daylight <input type="checkbox"/> 02 Night <input type="checkbox"/> 03 Dawn <input type="checkbox"/> 04 Dusk <input type="checkbox"/> 05 Poor Artificial <input type="checkbox"/> 06 Good Artificial		48. WEATHER CONDITIONS CLEAR		49. MAKE/MANUFACTURER [REDACTED]	
50. MODEL [REDACTED]		51. BARREL LENGTH [REDACTED]		52. CALIBER/GAUGE [REDACTED]		53. TASER DART ID NO. [REDACTED]		54. WEAPON SERIAL NO. (Include Letters) [REDACTED]		55. CHICAGO GUN REG NO. [REDACTED]	
56. IL FIREARM OWNER ID. NO. [REDACTED]		57. HANDGUN CERTIFICATE NO. [REDACTED]		58. SPECIAL WEAPON CERTIFICATE NO. [REDACTED]		59. PROPERTY INVENTORY NO. [REDACTED]		60. TYPE OF AMMUNITION USED [REDACTED]		61. NO. OF WEAPONS DISCHARGED BY THIS MEMBER [REDACTED]	
62. TOTAL NO. OF SHOTS MEMBER FIRED [REDACTED]		63. WHO FIRED FIRST SHOT <input type="checkbox"/> 01 MEMBER <input type="checkbox"/> 02 OFFENDER <input type="checkbox"/> 03 OTHER (Specify)		64. WAS FIREARM RELOADED DURING INCIDENT <input type="checkbox"/> 01 YES <input type="checkbox"/> 02 NO		65. NO. OF CARTRIDGES/SHOT SHELLS RELOADED [REDACTED]		66. HOW WAS MEMBER'S HANDGUN WORN <input type="checkbox"/> 01 RT. SIDE (WAIST) <input type="checkbox"/> 02 LT. SIDE (WAIST) <input type="checkbox"/> 03 OTHER (Specify)		67. DID MEMBER USE SIGHTS <input type="checkbox"/> 01 YES <input type="checkbox"/> 02 NO	
68. HOW WAS MEMBER'S HANDGUN DRAWN <input type="checkbox"/> 01 STRONG SIDE DRAW <input type="checkbox"/> 02 CROSS DRAW <input type="checkbox"/> 03 OTHER (Specify)		69. SPECIFY METHOD/EQUIPMENT USED TO RELOAD [REDACTED]		70. DESCRIBE PROTECTIVE COVER USED (LIGHT POLES, DOORWAYS, CAR FURNITURE, ETC) [REDACTED]		71. DISTANCE BETWEEN INVOLVED MEMBER & OFFENDER WHEN FIRST SHOT WAS FIRED <input type="checkbox"/> 01 0 - 05 FT. <input type="checkbox"/> 02 05 - 10 FT. <input type="checkbox"/> 03 10 - 15 FT. <input type="checkbox"/> 04 OVER 15 FT.		72. PERSON/OBJECT STRUCK AS RESULT OF THE DISCHARGE OF MEMBER'S WEAPON <input type="checkbox"/> 01 PERSON <input type="checkbox"/> 02 OBJECT <input type="checkbox"/> 03 BOTH <input type="checkbox"/> 04 UNKNOWN		73. POSITION OF MEMBER DISCHARGING WEAPON <input type="checkbox"/> 01 STANDING <input type="checkbox"/> 02 LYING DOWN <input type="checkbox"/> 03 SITTING <input type="checkbox"/> 04 KNEELING <input type="checkbox"/> 05 OTHER (SPECIFY)	
NOTIFICATIONS (OC OR TASER INCIDENT): <input type="checkbox"/> OEMC <input checked="" type="checkbox"/> DESK SGT. & W.C./DIST. OF OCCUR.				NOTIFICATIONS (FIREARM INCIDENT): <input type="checkbox"/> OEMC <input type="checkbox"/> DESK SGT. & W.C./DIST. OF OCCUR. <input type="checkbox"/> OP COMMAND <input type="checkbox"/> DET. DIV.				Members will ensure that all required notifications and all witnesses to this use of force are documented in the appropriate case report.			
74. REPORTING MEMBER (Print Name) BONGIOVANNI, KELLY M		STAR/EMPLOYEE NO. 19854		SIGNATURE [REDACTED]		75. DATE REVIEWED 29-JUL-2009 20:04:47		76. TIME [REDACTED]		77. EVENT NO. [REDACTED]	
78. REVIEWING SUPERVISOR (Print Name) BRUNO, KEVIN D				STAR NO. 1844		SIGNATURE [REDACTED]		DATE REVIEWED 29-JUL-2009 20:33:55		79. TIME [REDACTED]	

LOG # 1028736
Attachment # 6

WATCH COMMANDER/OCIC REVIEW

THE WATCH COMMANDER WILL COMPLETE THE REVIEW SECTION FOR 1.) ALL INCIDENTS THAT DID NOT INVOLVE THE DISCHARGE OF A FIREARM; 2.) FIREARM DISCHARGE INCIDENTS INVOLVING THE DESTRUCTION OF AN ANIMAL OR; 3.) ACCIDENTAL DISCHARGE OF A FIREARM NOT RESULTING IN AN INJURY TO ANY PERSON

THE ADS WILL COMPLETE THE REVIEW SECTION FOR ALL INCIDENTS INVOLVING: 1.) THE DISCHARGE OF A FIREARM OR IMPACT MUNITIONS BY OR AT A DEPARTMENT MEMBER EXCEPT FOR AN ANIMAL DESTRUCTION OR AN ACCIDENTAL DISCHARGE THAT DOES NOT RESULT IN AN INJURY TO ANY PERSON; 2.) MEMBER'S USE OF FORCE BY WHATEVER MEANS THAT RESULTS IN THE DEATH OF A PERSON; 3.) ANY LESSER USE OF FORCE BY A DEPARTMENT MEMBER WHEN THAT USE OF FORCE STEMS FROM THE SAME INCIDENT DESCRIBED HERE IN 1 OR 2.

75. SUBJECT'S STATEMENT REGARDING THE USE OF FORCE

DNA

RE-USED

UNABLE TO INTERVIEW (Specify Reason)

After arrestee was advised of his rights, arrestee refused to give a statement and wanted to have his lawyer with him.

76. WATCH COMMANDER/OCIC RATIONALE FOR BOX 77 FINDING

Given the information available at this time, R/WC has concluded that the member's actions were in compliance with Department procedures and directives.

77. WATCH COMMANDER/OCIC FINDING BASED UPON CURRENTLY AVAILABLE INFORMATION

I HAVE CONCLUDED THAT THE MEMBER'S ACTIONS WERE IN COMPLIANCE WITH DEPARTMENT PROCEDURES AND DIRECTIVES

I HAVE CONCLUDED THAT FURTHER INVESTIGATION IS REQUIRED.

LOG NO./CRNO _____ OBTAINED

78. WATCH COMMANDER/OCIC (Print Name)

FITZGERALD, PATRICK J

SIGNATURE



DATE COMPLETED

TIME

29-JUL-2009 20:51:00

79. DISTRIBUTION OF ORIGINAL TRR

A TRR PACKET, INCLUDING THE TRR AND COPIES OF THE BELOW LISTED ATTACHMENTS WILL BE FORWARDED TO THE OFFICE OF PROFESSIONAL STANDARDS.

ATTACHMENTS - PHOTOCOPIES OF:

CASE REPORT

ARREST REPORT

SUPPLEMENTARY REPORT

OFFICER BATTERY REPORT

TO-FROM SUBJECT REPORTS FROM DEPARTMENT WITNESS(ES)

I.O.D. REPORT

CR INITIATION REPORT

BD TOTAL TRR'S THIS EVENT No

2

LOG # 1028736

Attachment # 6

LOG # 1028736

Attachment # 7

REPORTING MEMBER - SIGNATURE BONGIOVANNI, KELLY M	STAR NO. 19854	WATCH COMMANDER / UNIT COMMANDING OFFICER - SIGNATURE FITZGERALD, PATRICK J	STAR NO. 338
--	-------------------	--	-----------------

CB # [redacted]
IR # [redacted]
YD # [redacted]
RD # [redacted]
EVENT # [redacted]

ARREST REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653
For use by Chicago Police Department Personnel Only
CPD-11.420C (REV. 6/00)

ARREST REPORTING

OFFENDER	Name	[redacted]	Beat: 712	Male	[redacted]
	Res	[redacted]		Black	[redacted]
	DOB	[redacted]		5' 07"	[redacted]
	AGE: 17 years			165 lbs	[redacted]
	POB: Illinois			Brown Eyes	[redacted]
	ARMED WITH Unarmed			Black Hair	[redacted]
				Mohawk Hair Style	[redacted]
				Light Brown Complexion	[redacted]

INCIDENT	Arrest Date: 29 July 2009 18:12	TRR Completed? Yes	Total No Arrested: 1	Co-Arrests	Assoc Cases
	Location: 5900 S Morgan St Chicago, IL 60621 303 - Sidewalk	Beat: 712	Dependent Children? No	DCFS Ward ? No	
	Holding Facility: District 007 Lockup				
	Resisted Arrest? Yes				

VIOLATION	1	Offense As Cited	720 ILCS 5.0/12-2-A-6	AGG ASSAULT - PEACE OFFICER/FIREMAN	Victim
				Class A - Type M	State Of Illinois, P.O. Bongiovanni #19854
	2	Offense As Cited	720 ILCS 5.0/12-2-A-6	AGG ASSAULT - PEACE OFFICER/FIREMAN	State Of Illinois, P.O. Jovanovich #6789
				Class A - Type M	
	3	Offense As Cited	720 ILCS 5.0/31-1-A	RESIST/OBSTRUCT - PEACE OFFICER/ CORRECTIONAL EMP	State Of Illinois, P.O. Bongiovanni #19854
				Class A - Type M	

RECOVERED NARCOTICS	NO NARCOTICS RECOVERED
---------------------	------------------------

LOG # 1028736
31 JUL 2009 12:41
Attachment # 8

ARREST REPORTING

NO WARRANT IDENTIFIED

VICTIM AND COMPLAINANT

Name: STATE OF ILLINOIS, P.O. Bongiovanni #19854
Res: 1438 W 63rd St Beat:713
Chicago, IL 60636
312-747-8220

Female Injured? No Deceased? No
White
DOB: Hospitalized? No
Age: Treated and Released? No
Comments:

VICTIM AND COMPLAINANT

Name: STATE OF ILLINOIS, P.O. Jovanovich #6789
Res: 1438 W 63rd St Beat:713
Chicago, IL 60636
312-747-8220

Male Injured? No Deceased? No
White
DOB: Hospitalized? No
Age: Treated and Released? No
Comments:

VEHICLE

NO ARRESTEE VEHICLE INFORMATION ENTERED

PROPERTIES

Confiscated Properties :

All confiscated properties are recorded in the e-Track System. This system can be queried by the inventory number to retrieve all official court documents related to evidence and/or recovered properties.

PROPERTIES INFORMATION FOR [REDACTED] NOT AVAILABLE IN THE AUTOMATED ARREST SYSTEM.

1028736

31 JUL 2009 12:41

Attachment # 8

ARREST REPORTING

(The facts for probable cause to arrest AND to substantiate the charges include, but are not limited to, the following)

EVENT# WHILE A/O'S WERE ATTEMPTING TO PLACE SUBJECTS [REDACTED] INTO CUSTODY UNDER [REDACTED] OFFENDER) BECAME VERBALLY AGGRESSIVE WITH A/O'S, PREVENTING A/O'S FROM COMPLETING THEIR ARREST. ONCE SUBJECTS [REDACTED] WAS IN CUSTODY [REDACTED] OFFENDER) APPROACHED A/O'S, AT WHICH POINT [REDACTED] OFFENDER) STATED TO PO JOVANOVIICH #6789 STATE OF ILLINOIS (VICTIM AND COMPLAINANT) AND PO BONGIOVANNI#19854 STATE OF ILLINOIS (VICTIM AND COMPLAINANT) "THAT GUN AND BADGE DONT MEAN SHIT TO ME. I'LL FUCK YA'LL UP!" AND CLINCHED HIS FISTS IN AN AGGRESSIVE MANNER AND BEGAN SWINGING HIS ARMS IN AN ATTEMPT TO STRIKE A/O'S, PLACING PO JOVANOVIICH #6789 STATE OF ILLINOIS (VICTIM AND COMPLAINANT) AND PO BONGIOVANNI#19854 STATE OF ILLINOIS (VICTIM AND COMPLAINANT) IN FEAR OF RECEIVING A BATTERY. AT WHICH POINT SUBJECT BECAME A LOW LEVEL ASSAILANT AND PO JOVANOVIICH #6789 STATE OF ILLINOIS (VICTIM AND COMPLAINANT) USED HIS BATON STRIKING [REDACTED] OFFENDER) IN HIS DELIVERY SYSTEM TO COMPLETE THE ARREST. OFFENDER WAS PLACED INTO CUSTODY AND TRANSPORTED TO 007TH DISTRICT BY BT/735 FOR PROCESSING. OFFENDER IS NOT CURRENTLY ON PAROLE, NO INVESTIGATIVE ALERTS. OFFENDER HAS NO PERSONAL PROPERTY INVENTORIED. SEARCHED BY P.O. JOVANOVIICH #6789.

Desired Court Date: 03 September 2009
Branch: 34-4 155 W 51ST ST - Room
Court Sgt Handle? No
Initial Court Date: 30 July 2009
Branch: 34-4 155 W 51ST ST - Room
Docket #:

BOND INFO

BOND INFORMATION NOT AVAILABLE

ATTESTING OFFICER:

I hereby declare and affirm, under penalty of perjury, that the facts stated herein are accurate to the best of my knowledge, information and/or belief.

Attesting Officer: #19854 BONGIOVANNI, K M ([REDACTED]) 29 JUL 2009 20:42

ARRESTING OFFICER(S):

			Beat
1st Arresting Officer:	#19854	BONGIOVANNI, K M ([REDACTED])	0715
2nd Arresting Officer:	#6789	JOVANOVIICH, N M ([REDACTED])	0715

APPROVING SUPERVISOR:

Approval of Probable Cause : #338 FITZGERALD, P J ([REDACTED]) 29 JUL 2009 21:17

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Attachment # 8

ARREST PROCESSING REPORT

Holding Facility: District 007 Lockup
Received in Lockup: 29 July 2009 21:24
Prnts Taken: 29 July 2009 21:26
Palprints Taken: Yes
Photograph Taken: 29 July 2009 21:30
Released from Lockup: 30 July 2009 06:25

Time Last Fed:
Time Called: Phone#:
Cell #: 10
Transport Details : 2PO 0735 29-JUL-2009 18:17

VISUAL CHECK OF ARRESTEE

ARRESTEE QUESTIONNAIRE

Is there obvious pain or injury? No
Is there obvious signs of infection? No
Under the influence of alcohol/drugs? No
Signs of alcohol/drug withdrawal? No
Appears to be despondent? No
Appears to be irrational? No
Carrying medication? No

Presently taking medication? No
(if female)are you pregnant?
First time ever been arrested? No
Attempted suicide/serious harm? No
Serious medical or mental problems? No
Are you receiving treatment? No

RETURN TO HOLDING FACILITY COMMENTS:

QUESTIONNAIRE REMARKS:

LOCKUP KEEPER COMMENTS:

29 JUL 2009 21:32 MARTINEZ, Wilfredo 10 Cell

EMERGENCY CONTACT

Name : REFUSED

Res: Beat:

NO INTERVIEWS LOGGED

NO VISITORS LOGGED

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Attachment # 8

CHICAGO POLICE DEPARTMENT
PRISONER TRANSPORTATION TRANSMITTAL

3510 S. Michigan Avenue, Chicago, Illinois 60653
CPD -11.396(e03) - C

CB
IR #
YD
RD

HOLDING FACILITY: District 007 Lockup

ADDRESS OF ARREST: [REDACTED] CHICAGO, IL

NAME : [REDACTED]
Residence: [REDACTED] GO, IL

SEX : Male
DOB : [REDACTED] 1991
HEIGHT : 5' 07"
HAIR COLOR : Black
EYE COLOR : Brown
RACE : Black
AGE : 17 years
WEIGHT : 165 lbs
HAIR STYLE : Mohawk
COMPLEXION : Light Brown

FIRST ARRESTING OFFICER: #19854 Bongiovanni, Kelly

DESIRED COURT DATE : 03-SEP-2009 34-4 155 W 51ST ST - Room

CHARGES: 720 ILCS 5.0/12-2-A-6 - Agg Assault - Peace Officer/Fireman
720 ILCS 5.0/12-2-A-6 - Agg Assault - Peace Officer/Fireman
720 ILCS 5.0/31-1-A - Resist/Obstruct - Peace Officer/ Correctional Emp

RESISTED ARREST ? YES

LOG # 1028736

Attachment # 9

Print Generated By [REDACTED]



Printed on : 31 JUL 2009 11:46

CHICAGO POLICE DEPARTMENT
ORIGINAL CASE INCIDENT REPORT

S. Michigan Avenue, Chicago, Illinois 60653
 (Use by Chicago Police Department Personnel Only)
 1.386(6/03)-C

RD # [REDACTED]
 Case ID: [REDACTED]
 EVENT # [REDACTED]

ASSIGNED TO ADMINISTRATIVE PERSONNEL		
IUCR: 0554 - Assault - Agg Po Hands No/Min Injury		
Occurrence Location: [REDACTED] Chicago IL 303 - Sidewalk	Beat: 0712	Unit Assigned: 0735 RO Arrival Date: 29 July 2009 18:02
Occurrence Date: 29 July 2009 18:02		# Offenders: 1

VICTIM - Individual	Police Officer
Name: STATE OF ILLINOIS, Po Bongiovanni#19854	
Res: 1438 W 62nd St Chicago IL 312 - 747 - 8220	Beat: 0713
Sobriety: Sober	
CPD Officer: Yes	

VICTIM - Individual	Police Officer
Name: STATE OF ILLINOIS, Po Jovanovich #6789	
Res: 1438 W 62nd St Chicago IL 312 - 747 - 8220	Beat: 0713
Sobriety: Sober	
CPD Officer: Yes	

Suspect # 1	In Custody
Name: [REDACTED]	Demographics
Res: [REDACTED] Chicago ILLINOIS	Male Black 5'07, 165 lbs , Brown Eyes Black Hair Mohawk Hair Style Medium Complexion
Beat: 0712	DOB: [REDACTED] 1991 Age: 17 years Birth Place: Illinois

STATE OF ILLINOIS, Po Bongio (Victim) is a No Relationship of [REDACTED] (Offender)
 STATE OF ILLINOIS, Po Jovano (Victim) is a No Relationship of [REDACTED] (Offender)

	Star No	Emp No	Name	User	Date	Unit	Beat
Reporting Officer	12289	[REDACTED]	HERNANDEZ, Mark, J	[REDACTED]	29 Jul 2009 20:23	007	0735

Victim	IUCR	Crime	Offender
STATE OF ILLINOIS	0554	Assault - Agg Po Hands No/Min Injury	[REDACTED]
STATE OF ILLINOIS	0554	Assault - Agg Po Hands No/Min Injury	[REDACTED]



1428736

31 JUL 2009 20:23

Attachment # 10



POD Video Retrieval
✓ Request [redacted] is
created successfully.

[PODS Home](#) | [Print](#) | [Logout](#) | [Help](#)

[POD Video Retrieval Approval / Search](#)

[Home](#) » [PODS](#) » [POD Video Retrieval Approval / Search](#)

Video Request ID No. Request Status - Select - POD

Requestor Type - Select - IUCR Code

Requestor Star No. Requestor Name

Requestor Unit

Incident Type - Select -

Number

Date From To

User [redacted]
Module: 12700 SRevision: 1.111 S

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LOG # 1028736

Attachment # 11



13 August 2009
Log # 1028736

Via Certified and First Class Mail

City of Chicago
Richard M. Daley, Mayor

Independent Police Review
Authority

Lana B. R. Rosenzweig
Chief Administrator
100 West 35th Street
Suite 1200
Chicago, Illinois 60616
(312) 745-3594 (Complaint line)
(312) 745-3609 (General)
(312) 745-3591 (FAX)
(312) 745-3593 (TTY)

www.iprachicago.org

ATT: [REDACTED]

[REDACTED]
Chicago, IL 60621

Dear [REDACTED]

The Independent Police Review Authority has been assigned to investigate a complaint that was filed with our office against a member(s) of the Chicago Police Department. This letter is to confirm our conversation this afternoon and to remind you of your appointment along with [REDACTED] for 19 Aug 09 at 1000 hours at the IPRA office 10 W. 35th Street.

Is imperative that you and [REDACTED] keep the appointment for an in-person interview and to have you and him sign a Sworn Affidavit as required by the Illinois Uniform Peace Officers Disciplinary Act.

Please contact me at (312) 745-3598 ext 1070 if there are any problems.

The fullest investigation of this complaint is possible only if I can have your cooperation as well as the cooperation of any identified witnesses. We hope to hear from you shortly in order to conduct a thorough investigation. If we receive no cooperation from you, the case may be closed.

Sincerely,

[REDACTED]
Investigator Maira Webb #112



LOG # 1028736

Attachment #

12





13 August 2009
Log # 1028736

City of Chicago
Richard M. Daley, Mayor

Via Certified and First Class Mail

Independent Police Review
Authority

Ilana B. R. Rosenzweig
Chief Administrator
10 West 35th Street
Suite 1200
Chicago, Illinois 60616
(312) 745-3594 (Complaint line)
(312) 745-3609 (General)
(312) 745-3591 (FAX)
(312) 745-3593 (TTY)

www.iprachicago.org

[Redacted]

ATT: [Redacted] (Juv)

Chicago, IL 60621

Dea [Redacted]

The Independent Police Review Authority has been assigned to investigate a complaint that was filed with our office against a member(s) of the Chicago Police Department. This letter is to confirm our conversation on 13 Aug 09 and to remind you and [Redacted] of the appointment scheduled for 18 Aug 09 at 1:00 p.m. at the IPRA office 10 W. 35th Street.

Is imperative that you and [Redacted] keep the appointment for an in-person interview and to have you and him sign a Sworn Affidavit as required by the Illinois Uniform Peace Officers Disciplinary Act.

Please contact me at (312) 745-3598 ext 1070 if there are any problems.

The fullest investigation of this complaint is possible only if I can have your cooperation as well as the cooperation of any identified witnesses. We hope to hear from you shortly in order to conduct a thorough investigation. If we receive no cooperation from you, the case may be closed.

Sincerely,

[Redacted Signature]

Investigator Malra Webb #112



LOG # 1028736
Attachment # 13
CHICAGO WORKS

INDEPENDENT POLICE REVIEW AUTHORITY
CITY OF CHICAGO - Citizen Interview

Date: 13 Aug 09

Log 1028736

Complainant Victim Witness (check one)

Name of Person Interviewed _____ SS#/Form of ID _____ Sex M Race Arab Date of Birth _____ 82

Address _____ Telephone No. _____ Work or Other Contact No. _____

Location of Incident _____ Date of Incident 29 Jul 09 Time of Incident 1830 hrs.

Location of Interview _____ Time of Interview 1215 hrs.

Investigator _____ Other Person(s) present _____

M Webb

The following is in essence but not verbatim a summary statement taken of the above named person relative to allegation(s) of misconduct by a Chicago Police Department member.

_____ can speak, read, write and understand English. He is ~~works~~ at the _____ located on the corner and knows the victim of this investigation as _____, a regular customer of the store. _____ stated that on 29 Jul 09 at approx. 6:30pm, _____ was outside the store on the sidewalk with another male black, who he believes is _____ when the police placed the _____ under arrest. During the arrest of the _____ asked the officers, a male and female white uniformed officers the reason for the arrest and where was the _____ being taken. The officers ignored _____, who continued to ask the officers in a non-aggressive manner.

_____ stated that at no time during the arrest of _____ did _____ disrespect or become aggressive with the officers. _____ stated that he was outside the door watching as the officer refused to answer to _____, exit

LOG # 1028736

Attachment # 14

Statement _____

Log _____

exited the police Tahoe. That they were driving and approached [REDACTED] who was on the sidewalk. The female white officer about 5'3", slim, short blond hair in her late 20's to early 30's, grabbed [REDACTED] by the neck and pushed him against a wall as she stated, "What are you going to do? You want to hit me?"

[REDACTED] stated that [REDACTED] did not attempt to strike the female and was not aggressive toward her. At the same time, the male officer (white with spike black hair, slim build, 6'1"-6'2", clean shaven, in his late 20's to early 30's) exited the Tahoe and approached [REDACTED] and threatened, "to hit him with the baton, if he did not shut up."

[REDACTED] continued to question the officers about their actions toward him and the reason for his [REDACTED] arrest, at which time the male officer struck [REDACTED] 5 to 6 times about the arms with the baton. The male and female officers attempted to handcuff [REDACTED], who now pulled away from the officers and refused to allow them to cuff him.

The officers called for back up as a third male white uniformed officer exited the ~~stake~~ car and assisted in placing [REDACTED] under arrest.

[REDACTED] stated that two additional officers, a male white (5'6"; clean shaven, medium build, no eyeglasses, unk age) and a male Hispanic (medium build, 5'6" also, medium brown skin complexion, low cut black hair, no eyeglasses, unk age) came to assist and tackled [REDACTED] to the

LOG # 1028736

Attachment # 14

Statement

Log 1028736

ground. These officers and the 1st male white officer handcuffed [redacted] tackled him to the ground, where [redacted] heard [redacted] head slam against the sidewalk.

[redacted] stated that at no time during this arrest of [redacted], did he see [redacted] swing at any of the officers, push or strike any of the officers or be physically aggressive toward them. [redacted] only pulled away and refused to be handcuffed. [redacted] stated he did not know the officers' names, star numbers or license plate numbers. He did observe that [redacted]'s face and arms appeared to be slightly swollen, unknown if any medical.

[redacted] stated that his [redacted] (M/Arab 31 yoa) was also a witness, but he only speaks, read and write, in Arabic.

[redacted] stated that [redacted] was upset later after being struck by the 1st officer with the baton and stated "Why the fuck are you guys hitting me."

[redacted] stated that he did not have any camera inside or outside the store that could have caught the incident. [redacted] stated a crowd of people watch from the gas station, but he did not know the people's names or contact information.

After having read this summary of 3 page(s) and being given the opportunity to make corrections and additions, I find it to be a true and accurate summary of my interview with Inv. Webb.

Signature of Parent

13 Aug 09 - 1255pm
Date and Time

LOG#

1028736

Attachment #

14

Signature of Investigator

SWORN AFFIDAVIT FOR COMPLAINT LOG INVESTIGATION
CHICAGO POLICE DEPARTMENT

STATE OF ILLINOIS)
COUNTY OF COOK) CC

[Redacted] Bell 29 Jul 09 Time 1830

Summary of Statement(s):

SEE ATTACHED STATEMENT

I, [Redacted] hereby state as follows:

1. I have read the above summary and/or attached statement(s) in its entirety, reviewed it for accuracy and been given an opportunity to make corrections and additions to the statement(s).
2. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the information set forth in the statement(s) above and/or attached summary are true and correct, except as to any matters therein stated to be on information and belief as to such matters, I certify as aforesaid that I verily believe the same to be true.

[Redacted Signature]

Print Affiant's Name

Affiant's Signature
8-13-09
Date

Inv. MAIRA WEBB

Print Witness's Name
[Redacted Signature]

Witness's Signature
13 Aug 09
Date

Independent Police Review Authority

Canvass Report

City of Chicago

DATE OF CANVASS <i>13 Aug 09</i>	CRU No./EO No./Log No. <i>1028736</i>
-------------------------------------	--

LOCATION OF INCIDENT [REDACTED]	TYPE LOCATION (HOUSE, STREET, ETC.) <i>ra St.</i>	DATE OF OCCUR. <i>29 Jul 09</i>	TIME OCCUR.
------------------------------------	--	------------------------------------	-------------

WEATHER/LIGHTING CONDITIONS AT TIME OF INCIDENT

SEX - RACE <i>M/Arab</i>	AGE - DATE OF BIRTH <i>32</i>	TIME OF CONTACT <i>1215</i>
-----------------------------	----------------------------------	--------------------------------

HOME TELEPHONE	OTHER TELEPHONE (Specify)
----------------	---------------------------

RELATIVE/FRIEND NOT LIVING WITH WITNESS: NAME-ADDRESS-PHONE

COMMENTS
corner store, no wking cameras. Interview conducted

ON SCENE CONTACTS

NAME (LAST - FIRST - M.I.)	SEX - RACE	AGE - DATE OF BIRTH	TIME OF CONTACT <i>1255</i>
----------------------------	------------	---------------------	--------------------------------

HOME ADDRESS	APT./FLOOR	HOME TELEPHONE	OTHER TELEPHONE (Specify)
--------------	------------	----------------	---------------------------

RELATIVE/FRIEND NOT LIVING WITH WITNESS: NAME-ADDRESS-PHONE <i>Ministries</i>
--

COMMENTS
Church closed.

NAME (LAST - FIRST - M.I.)	SEX - RACE	AGE - DATE OF BIRTH	TIME OF CONTACT <i>1258</i>
----------------------------	------------	---------------------	--------------------------------

HOME ADDRESS	APT./FLOOR	HOME TELEPHONE	OTHER TELEPHONE (Specify)
--------------	------------	----------------	---------------------------

RELATIVE/FRIEND NOT LIVING WITH WITNESS: NAME-ADDRESS-PHONE <i>Ministries</i>
--

COMMENTS
Church runs both corner buildings - closed.

NAME (LAST - FIRST - M.I.)	SEX - RACE <i>M/Arab</i>	AGE - DATE OF BIRTH <i>32 yoa</i>	TIME OF CONTACT <i>1250</i>
----------------------------	-----------------------------	--------------------------------------	--------------------------------

HOME ADDRESS	APT./FLOOR	HOME TELEPHONE	OTHER TELEPHONE (Specify)
--------------	------------	----------------	---------------------------

RELATIVE/FRIEND NOT LIVING WITH WITNESS: NAME-ADDRESS-PHONE

COMMENTS
partial witness to incident, speaks Arabic only. Refused to give signed statement but agreed with the same info as [REDACTED]

PERSONNEL

INVESTIGATORS' NAMES, STAR No. <i>M. Webb 112</i>	ASSISTING UNITS (E. T. MOBILE CRIME LAB.)
SUPERVISOR	

USE REVERSE SIDE FOR ADDITIONAL INFORMATION

LOG# 1028736 Page 1 of 3
Attachment 14

Independent Police Review Authority

Canvass Report

City of Chicago

DATE OF CANVASS 13 Aug 07 CRU No./EO No./Log No. 1028736

LOCATION OF INCIDENT	TYPE LOCATION (HOUSE, STREET, ETC.)	DATE OF OCCUR.	TIME OCCUR.
[REDACTED]	LA ST.	29 Jul 07	1800 - 1830
WEATHER/LIGHTING CONDITIONS AT TIME OF INCIDENT			
[REDACTED]			
NAME (LAST - FIRST - MI.)	SEX - RACE	AGE - DATE OF BIRTH	TIME OF CONTACT
[REDACTED]			1300
HOME ADDRESS	APT./FLOOR	HOME TELEPHONE	OTHER TELEPHONE (Specify)
[REDACTED]			
RELATIVE/FRIEND NOT LIVING WITH WITNESS: NAME-ADDRESS-PHONE			
[REDACTED]			
COMMENTS building closed			

ON SCENE CONTACTS

NAME (LAST - FIRST - MI.)	SEX - RACE	AGE - DATE OF BIRTH	TIME OF CONTACT
[REDACTED]	M/Arab	26	1310
HOME ADDRESS	APT./FLOOR	HOME TELEPHONE	OTHER TELEPHONE (Specify)
[REDACTED]			1310
PLACE OF EMPLOYMENT - ADDRESS - TELEPHONE	RELATIVE/FRIEND NOT LIVING WITH WITNESS: NAME-ADDRESS-PHONE		
Cameras for registers/products	Cricket Store / MOM COMMUNICA Foods		
COMMENTS working inside, heard yelling + cursing - nothing specific between POS + Kid. Heard from customers that kid pushed female officer.			

NAME (LAST - FIRST - MI.)	SEX - RACE	AGE - DATE OF BIRTH	TIME OF CONTACT
[REDACTED]	M/Arab	70	1315
HOME ADDRESS	APT./FLOOR	HOME TELEPHONE	OTHER TELEPHONE (Specify)
[REDACTED]			
PLACE OF EMPLOYMENT - ADDRESS - TELEPHONE	RELATIVE/FRIEND NOT LIVING WITH WITNESS: NAME-ADDRESS-PHONE		
Cameras point to gas pump/registers - Mobil Gas			
COMMENTS while working the registers heard customers talk about the police connection, but could not recall specific details.			

NAME (LAST - FIRST - MI.)	SEX - RACE	AGE - DATE OF BIRTH	TIME OF CONTACT
[REDACTED]	M/Arab	28 YOA	1317
HOME ADDRESS	APT./FLOOR	HOME TELEPHONE	OTHER TELEPHONE (Specify)
[REDACTED]			
PLACE OF EMPLOYMENT - ADDRESS - TELEPHONE	RELATIVE/FRIEND NOT LIVING WITH WITNESS: NAME-ADDRESS-PHONE		
[REDACTED]	worker		
COMMENTS working inside, saw police lights - not a witness to arrest or incident.			

PERSONNEL	INVESTIGATORS' NAMES, STAR No.s	ASSISTING UNITS (E. T. MOBILE CRIME LAB.)
	M. Webb 112 /	
	SUPERVISOR	

USE REVERSE SIDE FOR ADDITIONAL INFORMATION

LOG# 1028736

Attachment 16

**Independent Police Review Authority
Canvass Report
City of Chicago**

DATE OF CANVASS <i>13 Aug 09</i>	CRU No./EO No./Log No. <i>1028736</i>
TYPE LOCATION (HOUSE, STREET, ETC.) [REDACTED]	DATE OF OCCUR. <i>29 Jul 09</i>
	TIME OCCUR. <i>1800-1830</i>

WEATHER/LIGHTING CONDITIONS AT TIME OF INCIDENT

NAME (LAST - FIRST - M.I.) [REDACTED]	SEX - RACE	AGE - DATE OF BIRTH	TIME OF CONTACT
--	------------	---------------------	-----------------

APT./FLOOR [REDACTED]	HOME TELEPHONE	OTHER TELEPHONE (Specify)
--------------------------	----------------	---------------------------

PLACE OF EMPLOYMENT - ADDRESS - TELEPHONE [REDACTED]	RELATIVE/FRIEND NOT LIVING WITH WITNESS: NAME-ADDRESS-PHONE
---	---

COMMENTS
*Three story building
corner brick building - 2nd/3rd floor apartments are
vacant + boarded. 1st fl. greenery story*

NAME (LAST - FIRST - M.I.) [REDACTED]	SEX - RACE	AGE - DATE OF BIRTH	TIME OF CONTACT
--	------------	---------------------	-----------------

APT./FLOOR [REDACTED]	HOME TELEPHONE	OTHER TELEPHONE (Specify)
--------------------------	----------------	---------------------------

PLACE OF EMPLOYMENT - ADDRESS - TELEPHONE [REDACTED]	RELATIVE/FRIEND NOT LIVING WITH WITNESS: NAME-ADDRESS-PHONE
---	---

COMMENTS
Two-story frame house - vacant / boarded.

NAME (LAST - FIRST - M.I.) [REDACTED]	SEX - RACE	AGE - DATE OF BIRTH	TIME OF CONTACT
--	------------	---------------------	-----------------

APT./FLOOR [REDACTED]	HOME TELEPHONE	OTHER TELEPHONE (Specify)
--------------------------	----------------	---------------------------

PLACE OF EMPLOYMENT - ADDRESS - TELEPHONE [REDACTED]	RELATIVE/FRIEND NOT LIVING WITH WITNESS: NAME-ADDRESS-PHONE
---	---

COMMENTS
Gray siding boarded house - vacant

NAME (LAST - FIRST - M.I.) [REDACTED]	SEX - RACE	AGE - DATE OF BIRTH	TIME OF CONTACT
--	------------	---------------------	-----------------

HOME ADDRESS [REDACTED]	APT./FLOOR	HOME TELEPHONE	OTHER TELEPHONE (Specify)
----------------------------	------------	----------------	---------------------------

PLACE OF EMPLOYMENT - ADDRESS - TELEPHONE [REDACTED]	RELATIVE/FRIEND NOT LIVING WITH WITNESS: NAME-ADDRESS-PHONE
---	---

COMMENTS

INVESTIGATORS' NAMES, STAR No.s <i>M. Webb 112</i>	ASSISTING UNITS (E. T. MOBILE CRIME LAB.)
---	---

SUPERVISOR	
------------	--

ON SCENE CONTACTS

PERSONNEL

USE REVERSE SIDE FOR ADDITIONAL INFORMATION

LOG# 1028736 Page 3 of 3
Attachment 14

INDEPENDENT POLICE REVIEW AUTHORITY

13 August 2009
LOG #1028736

TO: Chief Administrator
Independent Police Review Authority

FROM: Investigator Maira Webb #112

SUBJECT: PERSONAL VISIT TO [REDACTED]

On 13 August 2009, at 1230 hours, the R/I along with Investigator John Schroeder #157 made a personal visit to [REDACTED] in an attempt to contact the complainant [REDACTED] and [REDACTED] with the following results:

- No answer. Left business card with request to contact undersigned.
- Spoke with the complainant, who preferred to come to IPRA next week with [REDACTED] to provide an interview.
- No such address/vacant lot.
- Does not reside there per _____.
- Description of address single-family two-story gray siding house.
- Other [REDACTED] stated that she would bring [REDACTED] on 19 Aug 09 at 1000 hours and will bring photographs that she took of [REDACTED] injuries. She and [REDACTED] were not available at this time for an interview, but agreed to remind the witnesses: [REDACTED] of their appointment on 18 Aug 09 at 1300 hours, since they were presently not home.

[REDACTED]
Investigator Maira Webb # 112

APPROVED:
[REDACTED]

LOG # 1028736

Attachment # 17

INDEPENDENT POLICE REVIEW AUTHORITY

13 August 2009
LOG #1028736

TO: Chief Administrator
Independent Police Review Authority

FROM: Investigator Maira Webb #112

SUBJECT: PERSONAL VISIT TO [REDACTED]

On 13 August 2009, at 1250 hours, the R/I along with Investigator John Schroeder #157 made a personal visit to [REDACTED] in an attempt to contact the witness [REDACTED] and [REDACTED] with the following results:

- No answer. Left business card with request to contact undersigned.
- Spoke with the complainant, who related that the [REDACTED] were not home, but agreed to provide them with the R/I's business card
- No such address/vacant lot.
- Does not reside there per _____.
- Description of address single-family two-story gray siding house.
- Other [REDACTED] stated that she would provide them with the message to contact the R/I for an interview.

[REDACTED]
Investigator Maira Webb # 112

APPROVED:
[REDACTED]

LOG# 1028736
Attachment 18

INDEPENDENT POLICE REVIEW AUTHORITY
CITY OF CHICAGO

CONSENT TO RECORD INTERVIEW

Date: 19 Aug 09

Location: 10 W. 35th Street

I, 
(Name)

hereby authorize investigator(s) Inv. MAIRA WEBB
List name(s) of investigators

from the Independent Police Review Authority to record our interview on

19 Aug 09
Date

at 1040 a.m./p.m.
Time (circle)

I understand that I am not required to consent to such recording, and I have given written permission to the above-named investigator(s) freely and voluntarily and without threats or promises of any kind.



Signature



Witness



Witness

LOG # 1028734

Attachment # 19

INDEPENDENT POLICE REVIEW AUTHORITY

20 August 2009
Log #1028736

TO: Chief Administrator
Independent Police Review Authority

FROM: Investigator Maira Webb #112

SUBJECT: OUTLINE OF DIGITAL RECORDING FOR VICTIM
[REDACTED]

The following is a summary, and not a verbatim account, of what [REDACTED] said. Please refer to the audio recording of this interview, also an attachment to this investigation, for the complete interview. [REDACTED] is a black male, DOB: [REDACTED] 91, resides at [REDACTED] Chicago, IL 60621, and can be reached at [REDACTED]

Date, Time Location of Interview

19 Aug 09 at 1040 hrs. at 10 W. 35th Street

Date Time and Location of Occurrence:

29 July 2009 at 1800 – 1830 hours at [REDACTED]

Circumstance:

[REDACTED] was placed under arrest and upon inquiry, he engaged in a verbal altercation with the arresting officers. [REDACTED] related that he pulled away from a white female uniformed officer who choked him as her partner, now identified as "PO Jovanovich" pushed him then struck him with a baton about the arm.

Names of those present:

All those mentioned on the face sheet plus the following:

- [REDACTED] (M/H 16 yoa) [REDACTED]

How contact with police began:

While outside at the [REDACTED] engaged in a verbal altercation with the arresting officers of [REDACTED]. The female officer attempted to handcuff him after he called her a "bitch," at which time this officer grabbed him by the neck and choked him.

[REDACTED] stated that

Alleged police activity, PHYSICAL:

- PO Jovanovich pushed him on the chest,
- Struck several times about the arm with a baton,
- PO Bongiovanni pushed him against a wall,
- PO Bongiovanni choked him,
- Unknown white male uniformed officer #3 slammed him to the ground,

LOG# 1028736

Attachment 20

INDEPENDENT POLICE REVIEW AUTHORITY

20 August 2009
Log #1028736

- PO #3 Handcuffed him too tightly
- PO #3 pulled him by the handcuffs.
-

Alleged police activity VERBAL:

- PO Jovanovich directed profanity at him and stated, "Get the fuck out of here."
- PO Perez directed a racial comment

Additional allegations:

-
-

Injuries (alleged and observed):

- Bruises and abrasions about the upper chest and neck areas, soreness and swelling to the right arm and both wrists.
-

E. T.:

- Yes
-

Medical Attention:

- None
-

Additional Information

-
-



APPROVED:

IPRA Supervisor

LOG# 1028736
Attachment 20



LOG # 1028736
Attachment # 21

SWORN AFFIDAVIT FOR COMPLAINT LOG INVESTIGATION (ELECTRONICALLY RECORDED STATEMENT)
CHICAGO POLICE DEPARTMENT

STATE OF ILLINOIS)
COUNTY OF COOK) CC

[REDACTED]	Date 29 Jul 09	Time 1830
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Summary of Statement(s):

See enclosed statement

[REDACTED] hereby state as follows:

1. I provided an electronically recorded statement.
2. Under penalties as provided by law pursuant to 735 ILCS 5/1-109, I certify that the information set forth in the statement(s) above and/or attached summary are true and correct, except as to any matters therein stated to be on information and belief as to such matters, I certify as aforesaid that I verily believe the same to be true.

[REDACTED]



Tru. MAIRA WESE
Print Witness' Name

[REDACTED]
Witness Signature

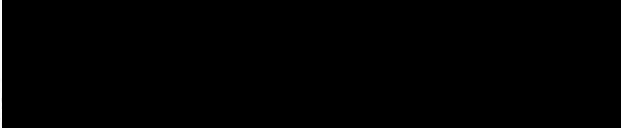

08119109
Date

19 Aug 09
Date

LINEUP/PHOTO SPREAD ADVISORY FORM
INDEPENDENT POLICE REVIEW AUTHORITY

I, , agree to view a lineup/photo spread at 
10 W. 35th St. on 19 Aug 09
(Location) (Date)

- * I understand that the Chicago Police Department Member may or may not be in the lineup/photo spread.
- * I understand that I am not required to make an identification.
- * I do not assume that the person administering the lineup/photo spread knows the person or persons involved.


Signature of person viewing lineup/photo spread
19 Aug 09 1110
Time

Investigator 112
Badge No.

RD No. -
EO No. -
U No. -
CR No. -
Log No. - 1028736

LOG # 1028736.
Attachment # 23

Officer
Perez ←
stated
racial
comment
8/19/09

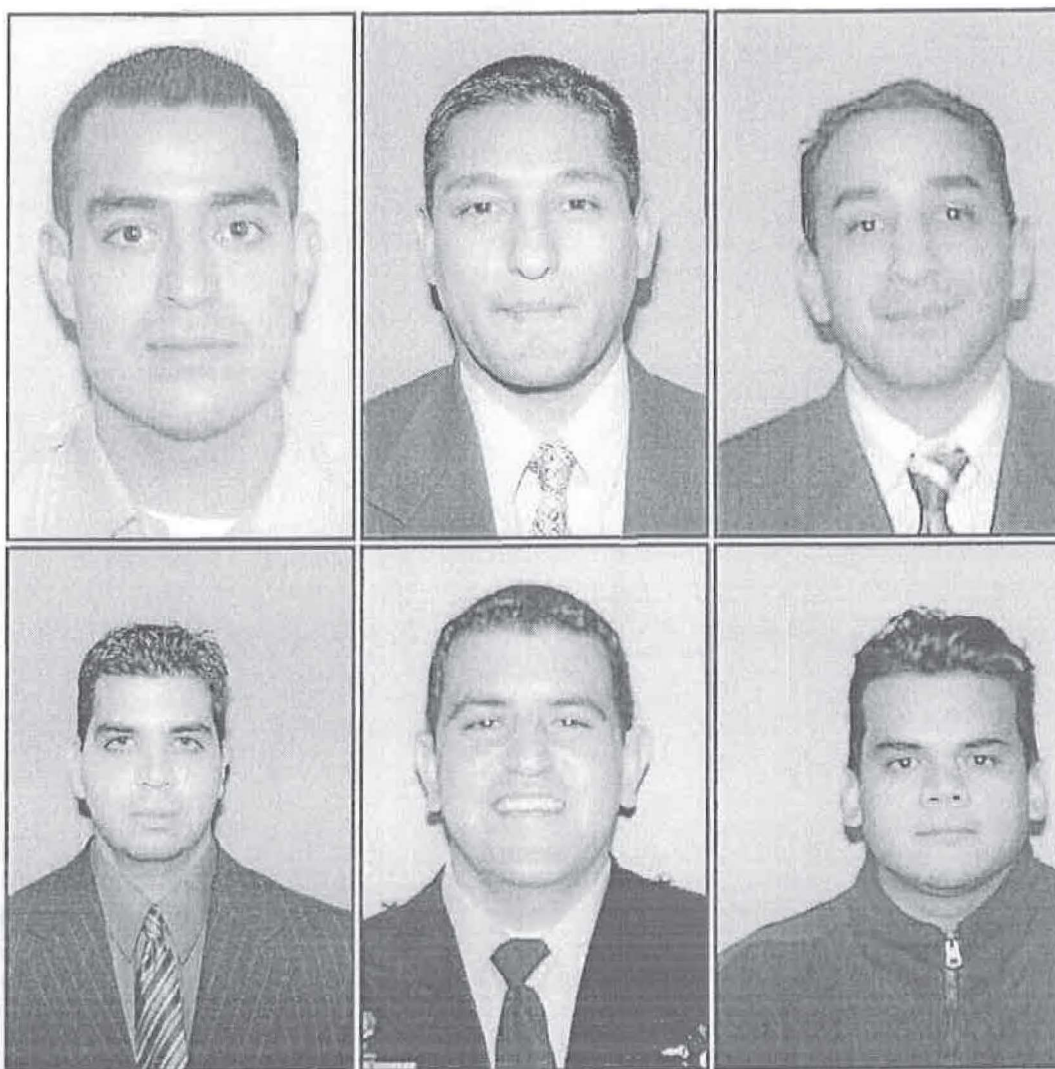


LOG # 1028736

Attachment # 24

Attribute	Value	Attribute	Value	Attribute	Value
SSN:		SSN:		SSN:	
Last Name:	GARCIA	Last Name:	OSTOS	Last Name:	LOPEZ
First Name:	EDWARD	First Name:	RAFAEL	First Name:	CANDIDO
Middle Name:		Middle Name:	F	Middle Name:	
Working Dist.:	007	Working Dist.:	009	Working Dist.:	024
Dist. Res.:	004	Dist. Res.:	008	Dist. Res.:	014
Watch:	5	Watch:	3	Watch:	3
Race:	S	Race:	S	Race:	S
Weight:	128	Weight:	135	Weight:	130
Height:	506	Height:	506	Height:	506
Sex:	M	Sex:	M	Sex:	M
Attribute	Value	Attribute	Value	Attribute	Value
SSN:		SSN:		SSN:	
Last Name:	ALVAREZ	Last Name:	MELLENDEZ	Last Name:	BARRIENTOS
First Name:	ROBERT	First Name:	TOMMY	First Name:	SAUL
Middle Name:		Middle Name:		Middle Name:	D
Working Dist.:	018	Working Dist.:	125	Working Dist.:	610
Dist. Res.:	025	Dist. Res.:	019	Dist. Res.:	008
Watch:	1	Watch:	2	Watch:	3
Race:	S	Race:	S	Race:	S
Weight:	135	Weight:	130	Weight:	127
Height:	507	Height:	508	Height:	508
Sex:	M	Sex:	M	Sex:	M

LOG # 1028736
Attachment # 24



LOG # 1028736

Attachment # 24

Attribute	Value	Attribute	Value	Attribute	Value
SSN:		SSN:		SSN:	
Last Name:	GALLARDO	Last Name:	ACEVEDO	Last Name:	AGUILAR
First Name:	SAUL	First Name:	ALEJANDRO	First Name:	RAY
Middle Name:		Middle Name:	R	Middle Name:	R
Working Dist.:	019	Working Dist.:	650	Working Dist.:	009
Dist. Res.:	012	Dist. Res.:	024	Dist. Res.:	014
Watch:	4	Watch:	2	Watch:	2
Race:	S	Race:	S	Race:	S
Weight:	185	Weight:	190	Weight:	187
Height:	510	Height:	511	Height:	506
Sex:	M	Sex:	M	Sex:	M
Attribute	Value	Attribute	Value	Attribute	Value
SSN:		SSN:		SSN:	
Last Name:	HERNANDEZ	Last Name:	PEREZ	Last Name:	ESCALANTE
First Name:	MARK	First Name:	ALBERT	First Name:	EDUARDO
Middle Name:	J	Middle Name:		Middle Name:	
Working Dist.:	007	Working Dist.:	650	Working Dist.:	013
Dist. Res.:	009	Dist. Res.:	014	Dist. Res.:	017
Watch:	3	Watch:	3	Watch:	2
Race:	S	Race:	S	Race:	S
Weight:	200	Weight:	195	Weight:	190
Height:	511	Height:	601	Height:	508
Sex:	M	Sex:	M	Sex:	M

LOG # 1028736

24



LOG # 1028736
Attachment # 24
8/19/2009

Attribute	Value	Attribute	Value	Attribute	Value
SSN:		SSN:		SSN:	
Last Name:	BAUTISTA	Last Name:	CAZARES	Last Name:	MONDRAGON
First Name:	MIGUEL	First Name:	ARMANDO	First Name:	SALVADOR
Middle Name:		Middle Name:		Middle Name:	
Working Dist.:	010	Working Dist.:	002	Working Dist.:	007
Dist. Res.:	025	Dist. Res.:	008	Dist. Res.:	009
Watch:	1	Watch:	3	Watch:	5
Race:	S	Race:	S	Race:	S
Weight:	230	Weight:	215	Weight:	230
Height:	511	Height:	511	Height:	511
Sex:	M	Sex:	M	Sex:	M
Attribute	Value	Attribute	Value	Attribute	Value
SSN:		SSN:		SSN:	
Last Name:	ALATORRE	Last Name:	SANCHEZ	Last Name:	SANDOVAL
First Name:	FRANK	First Name:	CARLOS	First Name:	ANTONIO
Middle Name:	J	Middle Name:	A	Middle Name:	S
Working Dist.:	011	Working Dist.:	011	Working Dist.:	013
Dist. Res.:	025	Dist. Res.:	008	Dist. Res.:	025
Watch:	1	Watch:	4	Watch:	3
Race:	S	Race:	S	Race:	S
Weight:	220	Weight:	230	Weight:	220
Height:	509	Height:	509	Height:	509
Sex:	M	Sex:	M	Sex:	M

1028736

Attachment # 24

INDEPENDENT POLICE REVIEW AUTHORITY

19 August 2009
LOG #1028736

TO: Chief Administrator
Independent Police Review Authority

FROM: Investigator Maira Webb #112

SUBJECT: PHOTO ARRAY VIEWING

On 19 August 2009, the R/I showed [REDACTED] a photo array of male Hispanics officers assigned to the 007th District that were working on 29 July 2009, third watch. Donaldson identified Officer Edward Garcia as one of the officers that approached and directed a comment to which he felt was racial. Donaldson was unable to identify any other involved officer.

[REDACTED]
Investigator Maira Webb #112

APPROVED

[REDACTED]
IRCA Supervisor

LOG# 1028736
Attachment 25

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

Webb FIRAL U 1028736

Postage	\$	Registered Mail
Special Fee	\$	
Return Receipt Fee (Enclosures included)	\$	
Restricted Delivery Fee (Enclosures included)	\$	
Total Postage & Fees	\$	

Chicago, Ill 60621

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee B. Received by (Printed Name) _____ C. Date of Delivery <u>8-21-09</u> D. Is delivery address different from item 1? <input type="checkbox"/> Yes YES, enter delivery address below: <input type="checkbox"/> No
1. Article Addressed to: [Redacted] Chicago, Ill 60621	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
2. Article Number (Transfer from service label) [Redacted]	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes

LOG # 1028736
 Attachment # 26

INDEPENDENT POLICE REVIEW AUTHORITY
LOG # 1028736

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.	<div style="background-color: black; width: 200px; height: 40px; margin-bottom: 5px;"></div> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee Date of Delivery
1. Article Addressed to: <div style="background-color: black; width: 250px; height: 40px; margin-top: 5px;"></div> <p>Chicago, Ill 60601</p> <p>ATT: <div style="background-color: black; width: 200px; height: 20px; display: inline-block;"></div></p>	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <p style="text-align: center; opacity: 0.5;">MAY 2 2004</p>
2. Article Number (Transfer from service label)	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.
PS Form 3811, February 2004	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes Domestic Return Receipt 102595-02-M-1540

LOG # 1028736
Attachment # 26

PHOTOGRAPHIC EVIDENCE COVERSHEET

DATE TAKEN: 30 Jul 09

TAKEN BY: [REDACTED]

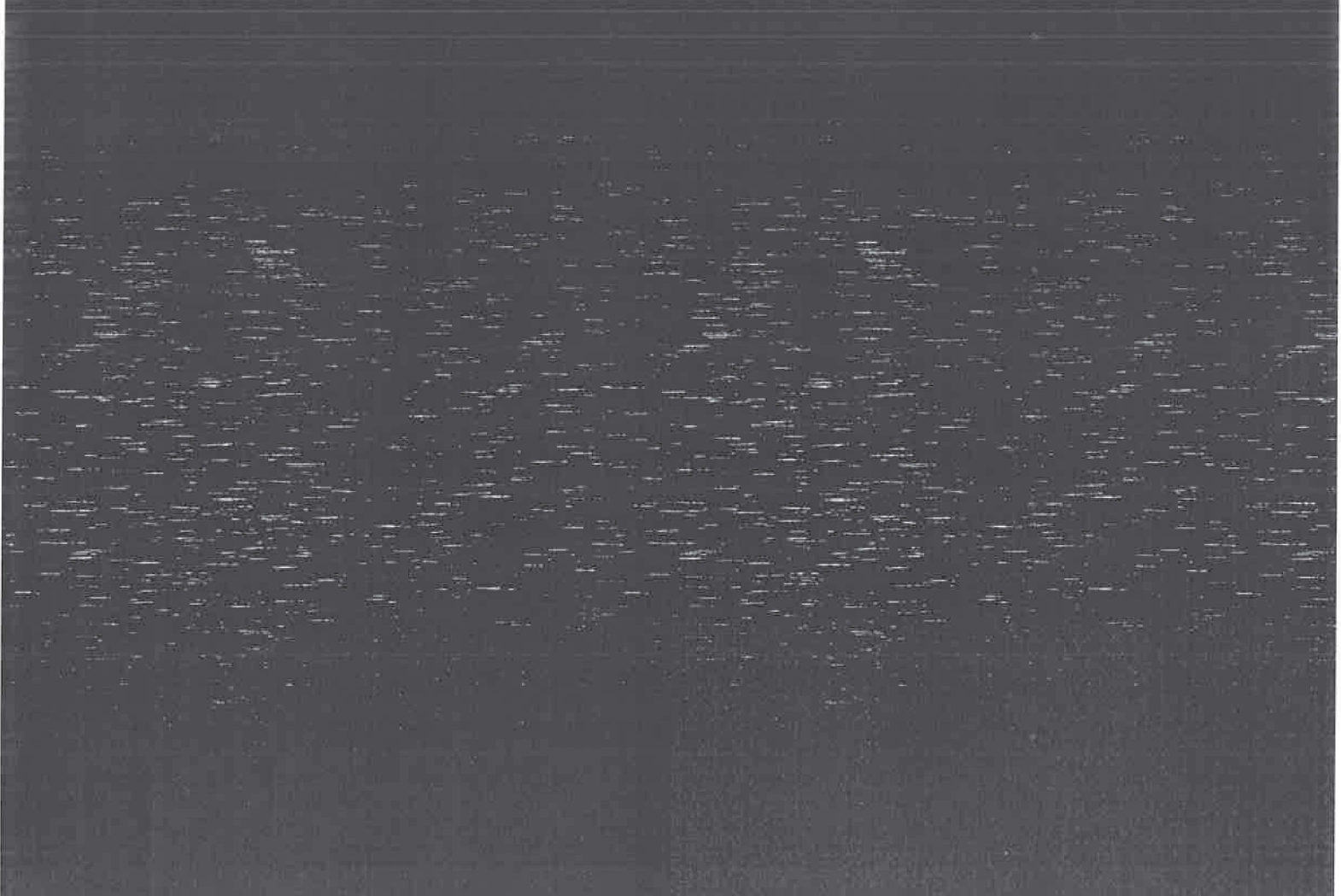
PHOTOGRAPH(S) OF [REDACTED]

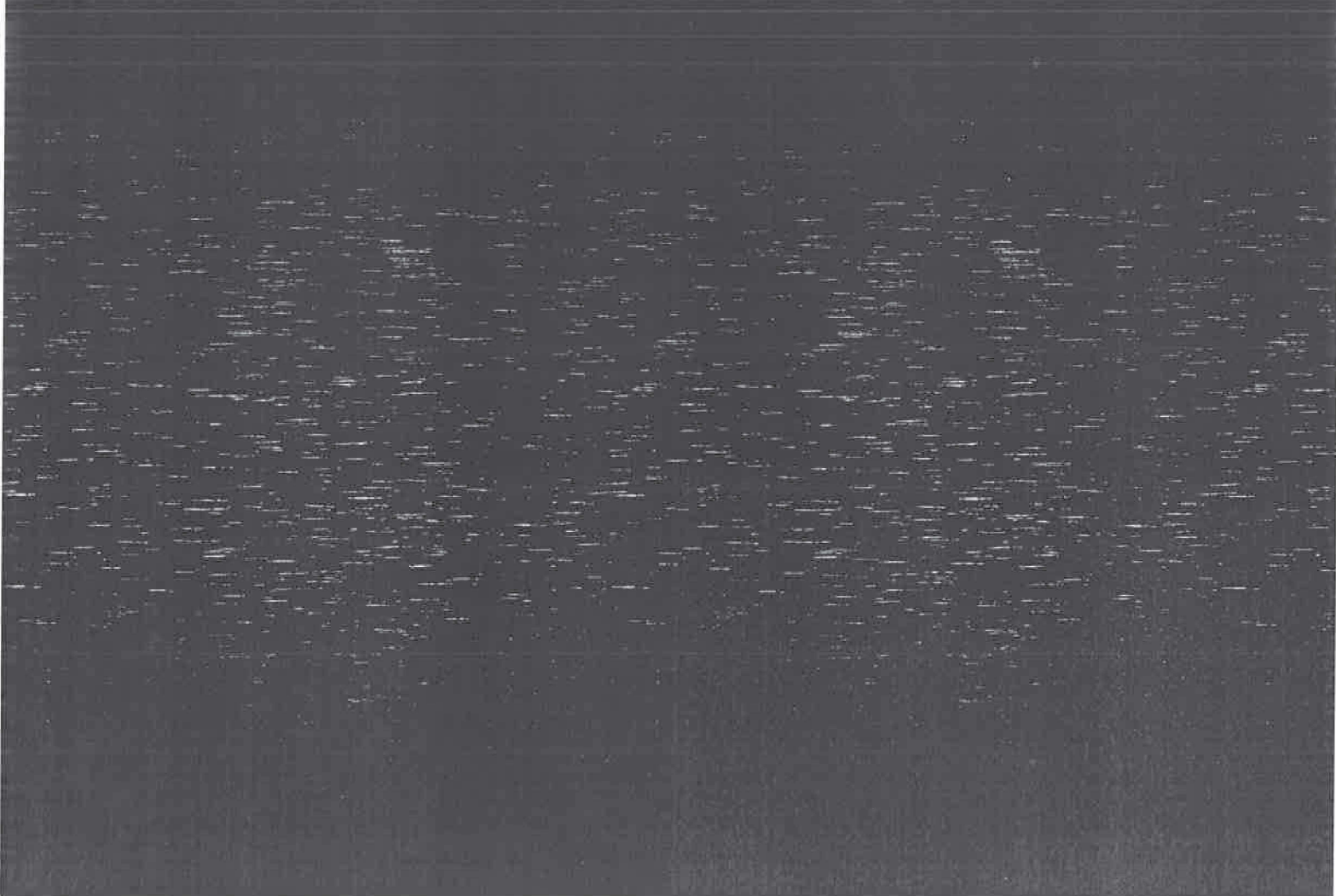
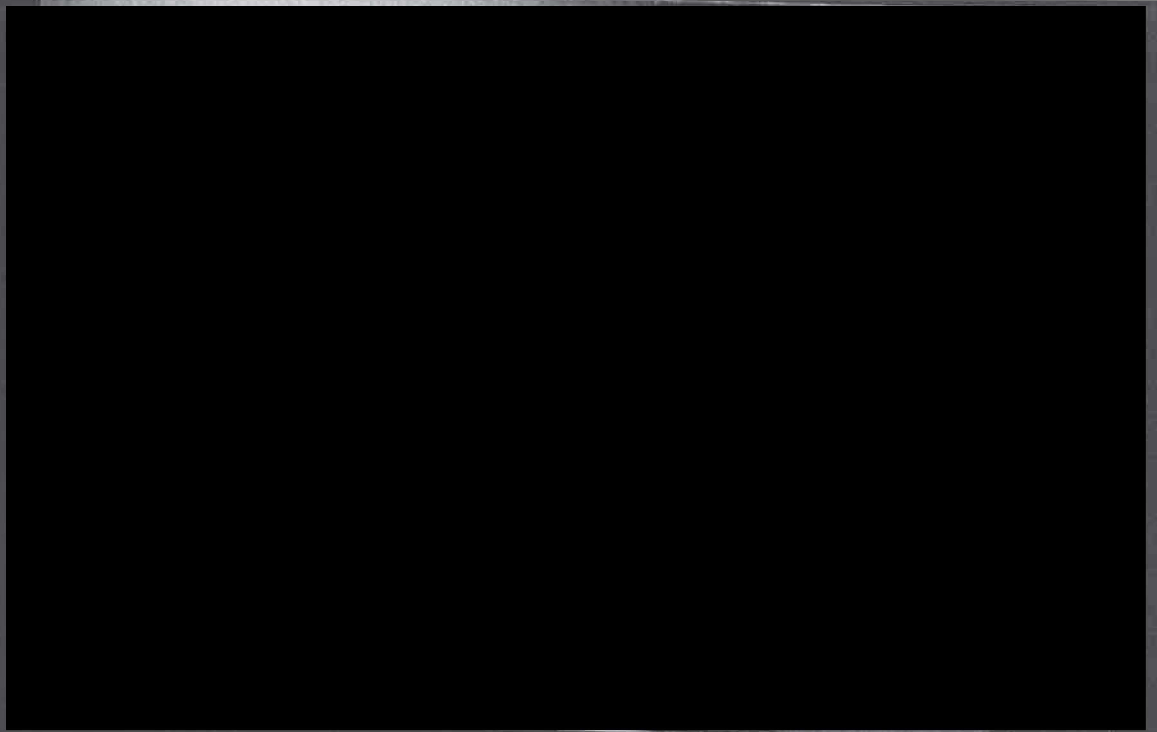
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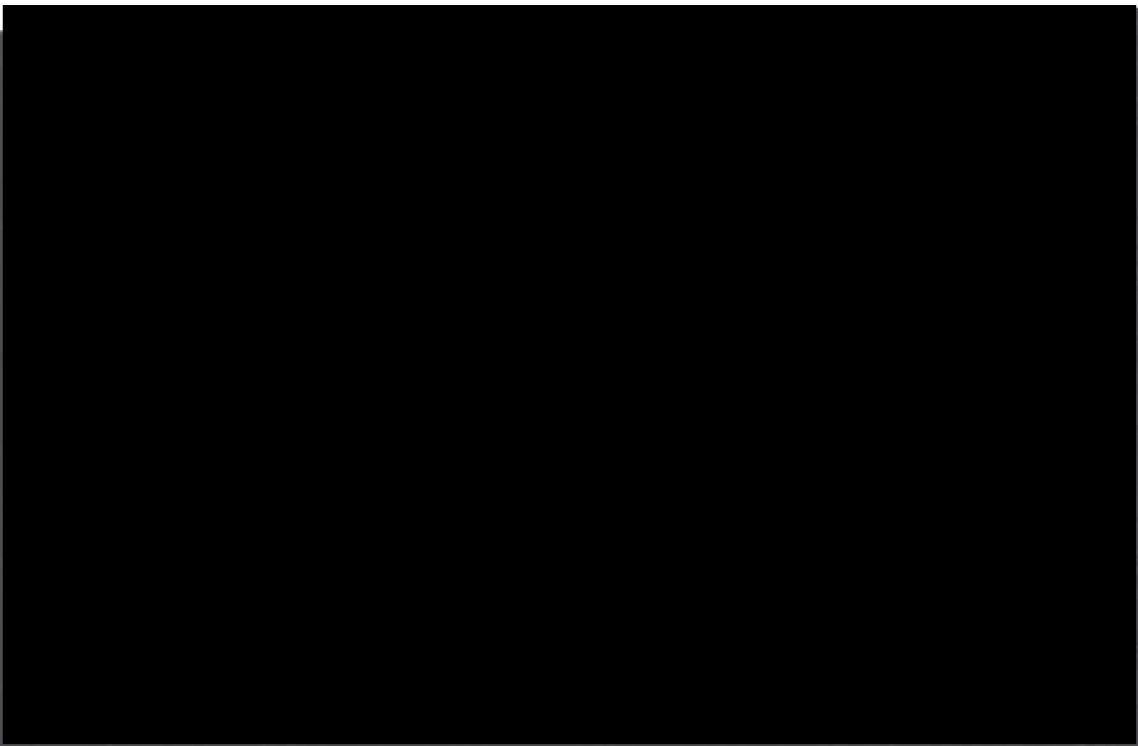
RD#/LOG#: 1028736

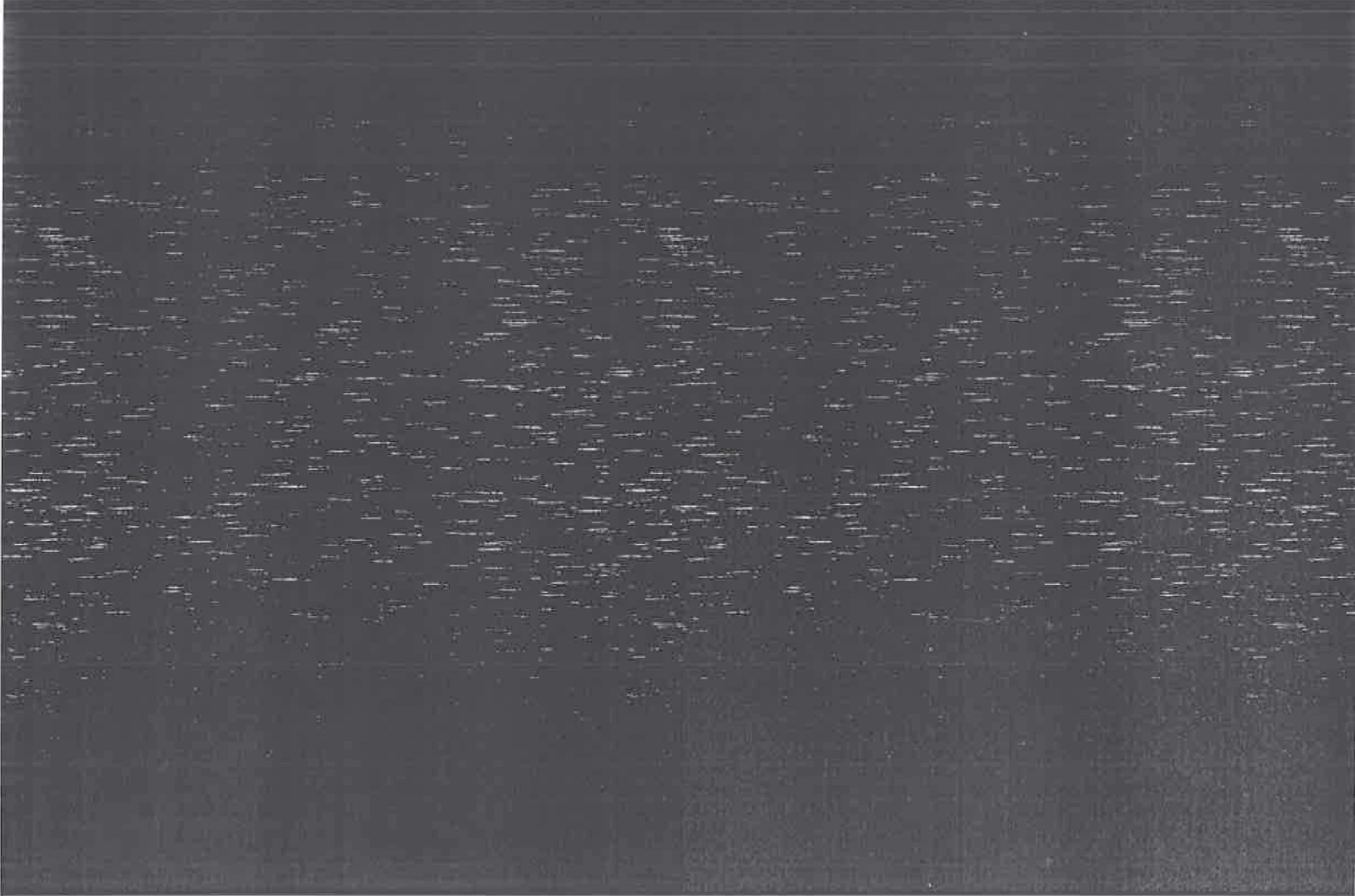
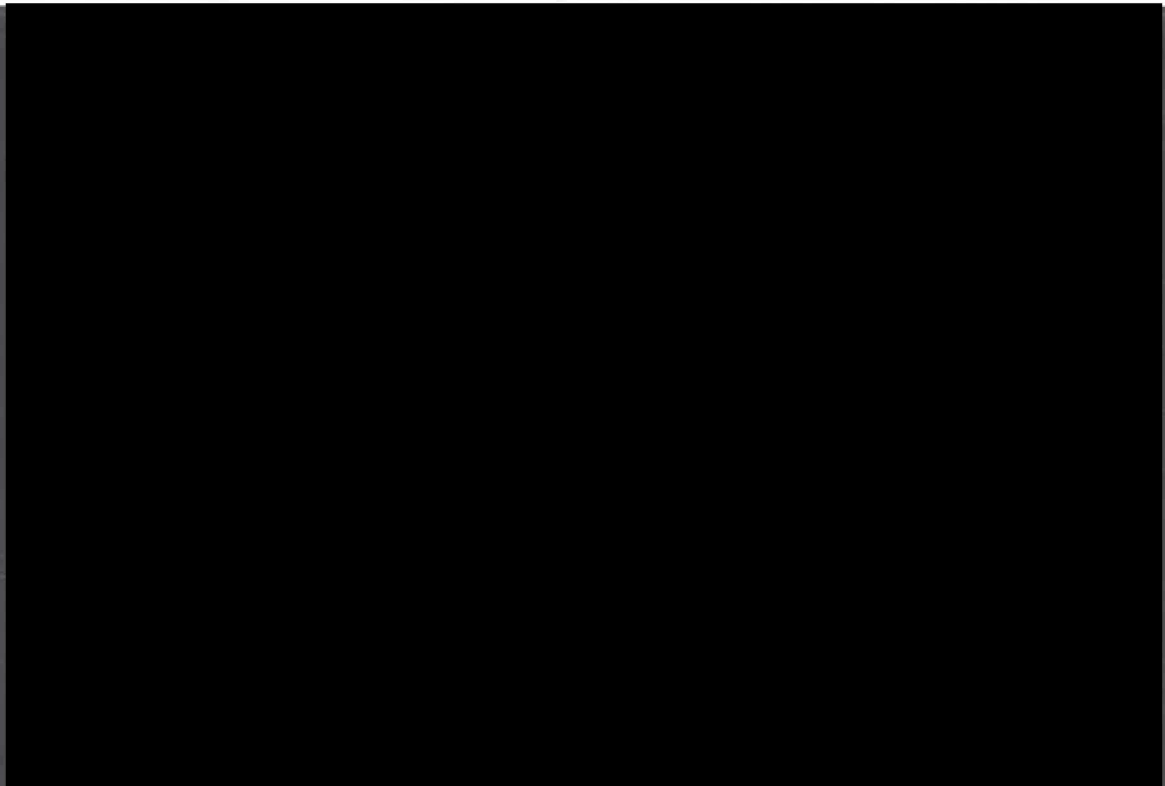
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GROUP: 6

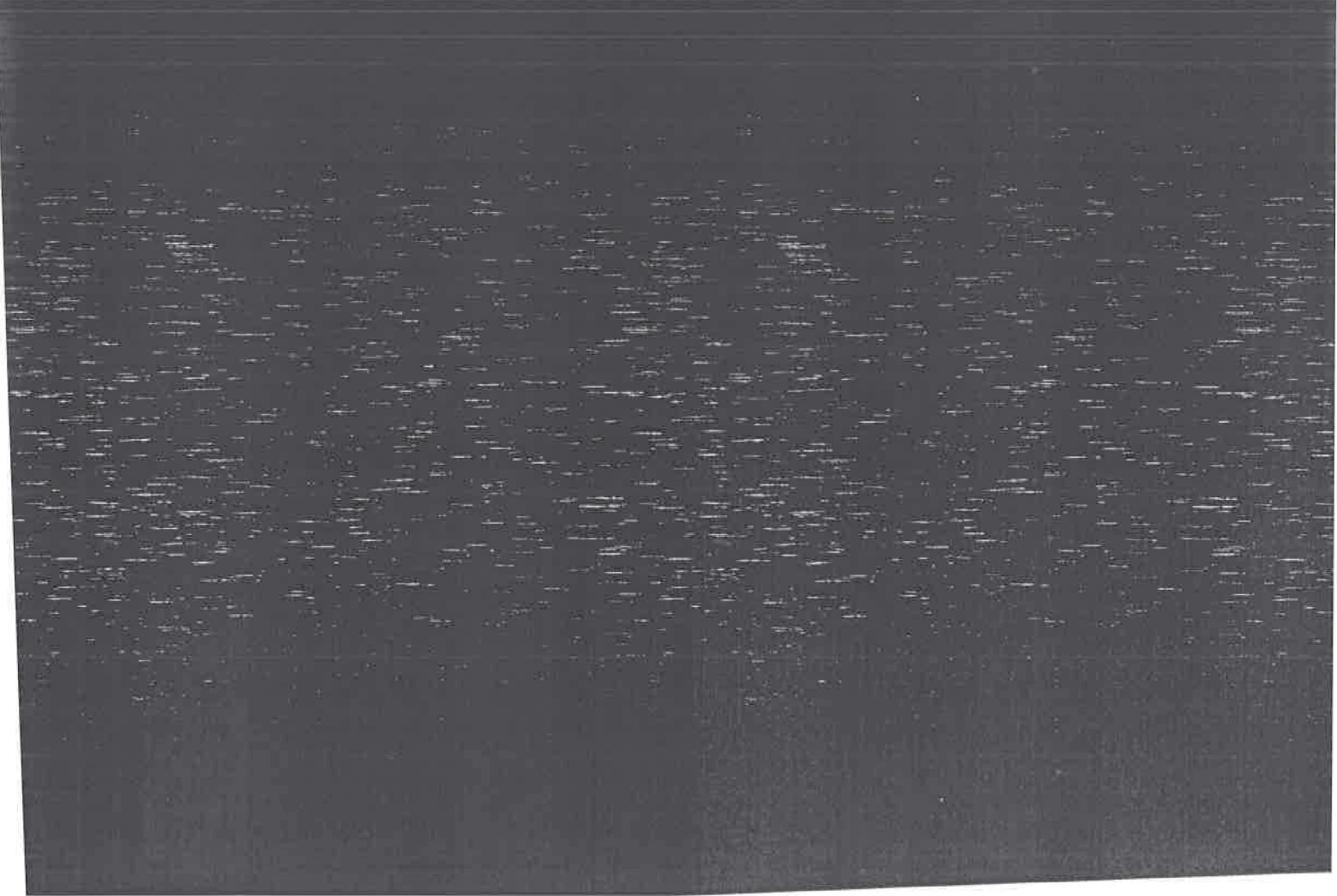
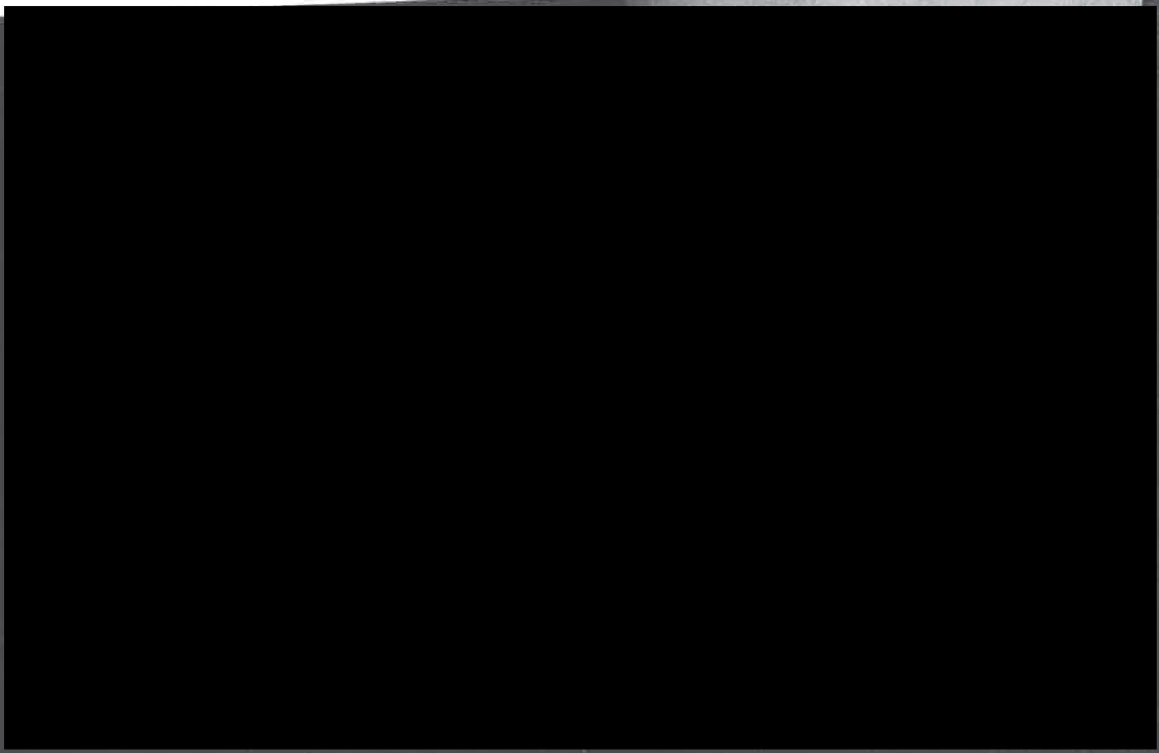
Log# 1028736
Att# 27

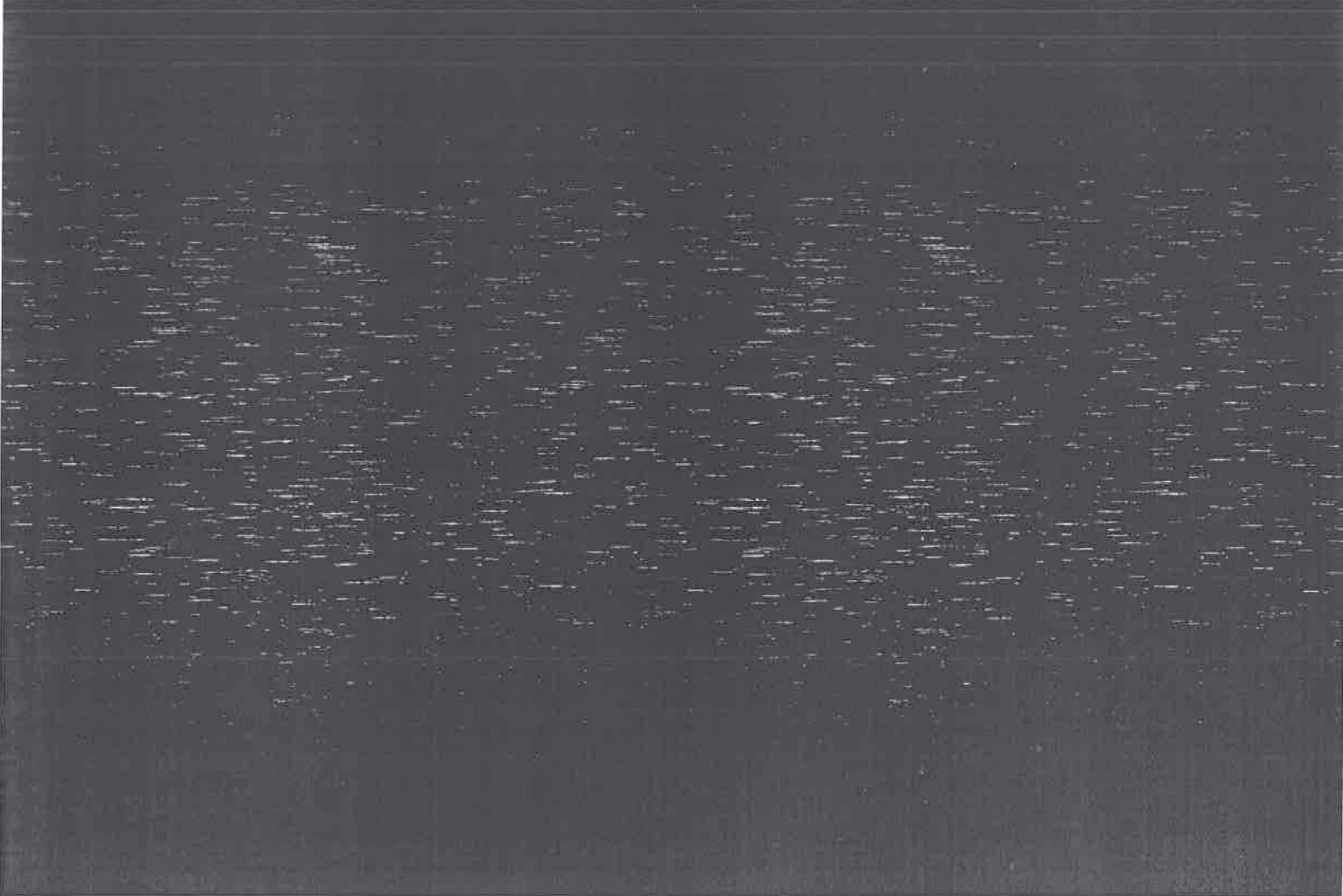










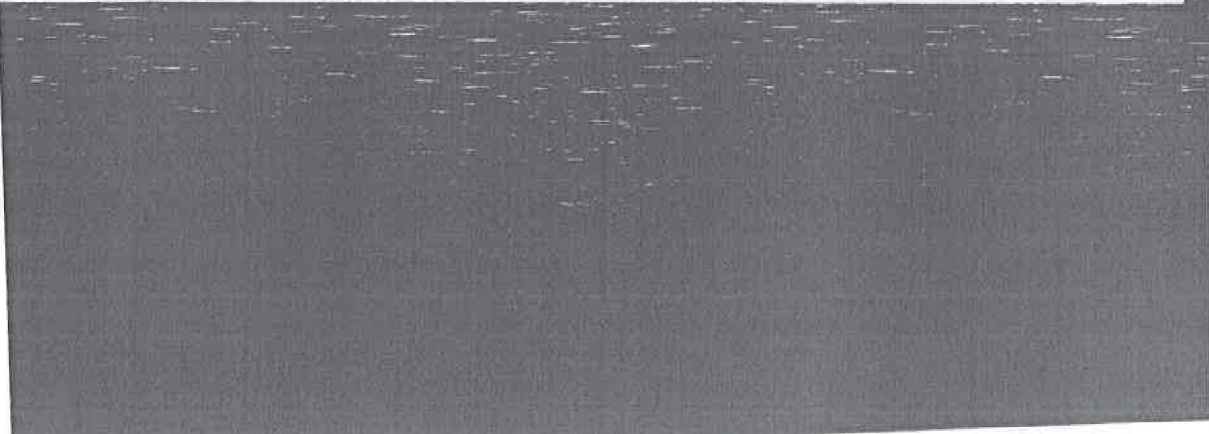


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STATEMENT OF [REDACTED]
CONDUCTED BY INVESTIGATOR MAIRA WEBB
On 19th of AUGUST, 2009 at 1040 Hours
At the Offices of the
Independent Police Review Authority

LOG # 1028736
Attachment # 28

VICTORIA COURT REPORTING SERVICE, INC.
(312) 443-1025



1 INVESTIGATOR WEBB: This is the digital recorded
2 statement regarding the victim, [REDACTED]
3 regarding case number 1028736. Today is the 19 of
4 August 2009 and it is 1040 hours right now. The
5 interview will be conducted at the Independent Police
6 Review Office at 10 West 35th Street, 12th floor and
7 present in the room is [REDACTED]
8 [REDACTED] (phonetic).

EXAMINATION

BY INVESTIGATOR WEBB:

11 Q [REDACTED] can you please identify
12 yourself and spell your name?

13 A My name is [REDACTED] I was born
14 [REDACTED] 1991. And you spell my name [REDACTED]
15 [REDACTED]

16 Q And what is your home address and telephone
17 number.

18 A [REDACTED] 0621. My area
19 code is [REDACTED]

20 Q And do you have another number where you can
21 be reached?

22 A Yes.

23 Q What is that number?

24 A [REDACTED]

1 Q And that is what, a cell phone?

2 A [REDACTED] cell phone.

3 Q [REDACTED] cell phone. Okay. And Ms.

4 [REDACTED] can you please identify yourself for the
5 record?

6 [REDACTED] Yes, my name is [REDACTED]

7 [REDACTED]. Um --

8 INVESTIGATOR WEBB: Can you spell your first
9 name?

10 [REDACTED] I'm sorry. [REDACTED]

11 [REDACTED] -- I mean [REDACTED]

12 [REDACTED]

13 INVESTIGATOR WEBB: Okay, and [REDACTED] resides with
14 you also in the same address?

15 [REDACTED] es, he does.

16 INVESTIGATOR WEBB: Okay, were you a witness to
17 what happened to [REDACTED]

18 [REDACTED] No, I wasn't a witness.

19 INVESTIGATOR WEBB: Okay.

20 [REDACTED] But I --

21 INVESTIGATOR WEBB: And --

22 [REDACTED] But someone came to my home to let
23 me know what happened.

24 INVESTIGATOR WEBB: To inform you about what

1 happened?

2 [REDACTED] Yeah.

3 INVESTIGATOR WEBB: Okay. And this incident for
4 the record it occur on the 29th of July at
5 approximately 6:00, 6:12 p.m.?

6 [REDACTED] Yes.

7 BY INVESTIGATOR WEBB:

8 Q Okay. And the location of the incident,

9 [REDACTED]

10 A Yes, ma'am.

11 Q Okay, and there's four corners at that
12 location; what corner did it occurred on?

13 A The actual corner on [REDACTED] across
14 the street from the gas station. Like what happened
15 was like I was coming outside 'cause like I had
16 finished all my chores or whatever and I asked my
17 [REDACTED] if I could go outside 'cause my mom asleep and
18 she said yeah so I was only outside for only like not
19 even that long.

20 I'd say about three minutes 'cause like I like
21 walked to the next block over and then like came
22 around and then came up so I was on [REDACTED] and
23 I seen my [REDACTED] inside the corner store so he
24 happened to be standing -- standing looking out the

1 window --

2 Q What -- I'm sorry, what's your [REDACTED]
3 name?

4 A [REDACTED] (phonetic).

5 Q Okay.

6 A And he was looking out the window so then I
7 say about 20, 30 seconds, I see police officers in the
8 Tahoe pulling in the police gas station and then they
9 came across the street where one of the gas station
10 clerks and I guess they were looking for [REDACTED] and
11 then the store clerk turned both of the police
12 officers down was [REDACTED]

13 Q Uh-hum.

14 A -- but he didn't really say I was his
15 [REDACTED] he said I was his [REDACTED] but he know that's
16 my [REDACTED] but I call him my [REDACTED] so he -- the
17 police officer asked him did he want to circle the
18 block to see if he went around the block and the store
19 clerk was like, "Yeah," and before they left out the
20 female officer is like, "Where's your [REDACTED] and I
21 said, "I don't know, I'm not my [REDACTED] keeper."

22 And then they pulled off and then I seen my
23 [REDACTED] and he was like, "Where did they go?" I'm
24 like, "They just left, they went around the corner,"

1 and then like not even 10 seconds, I turn around, they
2 pulled back up again and then like they grab my [REDACTED]
3 and then like they put him in handcuffs and they was
4 patting him and then like, not one time did I say
5 anything. I was just standing there looking and then
6 the male officer -- like I can't really pronounce his
7 name but I think it's Johanovich (phonetic). He was
8 like, "What did you say when they had pulled off," and
9 I said, "I'm not my [REDACTED] keeper," --

10 Q Uh-hum.

11 A -- and then like, he pushed me and was like,
12 "Get the 'F' out of here."

13 Q The male officer?

14 A Yes, ma'am and then like --

15 Q Can you -- can you tell me what does the
16 male officer look like; what race?

17 Q Caucasian.

18 Q Uh-hum.

19 A About 6'1, has blondish hair, blue eyes. He
20 had -- his left arm got like sleeve or tattoo on his
21 right arm and on his elbow, he has a tattoo of his son
22 on his elbow and --

23 Q And do you remember if this officer had a
24 mustache, a beard, goatee or clean-shaven?

- 1 A He -- he just had a clean face.
- 2 Q Clean face and --
- 3 A And his female partner, she had to be --
- 4 Q I'm sorry, before we go into the female,
5 this male officer, can you tell me his body type?
6 Slim, heavy set, medium build?
- 7 A Slim.
- 8 Q Okay.
- 9 A He was real skinny.
- 10 Q Okay. And does he wear glasses or anything
11 like that?
- 12 A No glasses.
- 13 Q Can you tell just by looking at him what age
14 did he appear to be?
- 15 A He looked like he was about 24, 25.
- 16 Q In his 20s?
- 17 A Probably about early 20s.
- 18 Q Okay. And you mentioned that his name could
19 be Johanovich?
- 20 A Johanovich.
- 21 Q Joho -- say it again?
- 22 A Johanovich.
- 23 Q Okay, and how do you know his name or where
24 did you see it?

1 A I seened (sic) it on the tag -- on his name
2 tag like 'cause I was trying to pronounce it out like
3 in my head and it sound like it said Johanovich 'cause
4 like I seen like some that said that (inaudible,
5 5:54.6) say Johanovich.

6 Q Okay.

7 A And that's how I seen his name on his name
8 tag but like --

9 Q Now, you said you say he was driving a
10 police Tahoe?

11 A Yes, ma'am.

12 Q Did you happen to see the license place
13 number, the vehicle number on the side?

14 A No ma'am I just --

15 Q Or the number on top.

16 A I -- No ma'am, I just seened him hop out
17 their car and then they grabbed my cousin and put him
18 thin back of the Tahoe.

19 Q Was the Officer Johanovich or Johanovich,
20 the driver or passenger?

21 A At the time he was the driver, his partner
22 was the passenger.

23 Q And his partner was who?

24 A I really don't know her name, I just know --

- 1 Q It's a female?
- 2 A Yes, ma'am.
- 3 Q Okay.
- 4 A I just know she had like blond hair?
- 5 A Uh-hum.
- 6 Q And like she has a long hair 'cause at the
7 time her hair was in a ponytail.
- 8 Q Okay.
- 9 A And she looked like she's about what 5'4,
10 5'5.
- 11 Q Okay. And her body type?
- 12 A Um --
- 13 Q Slim, heavy, medium.
- 14 A Slim and a little bit like petit in it.
- 15 Q Okay. And you remember the color of their
16 eyes or anything?
- 17 A Both of them had blue eyes.
- 18 Q Blue eyes.
- 19 A Were you able to see her name.
- 20 A No ma'am.
- 21 Q No? Okay. And she was a passenger at the
22 time they pulled up?
- 23 A Yes, ma'am.
- 24 Q Okay, and this is when they pulled up the

1 seconds time --

2 A This is when they pulled out--

3 Q -- when they grabbed your [REDACTED]

4 A This is when they pulled out the first time
5 because at the first time, they had had the clerk in
6 the back 'cause they were circling the block --

7 Q Okay.

8 A -- to see if they can find my [REDACTED] But
9 then when they pulled up again on the scene, that's
10 when they seened (sic) him and then they grabbed him
11 and they started patting him and then they put their
12 handcuffs on him. And then --

13 Q Who handcuffed your [REDACTED] Do you know?

14 A Um, Johanovich.

15 Q Okay.

16 A No -- no, it wasn't Johanovich. It was his
17 female partner because at the time Johanovich was
18 looking at me because I guess he thought I was gonna
19 hit him but like I didn't know 'cause I was iike a
20 good distance from them when they was arresting my
21 [REDACTED] and like he just started talking to me all
22 crazy and like when he had pushed me --

23 Q What was he saying to you?

24 A Cause like when he -- when they -- the

1 second time they came back, they already had my [REDACTED]
2 and then like he came up to me and was like, "What did
3 you say to my partner when I pulled off?"

4 Q Uh-hum.

5 A Like, but I didn't repeat myself. All I
6 said was, "You heard what I said." That's all I said
7 and then he pushed me and then like -- he told me to
8 get the "F" out of here.

9 Q How did he push you and where?

10 A Like he pushed me on my chest with both of
11 his hands.

12 Q Okay.

13 A And he pushed me and then when he pushed me,
14 that's when I got mad and then I started yelling at
15 him and stuff like that. I told him, "Just 'cause you
16 think you're a police officer you could do what you
17 think you wanna do."

18 Q Uh-hum.

19 A And then I'm like, "Just 'cause you have a
20 badge that don't make you a nobody." I'm like, "Cause
21 if you didn't have the badge on, I guarantee you me
22 and you would probably been out here fighting if you
23 was any person on the street," and then like he took
24 out his baton 'cause I guess the way I was talking to

1 him --

2 Q Uh-hum.

3 A -- he (inaudible, 8:39.7) that I was gonna
4 hit him and then like I just kept yelling at them
5 cause like I was getting mad and I blacked out and
6 then like, when he started hitting me with the baton,
7 that's when I really blacked out 'cause like --

8 Q Do you remember where he hit you with the
9 baton?

10 A He hit me on my right arm.

11 Q Uh-hum.

12 A On my right -- the upper arm on the arm on
13 my (inaudible, 8:55.5) part of my arm.

14 Q Okay.

15 A And he hit me like four or five or six
16 times.

17 Q Four to six times?

18 A Yes, ma'am.

19 Q And where was the female officer when this
20 was happening?

21 A She was -- at the time she was -- at the car
22 still by my -- standing my the car and then like, I
23 can't remember exactly but somebody told me I told her
24 -- I called her the "B" word.

1 Q Okay.

2 A And then that's when she came up and choked
3 me and then like when she choked me, that's when I
4 moved her hand. Like I never slapped it, or pushed it
5 or anything. I just --

6 Q Okay.

7 A -- moved her hand gently and then that's
8 when the security guard across the street at the gas
9 station --

10 Q Uh-hum.

11 A -- He's like a -- he's not really a security
12 guard but like he works with a different agency; he
13 like a police officer. He's a general and he came
14 across the street to try to tell them that I was cool
15 but like at the time, I was mad. I wasn't really
16 hearing nothing, I was just --

17 Q I know.

18 A -- angry and like the adrenaline in me kept
19 pumping faster like I -- I really wanted to hit them
20 but I didn't so at the time when the general across
21 the street at the gas station was trying to cool me
22 down the female officer kept trying to put the cuffs
23 on me. That's what made me kept yanking away and
24 stuff and then the -- the male officer, Johanovich, he

1 called for a 1022 and then --

2 Q Uh-hum.

3 A -- that's when like six different squad cars
4 pulled up from different directions and then they all
5 wrestle me and then slammed me down to the ground and
6 when I hit my head and on the ground, like I felt a
7 vibration in my body and then that's what made me --

8 Q Do you know what you hit your head on the
9 ground with?

10 A On the concrete.

11 Q The concrete, the sidewalk?

12 A 'Cause um -- the other officer -- I really
13 don't know who he was. He came from behind me and was
14 like trying to get me down with a head toss but he
15 didn't, he like slammed me. And then when I fell I
16 hit my head on the ground. I felt like a vibration
17 sensation through my body. That's made me -- that's
18 what made me just stop trying to resist and then like
19 they started putting the cuffs on me all --

20 Q Uh-hum.

21 A -- extra tight and then -- and then like
22 when we was on our way to the police station, the
23 officer who was driving the car asked me what's my
24 name and I didn't give him my name. I told him I

1 wasn't gonna say nothing without a parent present for
2 like -- at the same time, the way they was talking to
3 me, they -- it's like they was degrading me like they
4 was cursing at me and then --

5 Q What'd they say?

6 A Like -- okay, at first the officer was like,
7 "I don't make -- I don't know what made them think
8 they could win this fight." I mean they be saying
9 stuff like -- they just plain stupid. They should
10 just give up and stuff like that.

11 Q Uh-hum.

12 A And then like --

13 Q And do you know who he was?

14 A I don't know who he was, I just know he was
15 a person that they --

16 Q Can you describe him?

17 A Um --

18 Q Male blonde, black --

19 A He was Caucasian with black hair; kind of
20 like of little bit of chubbiness to him but not like
21 real chubby.

22 Q Okay.

23 A He look like he was about --

24 Q So he's like a medium size?

1 A He was about 5'10, 'cause I'm 5'11; I was an
2 inch taller than him.

3 Q Okay. So he's about 5'10. Do you think
4 he's a med -- a medium size body where he's not slim
5 but he's not heavy either?

6 A Yes, ma'am.

7 Q Okay. A black hair, do you remember the
8 style? Was it short or was it like --

9 A It was short. It was short like -- it
10 probably stopped like at the top of his ears -
11 something like --

12 Q Okay.

13 A -- it was just --

14 Q Do you remember if his face was clean or did
15 he have a mustache, goatee --

16 A His face was also clean too.

17 Q Do you remember if he had any eyeglasses?

18 A No -- he -- he didn't have no glasses
19 neither.

20 Q Okay, and was he the driver of the squad car
21 that was driving you?

22 A He was the driver too. He had a female
23 partner too.

24 Q Okay, and did the female partner --

1 A She had --

2 Q -- the -- okay, she stayed to the side or
3 something?

4 A She stayed to the side.

5 Q What was she -- what race?

6 A She was Caucasian too.

7 Q Okay. And they wore uniform or plain
8 clothes?

9 A Uniform.

10 Q Okay, and Jovan -- Johanovich or whatever
11 the name is pronounced -

12 A Both of them also had on --

13 Q A uniform?

14 A -- uniforms.

15 Q Okay, and besides this male white that
16 you're describing -- we're gonna call him number two
17 or number three and number one will be Johanovich.
18 And --

19 A Number two will be --

20 Q -- will be a female, his partner, okay? So
21 number four is the female of this other guy that's -
22 you're saying was talking smart and the one that
23 slammed you to the down, do you remember what he looks
24 like?

1 A That's the one I was just describing with
2 the clean face and short hair.

3 Q The male black, I mean the -- the black
4 hair?

5 A That's --

6 Q Okay, so number three is the one that also
7 slammed you? Okay. Do you remember any of the
8 officers that responded that may have had anything to
9 do with your arrest in an excessive manner?

10 A Every other police officer that I see like
11 when I -- like -- I can remember seeing stuff like --
12 I can't remember doing anything. I don't remember
13 like hearing them, you know stay (inaudible, 13:41.9)
14 "Get down on the ground -- get down on the ground,"
15 and then like they was like yanking my arm and like
16 that so that's what really made me resist -- to stop
17 resisting 'cause like.

18 A Uh-hum.

19 Q I don't want my arm to be broken so when
20 they put the cuffs on me tight, he put me in the back
21 of the squad car. They drove back of my house and we
22 was on 63rd uh -- we was on 63rd and Morgan and we
23 turned and went to 63rd and Racine right there by the -
24 - by the new police station that they built up there

1 and that's where they had me up during the time we was
2 way down to the police station. The officer was like,
3 "What's your name," but I ain't say nothing 'cause I
4 ain't wanna give them my name or nothing. I just want
5 to call my momma at the time, that's all I kept
6 thinking in my head like, I want to call my momma and
7 then like when I got there, they had me in the holding
8 cell --

9 Q Uh-hum.

10 A -- like and then as soon as I got in there,
11 all I kept saying was, "I wanna call my mama -- I
12 wanna call my mama," then the sergeant was like, if
13 you could just hold on for like five minutes, we'll
14 give you your phone call but they never gave me my
15 phone call. Like, I was trying to be calm --

16 Q Uh-hum.

17 A -- like, it got to the point where I kept
18 saying, "I wanna call my momma." They took me out of
19 the holding cell A and put me in holding cell B in
20 there by myself and they had me chained up to like the
21 little rail thing that be inside the holding cell --

22 Q Uh-hum.

23 A -- like then some lady on the intercom
24 talking about, "Just be calm and we'll give you your

1 phone call," and they never gave me my phone call
2 until like 2, 3:00 in the morning. That's after they
3 had already got through processing me.

4 Q Uh-hum.

5 A 'Cause like once they had processed me and
6 gave me my fingerprints and stuff like that, they had
7 me in the holding cell and they then they was about
8 like I say 12:00 in the morning. That's when they all
9 start giving us our own individual cells and like, I
10 say about 1:00 or 2:00 in the morning, I was like,
11 "Can I call my mama?"

12 Q Uh-hum.

13 A And the guy, he was nice though but he was
14 like, "They didn't let you get your phone call when
15 you was in the front," and I say, "No," and then
16 that's when he let me get my phone call but it was
17 like 2:00 or 1:00 something in the morning and I
18 called my momma twice --

19 Q Uh-hum.

20 A -- but like the voice mail picked up and she
21 was at work at the time and I couldn't get a hold of
22 her so --

23 [REDACTED] No, I was at home. I wasn't at
24 work. They had called me, I was supposed to go to

1 work and they called me and gave me a choice of a
2 vacation or a sick day.

3 INVESTIGATOR WEBB: Okay.

4 [REDACTED] And I couldn't get a hold of
5 her.

6 BY INVESTIGATOR WEBB:

7 Q Well, let me ask you this. So we know for
8 sure that this guy with the black hair slammed you.
9 We know for sure Johanovich is one of the guys that
10 arrested you and was involved in this. What
11 specifically did Johanovich do to you? Be specific
12 now. Besides cursing.

13 A He was hitting me with the baton on my arm -

14

15 Q Right.

16 A -- like and he was coming across with it.

17 Q And then like -- before he hit you with the
18 baton, what did you do?

19 A Like, I was in shock. I just looked at him
20 like -- he just kept hitting me like -- like my arm
21 went numb after the first two hits.

22 Q Uh-hum.

23 A He just kept hitting me and like I wanted to
24 hit him but I didn't. I just kept looking at him like

1 is he really actually hitting me with this? That's
2 all I kept thinking in my head.

3 Q And when he was hitting you, the female --
4 his partner, what was she doing?

5 A At the time, she -- I can't remember
6 specifically what she said. She said something smart
7 and like somebody told me I told her, "B, shut up
8 'cause I'm not talking to you," and then that's when
9 she choked me and then I moved her hand and then
10 that's when his partner --

11 Q Do you remember saying that to her?

12 A To be honest, I don't know because I blocked
13 out 'cause I was mad 'cause --

14 Q What do you mean you blocked out?

15 A I -- like -- it's just like rage just took
16 over me like I don't remember anything like -- I just
17 remember just yelling at them and then them pushing me
18 and then like after that, that was it. I don't
19 remember what happened. All I remember is them steady
20 trying to hit -- he stayed trying to whack me with the
21 baton then like --

22 Q Do you remember who was outside when this
23 was going on?

24 A I'm like -- when I was looking around like,

1 to see if anybody seen them wracking me with it, like
2 -- I seen like only like two familiar faces -- like
3 two or three familiar faces like the people at the
4 corner store, I seen like the people who work there.
5 I seen them and then like it's this guy who stay
6 around in the neighborhood. I can't remember his real
7 name but his (inaudible, 17:54.8) drunk. He sell
8 like CDs and DVDs --

9 Q Uh-hum.

10 A -- and stuff like that and then like a
11 couple of people at the gas station, I don't know
12 them, I just know they was looking, scened (sic) it
13 and like the security guard, he at General -- that's
14 when he came across the street after he got through
15 whacking me, he was trying to get me to calm down and
16 then like I was --

17 Q Do you remember if your [REDACTED] was able to
18 see what was going on?

19 A He was -- I know he seen because he say like
20 in the back of the squad car looking out the um -- he
21 was looking out the window and --

22 Q So he was still there. They hadn't taking
23 him away yet?

24 A They hadn't pulled off yet.

1 Q Okay. So he was still there --

2 A 'Cause like at the same time when -- when
3 they was arguing with me, I told -- I told him
4 Johanovich and his partner, "Just go ahead, hop in
5 y'all Tahoe, pull off and do your all job 'cause it's
6 not like y'all really do y'all job. Y'all don't
7 really protect and serve."

8 Q And then like that's when they say started
9 getting aggressive and loud with me and stuff like
10 that and then like when the General was trying to get
11 me to calm down, the female officer, she kept trying
12 to put the cuffs on me and then like, that's what made
13 me mad like why am I being arrested 'cause I'm not a
14 criminal --

15 Q Uh-hum.

16 A -- I didn't do anything wrong. It's not
17 like I probably had a gun or drugs on me or anything.
18 So --

19 Q What did she say to you?

20 A Like, she just kept trying to put the cuffs
21 on me and then that's what made me yank away but when
22 the General was trying to get me to calm down, that's
23 when Johanovich called for a 1022. And like all the
24 squad cars came up and then that's when the officer

1 number three had -- was tangling with me and wrestle
2 me down and slam me down to the ground and then that's
3 when I hit my head and then like, after that that's
4 when he --

5 Q Once he wrestle you to the -- to the ground,
6 what happened while you were on the ground?

7 A Like they start holding me down so that way
8 I can't get up. So they put the cuffs on me and then
9 like once they put the cuffs on me, that's when I
10 start resisting and I --

11 Q Okay. Tell me all the injuries that you
12 sustain because of this whole arrest.

13 A I have like a scrape on my upper chest. It
14 was bleeding. Skin was torn from off of it?

15 Q And that the upper left side?

16 A Yes, ma'am. I had a couple bruises on my
17 left wrist and on my right wrist because of the cuffs
18 being on too tight. Like --

19 Q Do you know who handcuffed you?

20 A The third officer. I can't even remember
21 his name but I know he had arrested me.

22 Q The male with the black hair?

23 A Yes, ma'am.

24 Q The one that slammed you?

1 A Yes, ma'am. He the one who arrested me.

2 Q And you said he handcuffed you tightly?

3 A Yes, ma'am. 'cause like --

4 Q Did you ever tell him that the cuffs were
5 too tight?

6 A I was mad; I didn't want to say nothing to
7 nobody. I just wanted to talk to my momma, that's all
8 I wanted to do.

9 Q But you have bruises on both of your wrists?

10 A Yes, ma'am like I had -- I had -- it was to
11 the point like my arm just started swelling like -- it
12 had a knot on -- on both of my wrists on my --

13 Q Both arms were swelling or just the right
14 one?

15 A Both of 'em but my left and my right wrist,
16 they swollen and had like knots on my arm like -- but
17 by the time I had got -- got out of the county that --
18 that was gone but I still had the other marks on me,
19 like the swelling had -- was gone. Like, I had like
20 gloves on my arm -- my arm right here and like where
21 you see this mark at, that's where the (inaudible,
22 20:59.3) was at. It was like --

23 Q Uh-hum.

24 A Big and stuff like -- then when we was -

1 Q What about on your face, your head or
2 anything?

3 A I had no marks on my face or nothing. I
4 just had them on my arm -- right upper arm. I had
5 scars on my left and right wrists and then on my left.
6 And then my upper chest and then like on my arm --

7 Q So you --

8 A On my left arm --

9 Q On both of your arms you had scrapes?

10 A Yes, ma'am 'cause like I had like -- I
11 actually more like circulation cut off marks --

12 Q Okay.

13 A -- from the cuff being on --

14 Q Some red marks and stuff?

15 A From the cuff being on too tight and -- when
16 we got --

17

18 A (inaudible, 21:34.9)

19

20 A And then like when we got into the holding
21 cell, like the sergeant was -- he's like, I don't know
22 -- it's like he was trying to get me to cooperate but
23 I wouldn't cooperate with them because they weren't
24 giving me what I wanted so I wasn't responding to them

1 like every time they was talking to me.

2 Q Uh-hum.

3 A Like I wasn't responding. I ain't want to
4 say nothing unless I had my momma present or a lawyer
5 and then like their commander came in right when I was
6 like -- I guess I was in the holding cell for so long,
7 I was cuffed to the bench that I was starting to fall
8 asleep. He came in and read me my rights and said,
9 "Do you understand the rights I have just given you,"
10 and I said, "Yes, sir," and then said, "Do you want to
11 talk about the threat that you made to my officer,"
12 and I said, "No, sir, I wanna talk to a lawyer 'cause
13 I know for a fact that I didn't threaten them," --

14 Q Uh-hum.

15 A -- like that'll be dumb to threaten a cop
16 and then like --

17 Q This is what the commander said?

18 A That's what the commander said. He came --

19 Q That you made threat?

20 A He came in, he said, "Would you like to talk
21 about the threat that you made --

22 Q Uh-hum.

23 A -- to my police officers.

24 Q Uh-hum.

1 A And I said, "I ain't say nothing." I just
2 said -- oh, he said, "Do you want to talk to a
3 lawyer," and I said, "I'll talk to a lawyer," and
4 that's when he closed the cell back and then like 10,
5 20 minutes later, I had asked if they can hand --
6 unhandcuff me so I can use the washroom and then I
7 told them that I'll be cooperative if they take the
8 cuffs off 'cause my arms and stuff starting to swell.

9 But then like at that time, that's when
10 Johanovich came in with like, "You won't be charged as
11 a felony 'cause they was gonna try to hit me with two
12 felony charges. They was gonna hit me with
13 obstructing the justice and assault to a police
14 officer.

15 Q Okay.

16 A And then when he came back, I say -- I was
17 in the holding cell for about four or five, six hours
18 by myself. When he came back, he say, "We're just
19 letting you know that none of your charges are felony,
20 they just been dropped to misdemeanors. Our sergeant
21 said they was misdemeanors," and then that's when I
22 told him, "So that mean I want do no jail time?" He's
23 like, "No, you don't do no jail time," and so he's
24 like -- so that's when I was like, "I get to go home?"

1 And then he was like, "Yeah," and then that's
2 when I had start apologizing to them. I was like,
3 "I'm sorry for making y'all job hard," and then like
4 that's when they took me in the back and process me
5 and then like when I was in there, I'm thinking like
6 okay, what am I still doing in here? If I'm in the
7 back and stuff, I'm being processed.

8 Q Uh-hum.

9 A Like when -- after I first got process, I
10 had asked one of the guys if I can use the phone.
11 He's like, "No, you can't use the phone," and then I'm
12 like, "When can I go home?" He said, "You can go home
13 now." He was being sarcastic. He was like, "You can
14 go home now." I'm like, "Well then open up the cell so
15 I can walk up out the cell and go home," so then he's
16 like, "No, it's not that easy." Then like -- that's
17 when I stopped asking when can I go home, like I was
18 in there for so long that I didn't wanna go home no
19 more, I just stayed in there.

20 Q Uh-hum.

21 A Stay to myself.

22 [REDACTED]

23 A But see, that's where my problems come in
24 because when -- I'm sorry.

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A 'Cause like when I was in the holding cell it was all cold and stuff, like my shirt was ripped, I didn't have anything underneath my ripped shirt. Like the one guy that was in the holding cell with me, he gave me his beater 'cause he had on a extra t-shirt and he gave me his beater so I can at least be warm 'cause like when I went outside, went outside in my red shorts --

Q Did you ask them for anything to put on or anything like that?

A They didn't give me none.

Q Did you ask them?

A No, I didn't ask for it but I had asked them like, "What's wrong with the AC 'cause like it's cold in here," and he's like, "We don't have control of the -- the climate," --

Q Right.

A -- and then like that's when I fell asleep.

Q Okay, and I just wanna double check again, do you remember any other descriptions of any other officer that may have done -- so far we have three officers that are involved --

A I know --

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1 Q -- physically.

2 A All together it was about, I'd say at least
3 10 officers on the site but only three of them did
4 something.

5 Q Okay, so the other one that was holding you
6 down once, the other one slammed you, once the other
7 one hit you, once the other one choked you, right?

8 A Yes, ma'am.

9 Q The other ones are just holding you down.
10 They're not trying to hit you or do anything --

11 A Their not trying to do anything.

12 Q So these three are the main three officers
13 Johanovich, his partner, the female and then the
14 second male which is with the black hair --

15 A Yes, ma'am.

16 Q -- then hit you. Now, when she choked you,
17 did she leave you any marks or anything like that?

18 A Yes, ma'am. When she choking me, her nail
19 was actually in my neck like I got a scar from my nail
20 imprint on my upper left neck and when she was choking
21 me, I felt her nails in my neck, that's when I moved
22 her hand --

23 Q Okay.

24 A And that's what made Johanovich start

1 hitting me with the baton 'cause like --

2 Q So her choking came first before he hit you?

3 A Yeah because like the reason -- I guess
4 'cause like they said I said something to her smart
5 and sarcastic when I had said the "B" word.

6 Q Okay.

7 A That's what made her come and choke me and
8 then like when I moved her hand then that's when he
9 started whacking me with the baton.

10 Q Okay. So let me ask you this, when they're
11 arresting your [REDACTED] at any time are you trying to
12 interfere with them or --

13 A I didn't say --

14 Q -- or trying to -- are you trying to just
15 ask questions about --

16 A I didn't ask anything. I didn't say
17 anything. I just looked at them and then like by --
18 the officers is telling me out of all people,
19 everybody else standing right there. Like the
20 witnesses that seen him everything, out of everybody
21 else, they just tell me to move and walk off like --

22 Q Uh-hum.

23 A -- it's not like I'm a -- okay, like, the
24 car is on the curb. This is the curb and the car

1 right here. Like, this is the corner store on the
2 step of the corner store and they're by their car so
3 it's not like I'm actually within touching distance of
4 them.

5 I'm like a good feet -- like two, three feet away
6 from them. Like they -- out of everybody else, he
7 just telling me to walk off -- walk off. Why you not
8 telling nobody else to walk off?

9 Q At any time --

10 A Why am I the only one?

11 Q -- while you're standing by the store and
12 they're up by the curb, are you at any time
13 threatening them with your fists or -- or swinging
14 your arms at them?

15 A I didn't do anything like -- my hands was
16 like to my side the whole time like, I was just
17 yelling at them verbally yelling at them.

18 Q Okay.

19 A And I guess that's what made them start
20 staying stuff to me back and then like what -- then
21 his partner came and told me once I said whatever I
22 said and then like --

23 Q Do you guys just exchange words but --

24 A We was exchanging words. I never balled up

1 my fist --

2 Q Okay.

3 A -- I never talked with my hand or anything.
4 I'm just talking to them regularly --

5 Q Okay.

6 A -- and then like he pulled out the baton
7 like I'm supposed to be scared. That's when he first
8 pulled it out and I'm like, "You're pulling out the
9 baton like I'm supposed to be scared," 'cause then
10 like -- 'cause when I told him that, I'm like --
11 'cause I'm not a criminal so if you go and do
12 something, go ahead and bust a move and --

13 Q Uh-hum.

14 A -- do something.

15 Q Uh-hum.

16 A -- 'cause you pulling out the baton is not
17 gonna really scare me 'cause I know I didn't really do
18 anything so then after I moved his partner hand from
19 choking me, that's when he start wracking me with the
20 baton. And then like that's what happened and then I
21 after that, that's when I was in the holding cell and
22 then like -- I was in there like all that day. They
23 had me in there for a whole 24 hours and then they was
24 like listen now when I call your name. The people who

1 name I'm calling --

2 Q Uh-hum.

3 A -- will be the ones that be going to court
4 on 51st and Wabash.

5 Q Uh-hum.

6 A And I was thinking to myself, like why am I
7 going to court if I didn't do anything?

8 Q Uh-hum.

9 A And like in the report, they had all type of
10 false accusations in the report at first. At first
11 they had that I had assault on a police officer and
12 assault on a fireman. Not one time there was a fire
13 man on the scene.

14 Q Okay. There was no fireman at all and then
15 like at another time one officer -- I forgot to say
16 when I was in the holding cell, one officer was
17 messing with me, right?

18 Q Uh-hum.

19 A He -- Johanovich told me to come in and talk
20 off my shoe strings out of my shoes. I told him I
21 didn't wanna take off my shoe strings 'cause I'm not a
22 criminal.

23 Q Uh-hum.

24 A And then Johanovich is like, "If you don't

1 take 'em off, we'll just cut 'em off," and then I'm
2 like -- then I'm like forget it. Then that's when I
3 took out my shoe strings and then like -- 'cause I'm
4 like, "If you cut 'em, you're gonna have to buy me
5 another pair of shoe strings." And one officer named
6 Perez, he came in and was like -- to me, I felt like
7 it was a racial comment.

8 Q Uh-hum.

9 A He's like, "Don't you get everything for
10 free anyway?" I felt that that was a racial comment.

11 Q And this is an officer --

12 A This is another officer while I was in the
13 holding cell when Johanovich was trying to make me
14 take off my shoe strings. And he's like, "Don't you
15 get every --

16 Q Was he a -- a lockup keeper or -- what was
17 he?

18 A I'm -- I'm guessing he was just a regular
19 officer to be back there during the time like --
20 'cause Johanovich and them, they was all different
21 type of officers running in and out.

22 Q Can you describe this Officer Perez?

23 A He had like black hair, He was kind of like
24 caramel brown skinned.

1 Q Like me?

2 A Yes, ma'am and then like -- but he was a
3 little darker though but not dark but he was still
4 like you complexion, just a little.

5 Q And how do you know his name Perez?

6 A 'Cause I seen him on his --

7 Q Name tag?

8 A -- tag when he came in and he said some
9 comment and then I'm like, "Are you trying to be
10 racist, Perez," and he said, "Be racist?" That's when
11 he said that but he walked out but he never respond
12 back to me. He just walked out and then another
13 officer --

14 Q So he said to you, "Don't you get everything
15 for free?"

16 A He like, "Don't you get everything for free
17 anyway?" And I'm like, "Are you trying to racist,
18 Perez?" He's like --

19 Q And why are thinking that about that?

20 A I -- I don't know, like, I'm guessing he
21 trying to say black people get stuff for free or
22 something like that 'cause I felt like it was racist
23 'cause like --

24 Q Uh-hum.

1 A -- what -- to be honest, I don't -- I don't
2 feel he had any right to put any type of (inaudible,
3 30:50.0). He ain't got no right to come in the cell.
4 It was between me and Johanovich and the guy he got
5 the switchblade from to try to cut off my shoe strings
6 but he didn't cut off my shoe strings. I just took
7 them off and then like the other guy was like -- he
8 was messing with me. He was like, "I heard you say
9 you was gonna stab him," but I never said that 'cause
10 I guess he was trying to say that to scare me but I'm
11 like, "I ain't even say that."

12 I'm like, "Either y'all gonna give me my phone
13 call or get out of the cell 'cause like when
14 Johanovich was messing with me, that's when I said
15 something smart and sarcastic to him. I'm like, "I
16 bet you in high school they used to beat you up every
17 day and stuff you in the locker."

18 Q Uh-hum.

19 A And then like stuff like that, that's what I
20 was saying to him 'cause like weren't no body trying
21 to -- I'm cooperating with y'all. Why you all can't
22 cooperate with me and just give me my phone call? You
23 supposed to automatically give me my phone call
24 anyway.