



# Incident/Investigation Report

Case Number: 2018-1430828

Agency: Mesa Police Department

## Incident Information

Date/Time Reported 05/23/2018 23:44	Occured From 05/23/2018 23:44	Date/Time Found 05/23/2018 23:44	Approving Officer (16927) JONES, J	Approval Date 05/26/2018 01:23:49
Incident Location 701 E Main St Apt. 307, Mesa, AZ 85204			Approving Supervisor (14192) MOORE, G	Approval Date 05/26/2018 02:02:24
Case Status CLEARED ARREST		Case Status Date 05/24/2018	Disposition CLEARED BY ARREST	Disposition Date 05/24/2018

## Offenses

1	Charge Type State	Description DRUG PARAPHERNALIA-POSSESS-USE	Statute 13-3415A	UCR 35B	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE/HOME	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.
Entry	Exit	Criminal Activity POSSESSING/CONCEALING			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

2	Charge Type State	Description DISORDERLY CONDUCT-FIGHTING	Statute 13-2904A1	UCR 90C	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE/HOME	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.
Entry	Exit	Criminal Activity			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

3	Charge Type State	Description DISORDERLY CONDUCT-FIGHTING - DV	Statute 13-2904A1	UCR 90C	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE/HOME	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.
Entry	Exit	Criminal Activity			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group



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### Offenses

4	Charge Type State	Description HINDERING PROSECUTION 2ND DEG	Statute 13-2511A	UCR 90Z	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE/HOME	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.
Entry		Exit	Criminal Activity		
Bias Motivation		Bias Target	Bias Circumstances	Hate Group	

### Victims

1	Type SOCIETY/ PUBLIC	Name(Last, First, M) STATE OF ARIZONA			
Race	Sex	DOB	Age	Ethnicity	SSN
Victim of Crimes 1,4		Injuries None			
Address 130 N ROBSON, MESA, AZ 85201					Residency Status
Home Phone		Cell Phone		Business Phone (438) 644-2211	
Employer Name/Address /					

2	Type INDIVIDUAL	Name(Last, First, M) LUEVANO, KIMBERLY			
Race W	Sex F	DOB [REDACTED]	Age 20	Ethnicity Hispanic	SSN [REDACTED]
Victim of Crimes 2,3		Injuries None			
Address [REDACTED]					Residency Status Resident
Home Phone [REDACTED]		Cell Phone [REDACTED]		Business Phone	
Employer Name/Address /					



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### Offenders

<b>1</b>	<b>Type</b> INDIVIDUAL	<b>Name(Last, First, M)</b> JOHNSON, ROBERT LEE JR			
<b>AKA</b>		<b>Race</b> B	<b>Sex</b> M	<b>DOB</b> [REDACTED]	<b>Age</b> 33
<b>Height</b> 6'01" - 6'02"	<b>Weight</b> 185 - 198 lbs	<b>Hair</b> BROWN	<b>Eye</b> BROWN	<b>SSN</b> [REDACTED]	
<b>Address</b> 719 E MAIN ST APT. 117, MESA, AZ 85204					
<b>Home Phone</b> [REDACTED]		<b>Cell Phone</b>		<b>Business Phone</b>	
<b>Employer Name/Address</b> LA FITNESS /				<b>Occupation</b> JANITORIAL	
<b>Scars, Marks, Tattoos or other distinguishing features</b> Tattoo/Left/Arm-Lashante; Tattoo/Right/Arm-Jaasiah; Tattoo/Right/Shoulder-Shenerevy; Tattoo/Left/Shoulder-Lashendria					
<b>Physical Characteristics</b>					

<b>2</b>	<b>Type</b> INDIVIDUAL	<b>Name(Last, First, M)</b> REYES, ERICK HERNANDEZ			
<b>AKA</b>		<b>Race</b> W	<b>Sex</b> M	<b>DOB</b> [REDACTED]	<b>Age</b> 20
<b>Height</b> 5'03" - 5'04"	<b>Weight</b> 170 - 180 lbs	<b>Hair</b> BLACK	<b>Eye</b> BROWN	<b>SSN</b> [REDACTED]	
<b>Address</b> 5202 S 44TH PL, PHOENIX, AZ 85040					
<b>Home Phone</b> [REDACTED]		<b>Cell Phone</b> [REDACTED]		<b>Business Phone</b>	
<b>Employer Name/Address</b> BOARD & BATTON / 4012 PALM ST MESA, AZ 85215				<b>Occupation</b> DISH WASHER	
<b>Scars, Marks, Tattoos or other distinguishing features</b> Tattoo, Chest - Est 1996					
<b>Physical Characteristics</b>					



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### Other Persons Involved

<b>1</b>	Name Code Involved, Other	Name (Last, First, M) DIAZ, CARLOS		
Race W	Sex M	DOB [REDACTED]	SSN [REDACTED]	
Address			[REDACTED]	
Home Phone		Cell Phone		Business Phone [REDACTED]
Employer Name/Address [REDACTED]				

### Evidence/Related Property

Property ID 1457284	Property Type 11 -DRUG/ NARCOTIC EQUIPMENT				
Voucher ID 432611	Storage Location 3835 - LOCKER   MAIN				
Description GLASS PIPE			Serial Number	Make/Model	
Owner REYES, ERICK HERNANDEZ			License / State	Color	
Status EVIDENCE	Submitting Officer (16927) JONES, J		Quantity 1.00	Units of Measure	Value
Gun Type	Caliber	Finish	Grip	Gun Stock	
Condition	Gun Test <input type="checkbox"/> Yes <input type="checkbox"/> No	Test Type	Sight Test <input type="checkbox"/> Yes <input type="checkbox"/> No	Sight Type	
Property Notes					



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### Evidence/Related Property

Property ID 1457352	Property Type 11 -DRUG/ NARCOTIC EQUIPMENT				
Voucher ID 432611	Storage Location 3835 - LOCKER   MAIN				
Description GLASS PIPE			Serial Number		Make/Model
Owner REYES, ERICK HERNANDEZ			License / State		Color
Status EVIDENCE	Submitting Officer (16927) JONES, J		Quantity 1.00	Units of Measure	Value
Gun Type	Caliber	Finish	Grip		Gun Stock
Condition	Gun Test <input type="checkbox"/> Yes <input type="checkbox"/> No		Test Type <input type="checkbox"/> Yes <input type="checkbox"/> No		
Property Notes					

Property ID 1457354	Property Type 06 -CLOTHES/ FURS (INCLUDES ACCESSORIES)				
Voucher ID 432611	Storage Location 3835 - LOCKER   MAIN				
Description BACKPACK CONTAINING CLOTHING			Serial Number		Make/Model
Owner REYES, ERICK HERNANDEZ			License / State		Color GREEN
Status INVOLVED	Submitting Officer (16927) JONES, J		Quantity 1.00	Units of Measure	Value
Gun Type	Caliber	Finish	Grip		Gun Stock
Condition	Gun Test <input type="checkbox"/> Yes <input type="checkbox"/> No		Test Type <input type="checkbox"/> Yes <input type="checkbox"/> No		
Property Notes					



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### Related Name Relationships

LUEVANO, KIMBERLY	is	OTHERWISE KNOWN	to	JOHNSON, ROBERT LEE JR
LUEVANO, KIMBERLY	is	OTHERWISE KNOWN	to	REYES, ERICK HERNANDEZ

### Narrative

DATE: 5/23/18

TIME: 2344 hrs.

LOCATION: 701 E MAIN ST #307 MESA, AZ

VICTIM: LUEVANO, KIMBERLY [REDACTED]

SUSPECT: REYES, ERIK [REDACTED] 5202 S 44TH PL PHOENIX, AZ (DISCON DV, PARAPHERNALIA)  
JOHNSON, ROBERT [REDACTED] 719 E MAIN ST #117 MESA, AZ 85201(DISCON, HINDERING)

WITNESS: DIAZ, CARLOS [REDACTED]

INVOLVED OTHERS: NONE

CHARGE: 13-2904A1 DISORDERLY CONDUCT DV  
13-2904A1 DISORDERLY CONDUCT  
13-2511A HINDERING PROSECUTION 2ND DEG  
13-3415A POSSESSION OF DRUG PARAPHERNALIA

On 2344 hours i responded to 701 e main st reference a domestic dispute. Call comments described a known male attempting to force his way into the reporting party's apartment. The reporting party was identified as Carlos Diaz. Diaz was present in the apartment with his girlfriend, Kimberly Luevano. Luevano was the resident in that apartment along with three small children she had with an ex-boyfriend, identified as Erik Reyes. Call comments stated Reyes was causing a disturbance earlier and had left. Luevano called back to report Reyes had returned and was trying to force his way into the apartment. The previous call comments noted an occupant of the apartment was armed with gun. Comments also noted Reyes commenting as he left the first time about them being lucky he didn't have his "strap" which, is slang for a gun. Updated comments noted Reyes



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### Narrative

was now accompanied by a black male Luevano recognized as Reyes' friend.

Upon arrival i met up with officer Calderon who had already contacted Reyes along with another male identified as Robert Johnson. Officer Calderon was getting Reyes' information while i contacted Johnson. I Johnson was wearing sleeveless tank top shirt and baggie gray sweatpants. Because of the comments reference a possible gun being in play, i conducted a terry frisk on Johnson. I asked if he had any weapons on him and he stated he had a knife in his right front trouser pocket. I was not able to locate a knife in that pocket. Johnson was holding a cell phone up to his ear when i tapped him on the side and asked him to have a seat on the floor. The male replied, "Why do i need to sit down?" I then asked Johnson again to have a seat, and he then stated, "I don't want to sit down." Johnson appeared to be confrontational and verbally defiant. I advised Johnson i was not going to tell him again and he need to sit down. It appeared Johnson was trying not sit down in order to retain a position of physical advantage by remaining on his feet. My goal was to put Johnson at a position of disadvantage by getting his to sit down.

Johnson then leaned with his back against the wall, but with his legs fully extended. In that position Johnson not only had lateral mobility, but also a strong base in the wall to fight off of. I recognized this from combative training I have received in the past which, boasts on the necessity of putting a wall to your back when confronted with multiple opponents.

Recognizing this i decided to detain Johnson as soon as possible to prevent him from formulating a strategy. This would also lessen the chance of officers having have to detain a ready and mentally prepared subject.

Johnson's body language was projecting he was preparing for a physical altercation. Johnson's shoulders were bowed forward slightly and head slightly nodded. That was a position i recognized from past physical confrontations where a person ops to look toward the floor in order to use their peripheral vision to track several opponents simultaneously. Johnson's breathing became shallower and intentional suggesting physiologically his body was transitioning to fight or flight mode.

I realized there was a benefit to trying to detain Johnson while he was against the wall. Across the landing from the wall was a balcony with a four foot high railing. I a struggle were to ensue at that location the chance of a person falling over the railing would be higher.

I grabbed Johnson's left wrist with plan of obtaining an OCCS control grasp. That would did not materialize since Johnson had balled his fists and tensed his arms. I also attempted an arm drag low leg sweep combination which, was unsuccessful due to the support given to Johnson by the wall. Since i was not able to get the OCCS grasp i decided to move in front of Johnson to attempt a Muay Thai style hand clasp behind his head with which i could snap his head down and cause him to fall forward onto the ground allowing officers to gain more effective control and detain Johnson quickly. Johnson was able to fight the snap down effort by arching his head and neck.

Johnson then bound off the wall toward me. I clamped the Muay Thai style clasp down tight around the base of Johnson skull to control his head movement and prevent head butts. I began delivering knee strikes to his abdomen as a limited strike effort. I delivered two firm knee strikes which, seemed ineffective. Meanwhile Johnson continued to actively resist officers attempting to gain control of his arms. Johnson's arms remained tense and his body twisted in effort to neutralize the forces applied by officers.



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Since all other efforts to gain compliance had failed up to that point and it did not seem reasonable to disengage in order to use my taser or OC spray, i felt it was necessary to transition to hard strikes in order to distract Johnson from the take down efforts. I delivered three to four half-strength closed fist strikes to the left side of Johnson's jaw line. Johnson began to turn his head away but they still did not provide enough distraction for the takedown. I then delivered a right elbow strike to Johnson's face which, landed flush on his forehead. It appeared Johnson began to duck to get away from any further strikes which, allowed officers to drag Johnson the rest of the way down to the floor.

Johnson fell onto his stomach and i placed my knee on the small of his back to pin his hips to the ground and minimize his ability to move. Once officers guided Johnson's hands to the small of his back i handcuffed him double locked with one finger space between the cuffs and his wrists.

I confirmed with my back-up officers that they had control of Johnson and i then went to contact Luevano and Diaz at apartment #307.

Upon entering the apartment Diaz advised me his semi-auto pistol was unloaded on the kitchen counter.

Luevano stated Reyes was her ex-boyfriend and the father of her three children. Luevano stated Reyes never lived at her apartment, but had been allowed to pick the kids up from day car and drop them off at the apartment with Luevano's permission

Luevano stated Reyes came to her apartment earlier in the week which resulted in Reyes grabbing Luevano by the neck and pinning her against the wall in the hallway outside her apartment. Luevano appeared genuinely afraid of Reyes.

Luevano stated Reyes tried to enter the apartment with the key he kept. Diaz who was there with Luevano stated Reyes entered the apartment in such a tumultuous manner her felt the need to present his firearm in a ready style position while Luevano told Reyes to leave. Reyes left the apartment only to return a few minutes later accompanied by Johnson. Luevano stated Reyes attempted to unlock the door again with the key and Luevano stated she had or hold the door lock from the inside of the door to deny him access. Reyes became frustrated and began threatening Diaz while standing outside the door. Diaz stated Reyes was daring his to come out of the apartment to fight him. Reyes demanded Luevano allow him to get his backpack he left in the apartment. Luevano came to an agreement with Reyes where they would exchange the backpack for the spare door key.

Luevano made Reyes stand away from the door while she exchanged the items with Johnson. Luevano closed the door immediately. Reyes began yelling at Diaz through the door again. Luevano stated Johnson forcefully kicked the apartment door before walking off from the apartment. Reyes later confirmed Johnson kicked the door during my initial interview with him.

There was no physical altercation between Reyes, Luevano or Diaz tonight.

I then spoke to Reyes who stated he had come to Luevano's apartment tonight to talk. Reyes stated he entered the apartment with a spare key he kept from a few days prior. Reyes stated he was told to leave by Luevano and Diaz had a gun in his hand at that time Reyes decided to leave as opposed to getting shot. Reyes forgot his backpack. He also went to 719 e main street where he met up with Johnson and asked him to go back to





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### Narrative

Luevano's apartment with him. Reyes stated he did not try to open the door the second time he went to the apartment. Reyes stated he was able to exchange the apartment key for his backpack. Reyes admitted to "talking trash" to Diaz through the door. Reyes stated Johnson kicked the door and Reyes told him they needed to go. Reyes stated he was contacted by officer Calderon as they were leaving the apartment.

Based on Reyes' admission i believed probable cause existed to arrest Reyes for disorderly conduct for disturbing Luevano's piece by entering the apartment uninvited and returning with Johnson.

Johnson did not cooperate for an interview. With Reyes' admission to seeing Johnson kick the door, i believe probable cause existed to charge Johnson with disorderly conduct. Because Johnson's initial actions in refusing my commands when he was initially contacted and lawfully detained drew several officers and my attention from investigating the incident, i believed probable cause existed to charge Johnson with hindering prosecution.

I placed Reyes under arrest by handcuffing his behind his back double locked with one finger space between the cuff and his wrists. While searching Reyes's backpack incident to arrest, i located a multicolored glass pipe containing burnt residue the odor of burnt marijuana based on training and experience. When removed the pipe from small center outer pouch i heard Reyes say, "You found my weed pipe?" I presented the pipe to Reyes and at that time i advised him of his Miranda rights. When asked if he understood his rights Reyes stated he could not hear me. I explained his Miranda rights again and asked if he understood them. Reyes paused for a few seconds and turned toward me and stated, "What, i was zoned out." And then smiled at me. I felt Reyes was acting like he did not hear me. I asked Reyes if he only smoke weed with the pipe and he replied, "Yeah". Reyes then added, "There should be another one right next to it. You didn't find that one?" I did find a smaller multicolor glass pipe in an adjacent outer pocket of the backpack.

Based on Reyes' spontaneous utterance once i found the pipe i believed probable cause existed to charge him with possession of drug paraphernalia. I transported Reyes to the mesa city jail where i booked him in for disorderly conduct dv and possession of drug paraphernalia.

I placed the glass pipes into property evidence.

Css Kurtz took photos of Johnson's while at the jail to document any injuries.

I placed Reyes backpack into property evidence for safekeeping.

Has your partner ever threatened/used a weapon against you? Yes  
stated i was lucky he didnt have his strap (gun)

Has your partner ever threatened to kill you, your children, or pets? No  
No answer chosen

Has your partner ever tried to "choke" you? yes



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### Narrative

choked me outside the apartment

Does your partner have a gun or can they get one? Yes

Is your partner jealous or do they try to control you? Yes

tried to break into my apartment wshen my new boyfriend was there

Has your partner ever tried to commit suicide? No

No answer chosen

Has your partner ever forced you to have sex when you didn't want to? No

No answer chosen

Do you feel like the violence against you is escalating in severity? Yes

he tried to choke me a few days ago

Do you think your partner might try to kill you? No

i dont know

Is your partner drunk/high on a daily, or almost daily, basis? Yes

on marijuana and alcohol

Do you have a child that is not your partners? No

Have you ever tried to leave? Yes

came bac to my apartment uninvited

Is your partner unemployed? Yes

Does your partner monitor your phone calles, text messages, emails, letters, or social media? No

Which of your family/friends knows your partner abuses you? my boyfriend Carlos Diaz

Describe the most frightening event involving your partner: when he tried to choked me

Children In The Home:

Age(s):

School(s): No answer chosen



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### Supplement Information

Supplement Date	Supplement Type	Supplement Approving	Approval Date
05/24/2018 00:00:00	INVESTIGATION	(19170) GAMBEE, R	05/24/2018 04:14:31
		Approving Supervisor	Approval Date
		(14192) MOORE, G	05/24/2018 23:17:52

### Supplement Notes

#### ASSIGNMENT:

05/23/2018 at approximately 2344 hours, Sgt. Abbiatti #12348 and I responded as the supervisors to 701 E. Main St. #307 reference an ex-boyfriend trying to force entry into his ex-girlfriend's home. Further call comments stated there was a gun inside of the girlfriend's apartment and she was scared her ex-boyfriend was going to gain access to it if he was able to force his way inside the apartment.

#### INVESTIGATION:

Upon arriving at 701 E. Main St., I was advised the officers on scene were on the 3rd floor of the building. As I looked up, I observed a black male leaning against the railing on the southside of the building near the elevator talking on his cell phone. Sgt. Abbiatti and I entered the elevator to go to the 3rd Floor. As the elevator opened, we observed Officer Jones #16927, Officer Monarrez #21672, and Officer Bridges #16249 were in a physical altercation with a male subject later identified as Robert Lee Johnson Jr. Officer Calderon #11836 was also present with another male subject later identified as Erick Reyes.

As we exited the elevator, Robert was taken to the ground by the officers so I assisted them with attempting to get him handcuffed. Robert was completely tensed up laying on his stomach and refusing to place his hands behind his back. He was further acting extremely aggressive calling the officers "Pussies" and "Bitches". I observed Robert extended his right arm straight out like an airplane and under the legs of one of the officers. I grabbed his right arm and attempted to pull it behind his back so he could be handcuffed. However, he was fully tensed up and refusing to listen to commands to place his hands behind his back. It took two of us to gain full control of his arm and place it behind his back where he was finally able to be handcuffed.

After he was detained, Robert continued to cuss at the officers and repeatedly telling them to take off their badges and vests. He appeared to be trying to get the officers to take off their equipment so he could fight them. In my 14 years experience, this is common for aggressive suspects to tell officers to take off their badge and fight them, as they think by officers taking off their badge, it gives them the right to fight officers. Due to his aggressive nature and his refusal to calm down, I requested Robert stay laying on the ground until we could make the scene safe and walk him to the police vehicle.

I then walked to apartment #307 where Officer Bridges and Officer Jones were at speaking to the victim in this case. After making sure they were safe, I walked back over to where Robert and Erick were with the officers. As I returned back, I observed Robert Flailing around yelling extremely loud calling the officers "Bitches" and they were trying to hold him still. They further grabbed a hobble restraint and placed it around his ankles to control his feet. I again assisted with holding Robert down with Officer Monarrez and Officer Wilcox #19200 who was holding the hobble. I told



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Robert numerous times to calm down and quit yelling but he refused and continued to cuss at us and tell us to take off our badges.

After a couple minutes, the decision was made to walk Robert to the patrol vehicles so he could be transported to jail for Disorderly Conduct. Due to Robert being handcuffed and having a hobble around his ankles, I told him to stand up while Officer Monarrez and I helped him stand up. I told him several times to stand up as he was refusing to listen to us. Finally, Robert looked at me and said "Well stand me up then motha fucka." I told him again we would help him but he need to stand up. Officer Monarrez and I had to lift Robert to his feet as he refused to assist us and stand up on his own.

As we walked towards the elevator, Robert continued to be completely belligerent towards us yelling and cussing. He stumbled forward at which time we stopped him from falling into the closed elevator door. As we approached the elevator door, I pushed the button for the elevator to open. Robert was yelling at me facing me where I was standing to the right of him holding his right arm. Spit was starting to fly out of his mouth as he yelled. I then observed Robert moving his mouth around and curled his lips as it appeared he was about to spit on me. When I observed this, I pushed the right side of his head with the palm of my hand to the left into the corner of the elevator door and door frame. I did this to prevent him from being able to spit on me and told him he better not try to spit on me again. As I had him pinned against the door, Robert body was extremely tensed up and was yelling more obscenities at us. He kept trying to push his head back so I placed my left thumb in his Mandibular Angle to gain compliance from him trying to flail his head around. Due to his new behavior of trying to spit on me, as well as his continuous aggressive demeanor towards us, I requested officers retrieve a spit mask prior to us taking him downstairs. I then told Robert to get back on the ground and announced to the other officers we needed to place him back on the ground until we had the spit mask.

Robert refused to lay on the ground so Officer Wilcox pulled the hobble which pulled his feet from out of under him. Officer Monarrez and I had his arms so when she did that, we were able to place him on the ground without injury. Officer Monarrez and I stayed with Robert while Officer Wilcox retrieved a spit mask. While Robert was on the ground, he was yelling loudly calling all the officers "Niggas" and telling us to take our badges off. I repeatedly told Robert to calm down and just breathe but he refused and told me "I only listen to my momma." At that time, I heard a female voice from 3 stories down in the parking lot yelling at Robert, telling him to stop yelling and using foul language. That female was Robert's mother, however, Robert refused to listen to her and continued to swear and yell anyway.

Due to his aggressive behavior and refusal to calm down, I placed my left knee on Roberts back just to keep him from flailing around as he was doing earlier. I further placed my left hand on the back of the top part of his back and neck. This way I was able to prevent his head from moving around and him being able to spit on officers. I told Robert numerous more times to just calm down and breath and he refused. He then told me to get off his back and then he could breath. I advised Robert I could see he had plenty of oxygen as he was yelling non-stop. I told him if he would stop yelling and calm down then he would be able to breath better. A short time later, Officer Wilcox returned and a spit mask was placed over Roberts head and face. He was then fully hobbled due to his failure to listen to commands, constant threats towards officers and failure to calm down when the situation had been de-escalated and there was no more need for aggression.

I then walked with the officers as they carried Robert down to the patrol vehicle. It should be noted that when we entered the elevator, Robert repeatedly told officers, "kick me in the face. Go ahead kick me." He kept saying this over and over and officers told him they weren't going to do that. Robert was then walked over and placed in the back of the patrol vehicle without further incident.

While walking to the car, Roberts mother continued to tell him to stop yelling and using foul language but he wouldn't listen to her either. After Robert was taken from the scene, the scene was now calm and the officers were able to complete their investigation without any further incidents.

This concluded my involvement in this case.

NFI



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### Supplement Information

Supplement Date	Supplement Type	Supplement Approving	Approval Date
05/27/2018 03:38:50	SCENE ASSIST	(21672) MONARREZ, R	05/27/2018 04:21:46
		Approving Supervisor	Approval Date
		(14192) MOORE, G	05/27/2018 04:37:33

### Supplement Notes

It should be noted, during this investigation, I was wearing an on-officer body camera and the digital video file was downloaded and stored at evidence.com.

On May 23rd at approximately 2344 hours, I responded to a family fight call located at 701 E Main, #307. Call comments stated a known male subject was trying to force his way into the RP's apartment. There was a gun inside the apartment that also belonged to the male trying to get in.

I arrived on scene and used the elevator to access the 3rd floor. Upon leaving the elevator, Myself, Ofc Bridges #16249, and Ofc Jones #16927 contacted a male subject who was leaning against the railing on a cellphone and possibly involved. Subject was later identified as Robert Johnson.

At this time, Robert was asked to have a seat on the floor while the scene was being investigated. Right away, Robert refused to sit down and was still talking on the cellphone, ignoring our requests and responded with, "why do I have to sit down". Robert was then asked to sit in a nearby corner. Robert made his way to the corner but instead of sitting down, He leaned against the wall, still being defiant and now in a position of advantage with a strong base to his back. After being asked multiple times, it was clear he was not going to listen. At that time, myself and Ofc Jones walked up to Robert to assist him to sit down. As soon as I grabbed his arm, Robert's whole body tensed up and began resisting our efforts to sit him down. I observed Robert actively resist a leg sweep and takedown and still on his feet. Limited strikes were given to Robert in the form of knee strikes however he was able to pull away and still resisted the attempts to control his arms. Due to the limited strikes not being able to gain compliance and Robert still actively resisting, I transitioned to a single closed fist strike to the jaw of Robert. Robert began to turn away which allowed us to take him to the ground and control his arms to place cuffs on him.

During the investigation, I stood by with Robert and observed him to be extremely aggressive verbally. Robert was making statements about having officers taking off their badges to fight him and using profanity. There was no calming Robert down no matter what was said. It was decided to use hobbles to restrain his feet due to him rolling onto his sides and back.

After a short while, the decision was made to get Robert down the elevator and into a patrol vehicle for transport to the Mesa Holding Facility. Myself and Sgt Gambee stood Robert up and assisted him with walking to the elevator so he wouldn't injure himself. While at the elevator, I observed Robert continue his verbal assault towards Sgt Gambee and made a motion with his mouth as if getting ready to spit at him. Robert's head was then pushed away towards the elevator to avoid being spit on. Due to the attempt, it was decided to wait for a spit mask which was brought up shortly after.

Once the spit mask was on Robert, he was then carried down the elevator and placed into the patrol vehicle. Robert was then transported to the Mesa Holding Facility for booking.



## **Incident/Investigation Report**

**Case Number:** 2018-1430828

**Agency:** Mesa Police Department

I had no further involvement with this case.



# MESA POLICE DEPARTMENT FORENSIC SERVICES

133 N. Morris, Mesa, AZ 85201

## CRIME SCENE UNIT FIELD PROCESSING REPORT

FSS052418-0002-0001



ZCINA57108RUXI

MESA PD  
130 N. Robson  
Mesa, AZ 85201

CASE NUMBER: 20181430828

OFFENSE DISORDERLY CONDUCT			
REQUESTING PERSON J. JONES 16927	DATE & TIME DISPATCHED 05/24/2018 01:00:00	DATE & TIME ARRIVED 05/24/2018 01:00:00	DATE & TIME CALL FINISHED 05/24/2018 01:55:00
ADDRESS OR LOCATION RESPONDED TO 130 N. ROBSON, MESA, AZ			
TOTAL NUMBER OF LATENT LIFTS	DATE LATENTS SUBMITTED	TOTAL NUMBER OF DIGITAL IMAGES 85	
NAME TYPE SUSPECT	NAME: LAST, FIRST, MIDDLE JOHNSON, ROBERT		DATE OF BIRTH [REDACTED]
NARRATIVE  <b>SYNOPSIS</b>  On the listed date and time, I arrived at the Mesa Police Jail at 130 N. Robson in reference to a Disorderly Conduct investigation. Per the call comments, Officer Jones #16927 was the primary officer for this case and he requested that I take photographs of Suspect Robert Johnson.  <b>SCENE EXAMINATION AND/OR OBSERVATION</b>  The following observations were made about S/Johnson and his injuries: <ul style="list-style-type: none"><li>o Wearing t-shirt, sweatpants, shoes</li><li>o Tattoos on both upper arms</li><li>o Possible swelling on area above left eyebrow</li><li>o Small red mark on left temple area</li><li>o Redness on both cheeks</li><li>o Redness behind right ear</li></ul>			

*Ralitsa Petrova*

5/24/2018

Ralitsa Petrova, Crime Scene Specialist, 21333

Date

Technical Review:  
05/26/2018

*JM*  
20423

Administrative Review:  
05/26/2018

*JM*  
20423



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MPD 076(F)

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Rev. Date: 7/15/2015





## MESA POLICE DEPARTMENT FORENSIC SERVICES

**CRIME SCENE UNIT  
FIELD PROCESSING REPORT  
CONTINUED**

LAB CASE NUMBER: FSS052418-0002-0001

CASE NUMBER: 20181430828

- o Red marks on chest area
- o Red scrape like marks on right side of upper back
- o Small cut like injury on right side of lower back
- o Red marks on both shoulder
- o Redness and scrape like marks on right upper arm
- o Red marks on inner right elbow
- o Red marks around both wrists
- o Red mark on top of right middle finger

S/Johnson stated that all of the above described injuries, with the exception of the redness behind his right ear, were related. He further explained that the red marks around his wrists were caused by the handcuffs used to restrain him.

**PHOTOGRAPHY**

Photographs were taken of S/Johnson and his related injuries without and with a scale. Additional photographs were taken of the area above S/Johnson's right eyebrow for comparison purposes.

**FORENSIC PROCESSING**

N/A

**EVIDENCE COLLECTION**

N/A

No further action requested or taken.

*Ralitsa Petrova*

5/24/2018

Ralitsa Petrova, Crime Scene Specialist, 21333

Date

Technical Review:

05/26/2018

*JM*  
20423

Administrative Review:

05/26/2018

*JM*  
20423



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Rev. Date: 7/15/2015

## CHAIN OF CUSTODY REPORT

LAB CASE NUMBER: FSS052418-0002

CASE NUMBER: 20181430828

<u>PIN</u>	<u>From</u>	<u>Agency</u>	<u>PIN</u>	<u>To</u>	<u>Agency</u>	<u>Date/Time</u>
Subm #:		Prop ID #:				
<input type="checkbox"/>	No Transfer Activity	()	<input type="checkbox"/>		()	

# CRIME SCENE UNIT

All images are formatted to fit this report and are distorted

## Notes and Images

Mesa PD Forensic Services

LAB CASE NUMBER: FSS052418-0002-0001

CASE NUMBER: 20181430828

### Image Name:

05/24/2018 - FIELD NOTES

### Image Added By:

Petrova, Ralitsa

### Image Added on:

5/24/2018 4:28:42AM

Date: 5/24/18

Dispatched: 0100

Arrived: 0100

Cleared Call: 0155

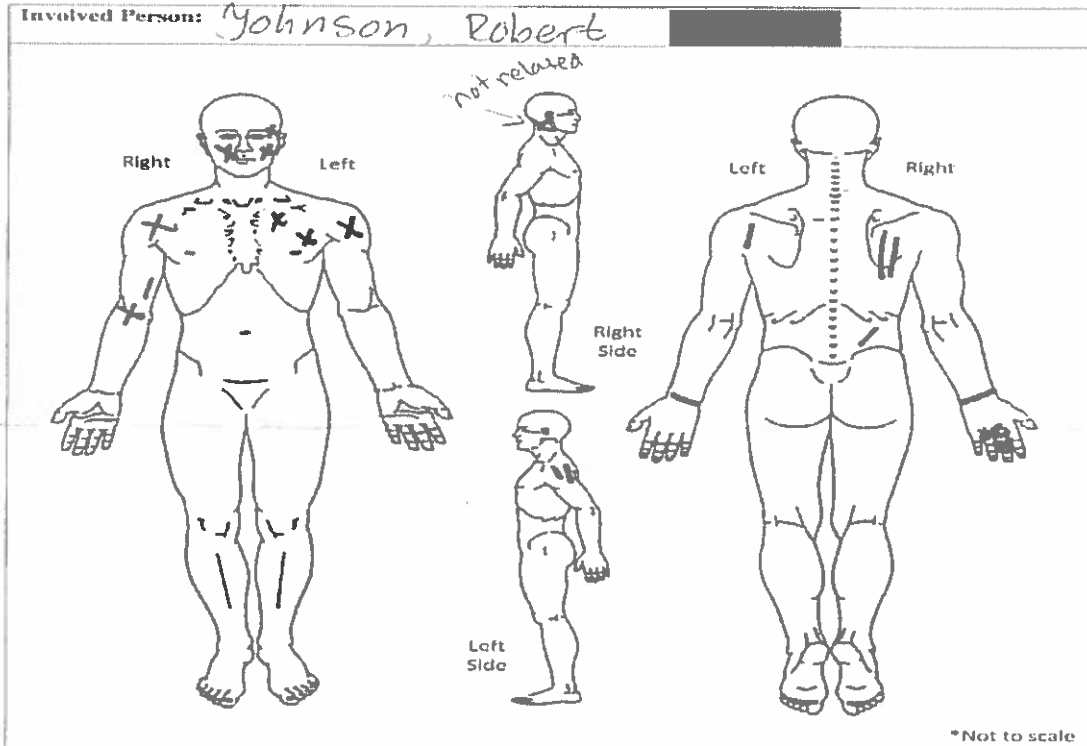
DR# 20181430828

Page 1 of 1

Call Type: Disorderly Conduct Location: BON Robson

PD: Jones 16927

Involved Person: Johnson, Robert



### Equipment:

X Camera Kit #3/29 - Total Photos 05  
X Photo Card: 21333 - 04  
o Other

RP 21333 RP

**Mesa Police Department Impound Record**  
May 26, 2018

**SHADED AREAS ARE FOR  
EVIDENCE SECTION USE ONLY**

<b>DR# 20181430828</b>	<b>Accident No.:</b>		<b>Citation No.:</b>		<b>DR#:</b> 20181430828		
	<b>Collecting Officer:</b> J JONES - 16927		<b>Submitting Officer:</b> J JONES - 16927		<b>Date/Time Submitted:</b> 5/24/18 4:24	<b>Voucher No:</b> 432611	
	<b>Seized From (Last, First, Middle, Suffix):</b>		<b>Date of Birth:</b>				
	<b>Collected at Address (Street No, Street Name, Apt/Fir, City, State, Zip):</b> 701 E MAIN ST 307 MESA AZ 85204						
<b>Type of Offense (Statute):</b> DRUG PARAPHERNALIA-POSSESS-USE						<b>13-3415A</b>	
<b>Voucher Notes:</b>							
<b>Property ID:</b> 1457284		<b>Category:</b> EVID	<b>Prop Code:</b> 11	<b>Case Sequence No:</b> 1	<b>Item No:</b> 1	<b>Qty:</b> 1.00 <b>Value:</b> \$0.00	
<b>UM:</b>						<b>Storage Location:</b> LOCKER   MAIN	
<b>Description of Property Items (Make, Model, Serial, Color(s)):</b> GLASS PIPE						<b>Loc:</b> N7222	
<b>Property Item Notes:</b>						<input type="checkbox"/> LG ENV <input type="checkbox"/> SM ENV <input type="checkbox"/> BOX <input type="checkbox"/> LG BAG <input type="checkbox"/> SM BAG <input type="checkbox"/> OTHER	
<b>Property Item Owner:</b> REYES ERICK HERNANDEZ						<b>Item Owner DOB:</b>	
<b>Property ID:</b> 1457352		<b>Category:</b> EVID	<b>Prop Code:</b> 11	<b>Case Sequence No:</b> 2	<b>Item No:</b> 2	<b>Qty:</b> 1.00 <b>Value:</b> \$0.00	
<b>UM:</b>						<b>Storage Location:</b> LOCKER   MAIN	
<b>Description of Property Items (Make, Model, Serial, Color(s)):</b> GLASS PIPE						<b>Loc:</b> N7222	
<b>Property Item Notes:</b>						<input type="checkbox"/> LG ENV <input type="checkbox"/> SM ENV <input type="checkbox"/> BOX <input type="checkbox"/> LG BAG <input type="checkbox"/> SM BAG <input type="checkbox"/> OTHER	
<b>Property Item Owner:</b> REYES ERICK HERNANDEZ						<b>Item Owner DOB:</b>	
<b>Property ID:</b> 1457354		<b>Category:</b> SAFE	<b>Prop Code:</b> 06	<b>Case Sequence No:</b> 3	<b>Item No:</b> 3	<b>Qty:</b> 1.00 <b>Value:</b> \$0.00	
<b>UM:</b>						<b>Storage Location:</b> LOCKER   MAIN	
<b>Description of Property Items (Make, Model, Serial, Color(s)):</b> BACKPACK CONTAINING CLOTHING GRN						<b>Loc:</b> N7222	
<b>Property Item Notes:</b>						<input type="checkbox"/> LG ENV <input type="checkbox"/> SM ENV <input type="checkbox"/> BOX <input type="checkbox"/> LG BAG <input type="checkbox"/> SM BAG <input type="checkbox"/> OTHER	
<b>Property Item Owner:</b> REYES ERICK HERNANDEZ						<b>Item Owner DOB:</b>	

<b>Officer's Signature:</b> <i>[Signature]</i> 16927	<b>Signature Date:</b> 5-24-18
<b>Supervisor's Signature:</b>	<b>Signature Date:</b>
<b>Evidence Tech. Signature:</b> <i>Rogelio J Salinas #20513</i>	<b>Signature Date:</b> MAY 29 2018