

SPRINGFIELD POLICE DEPARTMENT
INTERNAL INVESTIGATION UNIT

February 14, 2019

SPECIAL REPORT TO POLICE COMMISSIONER JOHN R. BARBIERI

Sir:

In compliance with Special Order #18-278 dated December 21, 2018 and being responsive to arrest report #18-4231-AR of Mr. [REDACTED] [REDACTED] this report is being submitted.

SUMMARY

(The summary is intended to be a synopsis of the full investigation. The investigation should be reviewed in its entirety.)

On December 3, 2018, Mr. [REDACTED] [REDACTED] age [REDACTED] was arrested by Officer Angel Marrero at Commerce High School. Sergeant Michael Kervick, Student Support Unit Supervisor, was notified by the school department that Commerce may have an issue with the arrest. Sergeant Kervick notified Captain Philip Tarpey and obtained the video of the incident.

Officer Marrero stated in the arrest report that Mr. [REDACTED] walked by him, called him a "pussy" and further stated that he "would slap the shit out of him." Officer Marrero, who was new to the school, approached Mr. [REDACTED] and asked why he would speak to him that way. Officer Marrero stated that Mr. [REDACTED] then pushed him in the chest with two hands and a struggle ensued. Mr. [REDACTED] was eventually handcuffed with assistance from his partner Officer Lawrence Mayo.

The video shows that Mr. [REDACTED] does appear to say something to Officer Marrero and is confronted by the officer. Officer Marrero then grabs Mr. [REDACTED] by the back of the neck and pushed him against the wall. Mr. [REDACTED] then pushed Officer Marrero away with two hands and a struggle ensued. Mr. [REDACTED] is then handcuffed and walked away.

I interviewed Mr. [REDACTED] and he denies ever calling Officer Marrero a "pussy," threatening him or assaulting him.

Officer Marrero stated after watching the video that the incident happened very fast and when he felt Mr. [REDACTED] elbow come up and make contact with him he assumed Mr. [REDACTED] had now assaulted him after he had just previously threatened him. Officer Marrero stated that he never intentionally tried to deceive anyone when he wrote that Mr. [REDACTED] pushed him first.

INVESTIGATION

On January 29, 2019, I interviewed Sergeant Michael Kervick, Student Support Unit Supervisor, and he authored a report that is similar in nature and corroborative in

content with that interview. **The following is the text of that report, including any grammatical errors:**

On Monday, December 3, 2018 at approximately 1:31pm, Officer Angel Marrero arrested a Hispanic juvenile male identified as [REDACTED] [REDACTED] dob [REDACTED] of [REDACTED] Terrace. The arrest took place at Commerce High School. At the time of the arrest Officer Marrero was assigned to the Student Support Unit. Refer to arrest 18-4231-AR for details.

On December 4, 2018 while I was at the Dryden school conducting a school check, I ran into Adam Fenn from SPS Safety and Security. He told me he had just heard that "Commerce" may have an issue with the above arrest ([REDACTED]) and it's on video. He told me that he would call me later in the day if he heard anything else.

Later that same day, I received a phone call from Adam Fenn. He confirmed that "Commerce" did have an issue with the above arrest and that the arrest is on video. I then asked him if it was a use of force type of an issue and he said yes. He then told me that the Superintendent was going to be calling the Commissioner regarding the arrest. Report submitted.

Sergeant Michael Kervick stated during the interview that after being notified by the school department of the issue with the arrest he called Captain Philip Tarpey to inform him.

On February 11, 2019, I interviewed Mr. [REDACTED] [REDACTED] in the presence of his mother, Ms [REDACTED] at [REDACTED] Terrace, [REDACTED]. Mr. [REDACTED] stated that on December 3, 2018, he was walking down the hallway at Commerce High School when out of nowhere, an officer (Officer Marrero) he had never seen at the school before, grabbed him by the front of his jacket, pushed him against the wall and punched him in the face. Mr. [REDACTED] stated that he wasn't injured. Mr. [REDACTED] stated that he never called Officer Marrero a "pussy," even jokingly. Mr. [REDACTED] stated that he never threatened Officer Marrero. Mr. [REDACTED] stated that he was trying to push Officer Marrero away from him, but never hit him. Mr. [REDACTED] stated that Officer Mayo was talking to someone down the hallway and left what he was doing to assist Officer Marrero in getting him handcuffed. Mr. [REDACTED] stated that Officer Marrero kept saying, "Stop resisting." Mr. [REDACTED] admitted that he was resisting arrest because he was frustrated.

A review of the video from the Commerce High School 2nd Floor Girls bathroom showed that Mr. [REDACTED] is wearing a red sweatshirt and walking down the hallway toward officer Marrero. As Mr. [REDACTED] passes Officer Marrero it appears that he says something to Officer Marrero because Officer Marrero turns and walks toward Mr. [REDACTED] who turns and looks back toward Officer Marrero. It appears as though Officer Marrero may be slightly pushing Mr. [REDACTED] in the back and then grabs him by the back of the neck and pushes Mr. [REDACTED] against the wall. Mr. [REDACTED] then turns to face Officer Marrero and pushes him in the chest area. A struggle ensues between the two and Mr. Charles Youmans, who was standing in the hallway when the struggle ensued, walks over to assist with getting Mr. [REDACTED] handcuffed. Officer Mayo arrives and they get Mr. [REDACTED] handcuffed and walk away.

Video submitted on DVD.

On February 4, 2019, I interviewed Mr. Charles Youmans, mentor at Commerce High School. Mr. Youmans stated that on December 3, 2018, he was standing in the hallway when he heard Mr. [REDACTED] call Officer Marrero a "Pussy." Mr. Youmans stated that he heard Mr. [REDACTED] say it again and then Officer Marrero turned and asked Mr. [REDACTED] why he was saying this to him. Mr. Youmans stated that Mr. [REDACTED] told Officer Marrero to get out of his face. Mr. Youmans stated that with all of the kids that were standing in the hallway he never saw Officer Marrero grab Mr. [REDACTED] by the back of the neck. Mr. Youmans stated that Officer Marrero and Mr. [REDACTED] were arguing and were against the locker when he arrived to assist so he tried to calm Mr. [REDACTED] down enough so that Officer Marrero could handcuff him. Mr. Youmans stated that Officer Mayo arrived and Mr. [REDACTED] was handcuffed. Officer Youmans stated that prior to that incident he had never met Mr. [REDACTED]

On February 15, 2019, I interviewed Ms [REDACTED] of [REDACTED] Circle, 413-[REDACTED]. Ms [REDACTED] stated that she recalled the incident on December 3, 2018 when Mr. [REDACTED] was arrested in the hallway at school. Ms [REDACTED] stated that she was walking down the hallway with a friend between classes and Mr. [REDACTED] walked by Officer Marrero and stated, "You're a pussy ass nigga." Ms [REDACTED] stated that Officer Marrero ignored him at first, then Mr. [REDACTED] said, "You're a pussy ass nigga, I'll slap the shit out of you and your not gonna do anything about it." Ms [REDACTED] stated that Mr. [REDACTED] bumped his body against Officer Marrero and was being aggressive and very disrespectful with him. Ms [REDACTED] stated that the officer pushed Mr. [REDACTED] against the door and turned him around. Ms [REDACTED] stated that Mr. [REDACTED] was trying to kick the officer and Officer Marrero was just trying to restrain him. Ms [REDACTED] stated that she did not see the officer punch Mr. [REDACTED]. Ms [REDACTED] stated that Mr. Youmans arrived and tried to calm Mr. [REDACTED] down. Ms [REDACTED] stated that Mr. [REDACTED] continued yelling and being disrespectful until Officer Mayo arrived and they got him handcuffed. Ms [REDACTED] stated that as they were walking Mr. [REDACTED] away he was yelling threats at the officer.

On February 15, 2019, I interviewed Ms [REDACTED] of [REDACTED] Road, 413-[REDACTED]. Ms [REDACTED] stated that on December 3, 2018 she was walking down the hallway with a friend when Mr. [REDACTED] walked by Officer Marrero and called him a "pussy." Ms [REDACTED] stated that she didn't hear Mr. [REDACTED] threaten the officer but he was being very disrespectful and had an attitude toward the officer. Ms [REDACTED] stated that she thought that Mr. [REDACTED] and the officer were joking at first and then the officer pushed him against the wall and held him there with his forearm near his neck. Ms [REDACTED] stated that she could hear the officer yelling, "Give me your hands." Ms [REDACTED] stated that Mr. [REDACTED] was pushing the officer in the chest with his hands. Ms [REDACTED] stated that Mr. [REDACTED] was not cooperative and that Officer Mayo arrived and they put him in handcuffs and walked him away. Ms [REDACTED] stated that she did not see the officer hit Mr. [REDACTED]

Using departmental records, documents; Student Support Unit Telestaff Roster; Call for Service #18-255317; Arrest Report #18-4231-AR; Booking Video; Booking Photographs; Prisoner Injury Reports; it was determined that:

A review of the Student Support Unit Telestaff Roster dated December 3, 2018 showed the following officers working and their assignments:

Officers Angel Marrero and Lawrence Mayo worked 7:00am-3:00pm.

Documents submitted.

A review of Call for Service #18-255317 dated December 3, 2018 showed that Mr. [REDACTED] was arrested and transported to 50 East Street at 1:32pm.

Document submitted.

On December 3, 2018, Officer Angel Marrero authored arrest report #18-4231-AR. **The following is the text of that report, including any grammatical errors:**

[REDACTED]

Report submitted.

A review of the booking video dated December 3, 2018 showed that Mr. [REDACTED] was booked at the Youth Assessment Center located at 50 East Street by Officer John Lopez from 1:56pm-2:07pm.

Video submitted on DVD.

On February 12, 2019, I interviewed Officer Lawrence Mayo, Student Support Unit, and he authored a report that is similar in nature and corroborative in content with that interview. **The following is the text of that report, including any grammatical errors:**

On December 3rd, 2018 I was assigned to Commerce High School as the Student Resource Officer, I am assigned there daily and have a great rapport with the students. On December 3rd, I remember there was loud noises coming from the second floor on the west side of the building. I was currently inside the north side hallway of the second floor. I walked towards the noise where I witnessed Officer A. Marrero in a struggle with a student that I know as [REDACTED] [REDACTED]. I could see Mr. [REDACTED] pushing Officer Marrero in the chest repeatedly. I could hear Officer Marrero telling Mr. [REDACTED] to put his hand behind his back multiple times. Mr. [REDACTED] refused all directions at this time. As I was getting closer to this altercation I could see staff member Charlie Youmans trying to assist Officer Marrero with placing hand cuffs on Mr. [REDACTED]. Once I was there I then grabbed Mr. [REDACTED] hand and placed it behind his back where Officer Marrero was finally able to place the hand cuffs on Mr. [REDACTED]. Officer Marrero and I then walked Mr. [REDACTED] to the cruiser. While outside in the cruiser Mr. [REDACTED] stated to me "I thought that was you mr". I then reminded Mr. [REDACTED] that this type of behavior is unacceptable behavior.

Let it be known that in the beginning of the school year I had I a long talk with Mr. [REDACTED] about this same type of behavior. Mr. [REDACTED] shows consistent aggressive behavior towards staff members. This has been an ongoing issue with Mr. [REDACTED]. Today while at Commerce High School a staff member reported to me that Mr. [REDACTED] threatened her. This staff member was advised to write a statement and turn it into me tomorrow and I will make a report for the threats made.
Report submitted.

On February 12, 2019, I interviewed Officer Angel Marrero, Student Support Unit, and he authored a report that is similar in nature and corroborative in content with that interview. **The following is the text of that report, including any grammatical errors:**

As requested I am writing this report in regards to the arrest I made on 12/03/18 of [REDACTED] [REDACTED]. As we discussed, on 12/03/18 I was assigned to work at Commerce High School as the Student Resource Officer with Officer. L. Mayo. I normally work at Balliet Middle School but due to roster changes I was asked if I could assist Officer Mayo at Commerce High School. I had not worked at Commerce High School prior to this day and had no working knowledge of the school and I was not familiar with any of the students.

At approximately 1331 hrs I was in the second floor hallway in the 9th grade corridor. I was just in the hallway to be a presence during class transition. While walking the hallway a student identified as [REDACTED] [REDACTED] was walking past me and stated "You're a pussy!" I then took a step forward and asked him "what did you say?" as I was both shocked and perplexed as to why he would make such a comment towards me.

██████ then in response to my question stated "You're a pussy and I'll slap the shit out of you!". This made me fearful as I did not know ██████ nor have I had any interactions with ██████ prior to this occasion. This also made me fearful as I did not know what ██████ was capable of. ██████ then bladed his body towards me which further heightened my fear he would assault me. At this point ██████ and I were in close proximity to one another. ██████ then raised his left arm up striking me with his elbow in my lower torso area. Upon feeling the strike from ██████ elbow, due to the close proximity of ██████ and I, and also due to having just been threatened by ██████ to be physically assaulted I perceived at that moment he had committed an assault and battery on me by pushing me with two hands in my lower torso area. Upon feeling the strike I made the decision to place ██████ under arrest. I then reached out and grabbed ██████ by the rear of his neck area where the top of his shirt collar sat to gain control of ██████ I began to guide him towards the lockers which were adjacent to us so I could affect the arrest while at the same time advising him he was under arrest. Upon hearing this ██████ immediately turned around and began physically resisting me by pushing my hands away and then by grabbing me by my uniform shirt. As I was attempting to place ██████ under arrest I ordered him to turn around but ██████ refused and continued to resist me. This struggle between ██████ and I occurred for a brief moment when Officer Mayo arrived and assisted me in gaining control of ██████ and placing him under arrest.

Once ██████ was handcuffed Officer Mayo and I began escorting him downstairs to the main floor. As we were escorting ██████ he began to pull away from us in an attempt to free himself from our custody. As ██████ was attempting to free himself from our custody he looked directly at me and stated "Don't worry, once these handcuffs come off I'm going to fuck you up!". ██████ was escorted out of the school building and placed in the rear of our marked cruiser where he was transported to 50 East St for booking.

At no time did I ever have the intention to write the arrest report of ██████ ██████ in a manner that could be perceived as deceitful nor did I write it with the intention of being deceitful. I have been an Officer with this department for approaching nine years. During these approximate nine years I have never had any disciplinary issues. I have never had any complaints of excessive force. I have never had any complaints of being deceitful in any of my reports or in any arrests I have made or assisted in. I take great pride in my work and make every effort to perform my duties in a professional and honorable manner. The incident that occurred with ██████ ██████ was a fast moving incident that took place in a very short period of time. I sincerely perceived in that moment when I was struck by ██████ elbow that he had struck me with two hands in a pushing manner.

Report submitted.

On February 12, 2019, I interviewed Officer John Lopez, Major Crimes Division, over the phone, as he was on vacation for two weeks. He authored a report that is similar in nature and corroborative in content with that interview. **The following is the text of that report, including any grammatical errors:**

I respectfully submit this special in regards to [REDACTED] (D.O.B. [REDACTED]). On December 3, 2018 I processed and transported [REDACTED] to Juvenile Court. During the transport I asked [REDACTED] what happened. [REDACTED] stated "I thought he (Off. Marrero) was the other tall cop (Off. Mayo), cause we ([REDACTED] and Off. Mayo) had played around before, so I called him (Off. Marrero) a pussy and pushed him". I then informed [REDACTED] that that probably wasn't a good idea. The transport was completed with no further conversation regarding the incident.
Report submitted.

Respectfully submitted,

Sergeant Monique McCoy