

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Benjamin Wilbur	Team: Team # 3	CCRB Case #: 200803434	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Monday, 12/03/2007 8:00 PM	Location of Incident: in front of § 87(2)(b)	Precinct: 46	18 Mo. SOL 6/3/2009	EO SOL 6/3/2009	
Date/Time CV Reported Mon, 03/10/2008 9:57 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 03/10/2008 9:57 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Richard Valdez	30750	942563	046 PCT
2. POM Ronald Hobson	17689	941908	046 PCT
3. POM Elisha Duncan	03073	926793	046 PCT
4. POM Edwin Jerez	09352	941258	046 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Ronald Hobson	Force: PO Ronald Hobson used physical force against § 87(2)(b)	§ 87(2)(b)
B.POM Elisha Duncan	Force: PO Elisha Duncan used physical force against § 87(2)(b)	§ 87(2)(b)
C.POM Edwin Jerez	Force: PO Edwin Jerez used physical force against § 87(2)(b)	§ 87(2)(b)
D.POM Richard Valdez	Force: PO Richard Valdez used physical force against § 87(2)(b)	§ 87(2)(b)

## Synopsis

§ 87(2)(b) filed this complaint with the Civilian Complaint Review Board on March 10, 2008 via telephone. On December 3, 2007, at approximately 8:00 PM § 87(2)(b) drove with his cousin § 87(2)(b) to the home of a family friend located at § 87(2)(b) in the Bronx. § 87(2)(b) stated that he had drunk alcohol earlier in the evening, but he was not driving the vehicle. § 87(2)(b) remained in the passenger seat of the vehicle waiting for § 87(2)(b) to exit the home of the family friend. After eight minutes § 87(2)(b) was approached by two officers, identified via investigation as PO Ronald Hobson and PO Richard Valdez. The officers approached § 87(2)(b) as he was double-parked. The officers ran § 87(2)(b)'s license and asked him to step out of the vehicle. § 87(2)(b) complied and asked the officers why he was being arrested. The officers told § 87(2)(b) that his license was suspended. The officers attempted to push § 87(2)(b) into the police vehicle, but § 87(2)(b) resisted and stated "You are going to have to taser me." At this point three additional officers arrived, identified via investigation as PO Elisha Duncan and PO Edwin Jerez. § 87(2)(b) alleged that there was a third officer who arrived, but it had been determined that this was not the case. § 87(2)(b) stated that all four officers rushed towards him, grabbed him and brought him to the ground (Allegations A, B, C and D.) § 87(2)(b) was then placed into a police van and taken to § 87(2)(b). § 87(2)(b) was arrested for aggravated unlicensed operation of a vehicle and driving while intoxicated. § 87(2)(b) pleaded guilty to these charges § 87(2)(b) § 87(2)(g)

§ 87(2)(g)

## Summary of Complaint

§ 87(2)(b)

§ 87(2)(b) is a § 87(2)(b)-old black male who is 6'2", 285 pounds with black hair and brown eyes. § 87(2)(b) § 87(2)(b) was interviewed at the CCRB on April 14, 2008 (Encl 3-3c).

On December 3, 2007 at approximately 8:00 PM, § 87(2)(b) and his cousin, § 87(2)(b) drove to § 87(2)(b) in order to speak to a family friend. § 87(2)(b) was driving the vehicle; he double-parked the car in front of the building and went inside while § 87(2)(b) waited in the passenger seat. The keys were in the ignition. The vehicle was turned off, however the radio was playing. § 87(2)(b) had consumed one drink of rum and Coke around 6:30 PM.

After § 87(2)(b) waited about 7-8 minutes, a marked police vehicle stopped alongside the driver's side of the car and sounded his siren. There were two officers inside the vehicle; § 87(2)(b) described PO1 as a Hispanic male, dark-skinned, young, dressed in uniform identified via investigation as PO Ronald Hobson. He described PO2 as a Hispanic male, older, with gray hair and a mustache, dressed in uniform identified via investigation as PO Richard Valdez. § 87(2)(b) moved over from the front passenger seat to the driver's seat and rolled down the window to speak to the officers. PO Hobson instructed § 87(2)(b) to exit the vehicle and provide his identification. § 87(2)(b) complied and provided the officer with his security license, which is issued by New York State.

PO Hobson instructed § 87(2)(b) to turn around and put his hands behind his back. § 87(2)(b) complied and asked the officers why he was being arrested. PO Hobson answered him, stating he was under arrest because he had been driving with a suspended license. § 87(2)(b) was aware that his driver's license was currently suspended. He attempted to explain to the officers that he had not been driving the vehicle, which in fact his cousin had been driving. The officers attempted to push § 87(2)(b) into the police vehicle by pushing his shoulders down. § 87(2)(b) pushed against the officers and said, "My cousin is coming down. You're going to have to taser me; you're not listening." A marked van arrived, containing three additional uniformed officers: PO3, a black male officer; PO4, a white male officer and PO5, whom § 87(2)(b) could not describe. The investigation determined that these officers were PO Elisha Duncan and PO Edwin Jerez. § 87(2)(b) exited the building. PO Jerez and PO Duncan approached § 87(2)(b)

§ 87(2)(b) who showed the officers his driving permit. The officers suddenly turned around and rushed toward § 87(2)(b) grabbed him and brought him to the ground. Soon after, the officers picked § 87(2)(b) up and placed him in the van. § 87(2)(b) was charged with driving without a valid license and driving while intoxicated.

§ 87(2)(b) sustained a bump on the right side of his head, resulting in headaches, and scrapes on his knees from being thrown to the ground. He additionally sometimes lost sensation in his right wrist following the incident due to the handcuffs being too tight. While in custody, officers transported § 87(2)(b) to § 87(2)(b). Medical personnel only addressed his head injury, prescribing pain medication. Medical personnel issued § 87(2)(b) a prescription and informed him that the sensation in his wrist should return to normal in four weeks. After four weeks, § 87(2)(b)'s wrist did not feel normal, so he returned to § 87(2)(b). The doctor again told § 87(2)(b) that his wrist should feel better in four more weeks and again provided a prescription for pain medication.

§ 87(2)(b) never resisted arrest or pushed any officer. § 87(2)(b) was not arrested. § 87(2)(b) pleaded guilty to the charges § 87(2)(b).

### **Results of Investigation**

#### **Attempts to Locate Additional Witnesses**

§ 87(2)(b) stated that § 87(2)(b) may have been present for this interaction with the officers. § 87(2)(b) stated that § 87(2)(b) lives in upstate New York and he did not have an address or telephone number for § 87(2)(b). On April 30, 2008 a search of the Department of Motor Vehicles records did not yield any results. § 87(2)(g)

#### **Identification of Officers Interviewed**

PO Valdez was identified via the complaint report that he filled out. Roll Call for the 46<sup>th</sup> Precinct confirmed that PO Hobson was PO Valdez's partner on that date. § 87(2)(g)

#### **Officer Statements**

##### *PO Richard Valdez*

PO Valdez filled out the arrest and complaint reports for § 87(2)(b). PO Valdez wrote that § 87(2)(b) was arrested for aggravated unlicensed operation of a motor vehicle and driving while intoxicated. § 87(2)(b) refused to submit to a breathalyzer. It also states that § 87(2)(b) was intoxicated (Encl 8-8h).

PO Valdez is a § 87(2)(b)-old Hispanic male who is 5'8", 183 pounds with black hair and brown eyes. PO Valdez was interviewed at the CCRB on July 8, 2008 (Encl 8-8h). PO Valdez worked from 5:30 PM on December 3, 2007 until 2:05 AM on December 4, 2007. He was assigned to an Impact van #1256. He worked with PO Hobson and was in uniform. PO Valdez's memo book indicates that at 10:05 PM a car was stopped in front of § 87(2)(b). At 10:15 PM § 87(2)(b) was arrested for DWI and VTL 511. § 87(2)(b) did not want to get into the RMP 1256. Another impact van responded to the scene to transport § 87(2)(b). At 10:45 PM § 87(2)(b) was transported back to the stationhouse and at 11:00 PM a DWI test was given by PO Lang of Highway 1. At 2:23 AM, § 87(2)(b) was brought to § 87(2)(b) and brought back to the precinct at 4:30 AM.

On December 3, 2007 at approximately 8:00 PM PO Valdez was a passenger and PO Hobson was driving a vehicle on West 175<sup>th</sup> Street. They both saw a double-parked vehicle and stopped their vehicle. Both officers exited their vehicle and approached the driver's side door of the vehicle in order to issue a summons for double-parking. In the vehicle, § 87(2)(b) was seated in the driver's seat with the engine running. Both officers immediately smelled an alcoholic odor emanating from § 87(2)(b) and PO Valdez observed that § 87(2)(b)'s eyes appeared glassy indicating that he was intoxicated. PO Hobson asked § 87(2)(b)

§ 87(2)(b) if he had been drinking and § 87(2)(b) responded that he had had a couple of drinks earlier that evening, but his cousin had been driving the vehicle. PO Hobson asked § 87(2)(b) for his identification, but § 87(2)(b) refused to provide it. At this point PO Hobson asked § 87(2)(b) to exit his vehicle, which he did without a problem. As § 87(2)(b) exited his vehicle, he stumbled. At this point PO Hobson told § 87(2)(b) that he was going to be placed under arrest for driving while intoxicated. § 87(2)(b) became very irate and yelled that he did not wish to be arrested. Both officers attempted to handcuff § 87(2)(b) but he was flailing his arms around and refused to be handcuffed. After two to three minutes of resistance by § 87(2)(b) the officers used two handcuffs to cuff § 87(2)(b) with one officer placing a handcuff on each hand. Once § 87(2)(b) was handcuffed the officers attempted to place § 87(2)(b) into their vehicle, but he refused. He got halfway into the vehicle before refusing to fully enter. Either PO Valdez or PO Hobson called for a van to arrive to assist in transporting § 87(2)(b) and an impact van as well as five other police vehicles arrived at the scene. PO Valdez could not recall any of the officers who arrived. Two of the officers from the impact van attempted to get § 87(2)(b) into the van but he refused, so those two officers half lifted § 87(2)(b) into the van, while § 87(2)(b) marginally complied. PO Valdez could not recall how this was done. At some point § 87(2)(b)'s cousin came downstairs and spoke with PO Valdez, but PO Valdez could not recall the specifics of the conversation. PO Valdez stated that neither he nor any other officer brought § 87(2)(b) to the ground.

#### *PO Ronald Hobson*

PO Hobson is a § 87(2)(b)-old Hispanic male who is 6'0", 210 pounds with brown eyes and a bald head. PO Hobson was interviewed at the CCRB on July 11, 2008 (Encl 6-6a). PO Hobson worked from 5:30 PM on December 3, 2007 until 2:05 AM on December 4, 2007. He was assigned to Operation Impact. He was in uniform and worked with PO Valdez and PO Guzman. PO Hobson was assigned to a marked vehicle # 1256. PO Hobson did not have his memo book at the time of the interview, and could not recall if he had any entries regarding this incident.

On December 3, 2007, at approximately 8:00 PM, PO Hobson and PO Valdez were driving westbound on West 175<sup>th</sup> Street and observed a double-parked vehicle on that street. PO Hobson was driving the RMP. The officers pulled up behind the double-parked vehicle. Both officers exited the vehicle and approached the driver's side window. PO Hobson stated that his original intention regarding this stop was to issue the person in the vehicle a summons for being double-parked. One of the officers asked the driver of the vehicle identified as § 87(2)(b) why he was double-parked. § 87(2)(b) responded that he was waiting for someone to exit the building. At this point PO Hobson detected a strong odor of alcohol emanating from § 87(2)(b)'s mouth as well as from the vehicle. In addition, § 87(2)(b) had glassy eyes and was slurring his speech. PO Hobson asked § 87(2)(b) to exit his vehicle, which he did after being asked at least twice. § 87(2)(b) walked to the back of the vehicle and PO Hobson asked § 87(2)(b) if he had been drinking, but PO Hobson could not recall what § 87(2)(b) stated after that point. PO Hobson assumed that § 87(2)(b) at this point realized that he was going to be arrested so he began to yell and scream profanity as well as physically swinging towards the officers. PO Hobson could not recall if either the officers or § 87(2)(b) made physical contact. As § 87(2)(b) is a large man and was intoxicated, PO Hobson and PO Valdez called for backup to be able to place him in handcuffs. A few minutes later two officers arrived on the scene, PO Duncan and PO Jerez. PO Hobson then stepped back from the scene, and he could not recall which officers put § 87(2)(b) in handcuffs, whether it be PO Duncan, PO Jerez or PO Valdez. § 87(2)(b) was then brought to the RMP but he physically refused to get into the vehicle. PO Hobson could not recall which officers attempted to place him in the vehicle, or how it was done. PO Hobson did recall that PO Duncan had a hold on § 87(2)(b) in an attempt to place him in the police vehicle, and that § 87(2)(b) tossed PO Duncan away like a "rag doll". During this whole time, § 87(2)(b) was yelling and screaming. At this point at least five more police vehicles and one van arrived at the scene, and PO Hobson stepped back and let the other officers place § 87(2)(b) into the a van. PO Hobson could not recall how § 87(2)(b) was eventually placed in the van, as at this point a crowd had gathered and PO Hobson was working on crowd control. PO Hobson stated that neither he nor any other officer brought § 87(2)(b) to the ground. PO Hobson did not see any injuries on § 87(2)(b) nor did he recall § 87(2)(b) ever complaining about injuries or asking for medical attention.

*PO Edwin Jerez*

PO Jerez is a § 87(2)(b)-old Hispanic male who is 5'11", 220 pounds with brown hair and brown eyes. PO Jerez was interviewed at the CCRB on July 31, 2008 (Encl 5-5d). PO Jerez worked from 4:00 PM on December 3, 2007 until 12:00 AM on December 4, 2007. He was assigned to Precinct robbery and was partnered with PO Duncan. PO Jerez was in uniform and assigned to a marked RMP # 1243. His memo book indicates that at 10:10 PM, he was called to back up an arrest.

On December 3, 2007, PO Jerez and PO Duncan heard over the radio a call for assistance regarding an arrest situation. When PO Duncan arrived he spoke to PO Valdez who was at the scene. PO Valdez told him that the subject in this matter, § 87(2)(b) was being arrested for DWI. The call was put over the radio for assistance since § 87(2)(b) is a large intoxicated man, and the officers wanted assistance in handcuffing him. PO Jerez observed that § 87(2)(b) had bloodshot eyes, slurred speech and staggered walk. PO Duncan then walked up to § 87(2)(b) and informed him that § 87(2)(b) was going to be handcuffed and arrested. PO Duncan placed two handcuffs on § 87(2)(b) and § 87(2)(b) did not resist in any way. PO Jerez could not recall if any other officers assisted PO Duncan. As PO Duncan attempted to escort § 87(2)(b) into one of the marked vehicles by giving him verbal commands, § 87(2)(b) stated "Fuck you motherfuckers, I am not going to jail." § 87(2)(b) then began to swing his arms and kick and refuse to get into the RMP. PO Jerez could not recall if § 87(2)(b) made contact with any officers. A call for assistance was placed over the radio, and a large number of officers arrived. One officer held § 87(2)(b) against the police vehicle to calm him down, but § 87(2)(b) did not calm down and was still physically resisting and yelling. PO Jerez could not recall how many officers, or any specific officers who arrived. At some point a marked SUV arrived at the scene and other officers put § 87(2)(b) into the vehicle. Once the other officers arrived, PO Jerez ceased having contact with § 87(2)(b) as a crowd had gathered and PO Jerez was dealing with that. PO Jerez never threw § 87(2)(b) to the ground, or used excessive physical force against him, nor did he observe any other officer do so. PO Jerez never saw any injuries on § 87(2)(b) nor did § 87(2)(b) complain of injuries or request medical attention.

*PO Elisha Duncan*

PO Duncan is a § 87(2)(b)-old black male who is 5'11", 170 pounds with black hair and brown eyes. PO Duncan was interviewed at the CCRB on July 24, 2008 (Encl 9-9a). On December 3, 2007, PO Duncan worked from 4:00 PM until 12:00 AM on December 4, 2007. He was working the auto robbery unit and worked with PO Jerez. He was in uniform and in a marked RMP. PO Duncan stated that he did not have any memo book entries regarding this incident.

On December 3, 2007, PO Duncan recalled hearing a call over the radio for assistance regarding an arrest situation with an unruly person. PO Duncan could not recall who made this request, or what exactly was said. PO Duncan and PO Jerez arrived at the scene, and observed a large man, identified as § 87(2)(b) was intoxicated and appeared to be non-compliant. When PO Duncan exited his vehicle he spoke with the other officers, and then all four officers approached § 87(2)(b) and placed him in handcuffs. PO Duncan could not recall who but one of the officers told § 87(2)(b) to place his hands behind his back and he was non-compliant. § 87(2)(b) was flailing his arms around and refused to calm down. § 87(2)(b) was also cursing the entire time. Eventually § 87(2)(b) was double handcuffed by all four officers, but PO Duncan could not recall who handcuffed § 87(2)(b). PO Duncan stated that some force was used to handcuff § 87(2)(b) but he could not recall any specific force used. Once § 87(2)(b) was handcuffed the officers attempted to put him in either PO Duncan's car or the other officers' car, but § 87(2)(b) refused to enter the vehicle. PO Duncan was driving a sedan. PO Duncan could not recall if § 87(2)(b) was ever brought to the ground or fell to the ground. At one point a request for assistance was called and at least three police vehicles and a police van arrived at the scene. § 87(2)(b) was already handcuffed when the other officers arrived. PO Duncan could not recall any other officers who arrived. PO Duncan did not view any injuries on § 87(2)(b) nor did he request medical attention. PO Duncan did not recall if he was ever thrown to the ground by § 87(2)(b). § 87(2)(b) was eventually placed inside the van by unknown officers. PO Duncan did not place § 87(2)(b) in the van.

### *PO Sabino Guzman*

PO Guzman is a § 87(2)(b)-old Hispanic male who is 5'9", 195 pounds with brown eyes and a bald head. He was interviewed at the CCRB on July 11, 2008 (Encl 7-7c). PO Guzman worked from 5:30 PM on December 3, 2007 until 2:05 AM on December 4, 2007. He was assigned to DWI auto, where he looked for drunk drivers. He was in uniform and worked with PO Valdez and PO Hobson. PO Guzman was assigned to a marked vehicle # 1256.

On December 3, 2007, PO Guzman's memo book indicates that at 6:23 PM, he arrested one person for drunk driving and that he processed that arrest until he was off duty at 2:05 AM. PO Guzman did not leave the stationhouse after 6:23 PM, and at no point interacted with § 87(2)(b).

### **Medical Documents**

On December 4, 2007, EMS noted that § 87(2)(b) had abrasions to both knees and his left wrist. The narrative indicates § 87(2)(b) complained of getting beat up, stating he was just thrown around. § 87(2)(b) also stated he had been drinking and had alcohol on his breath. § 87(2)(b) complained of pain to right side of his face. Medical personnel at § 87(2)(b) noted § 87(2)(b) alleged he was beaten up by the NYPD. § 87(2)(b) told medical personnel that he had been on his phone outside by his cousin's apartment when the NYPD beat him up for no reason and threw him to the ground. § 87(2)(b) hit his head. § 87(2)(b) complained of wrist pain from the handcuffs being too tight. He was diagnosed with frontal abrasions and a hematoma, plus wrist tenderness. § 87(2)(b) was given Tylenol and a tetanus shot. The abrasions were dressed with bacitracin and gauze. § 87(2)(b) was discharged with instructions to dress the abrasions with bacitracin twice daily and to follow up with the Medicare clinic later that week. § 87(2)(b) later went to § 87(2)(b) on February 7, 2008. § 87(2)(b) stated that he had been handcuffed in December 2007 and as such his wrist and elbow hurt. He stated that there was also subsequent trauma aside from his contact with officers, which caused his hand to hurt. § 87(2)(b) was prescribed ibuprofen (Encl 4-4g).

### **Police Department Documents**

#### *Sprint Report*

The Sprint report for this incident indicates that on December 3, 2007 there was a car stop at § 87(2)(b). One person was arrested and ESU was originally called, but that request was cancelled (Encl 10).

#### *Roll Call*

The tour three roll call for the 46<sup>th</sup> Precinct on December 3, 2007, indicates that PO Valdez, PO Hobson and PO Guzman all were working together that evening. These officers were assigned to an Impact squad. In addition, it also indicates that PO Duncan and PO Jerez worked together that evening and these officers were assigned to a robbery squad (Encl 12-12d).

#### *Prisoner Holding Pen Roster*

The pen roster indicates that § 87(2)(b) was placed inside the pen at 10:45 PM by PO Valdez for driving while intoxicated. § 87(2)(b) was taken to the precinct in van number #5711 and was eventually taken to the hospital (Encl 11).

### **Civilian Criminal Conviction History**

§ 87(2)(b) [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

### **Notice of Claim**

§ 87(2)(b) has not filed a notice of claim regarding this incident.

### **Complainant CCRB History**

§ 87(2)(b) has one previously filed complaint § 87(2)(b)

### **Police Officer CCRB History**

PO Valdez, PO Hobson, PO Duncan and PO Jerez have no previously substantiated CCRB allegations against them (Encl 1b-1e).

## **Conclusions and Recommendations**

### **Identification of Subject Officers**

PO Valdez was identified via the arrest report as one of the officers who originally pulled § 87(2)(b) over. Based upon the roll call, PO Hobson was identified as PO Valdez's partner. § 87(2)(g)

### **Allegations Not Pleaded**

§ 87(2)(b) alleged that the officers stopped him when he was in his vehicle. The officers stated that § 87(2)(b) was double-parked, and as such stopped him in order to issue § 87(2)(b) a summons for double-parking. § 87(2)(g)

### **Undisputed Facts**

It is undisputed that § 87(2)(b) had consumed alcohol earlier in the evening. It is undisputed that when the officer approached to speak with § 87(2)(b) he sat in the driver's seat of the vehicle. It is undisputed that § 87(2)(b) resisted being handcuffed. It is undisputed that § 87(2)(b) resisted entering a police vehicle.

### **Disputed Facts**

§ 87(2)(g)

### **Assessment of Evidence**

§ 87(2)(b) alleged that he was a passenger a vehicle driven by § 87(2)(b) § 87(2)(b) stated that he had had one to two drinks earlier in the evening but was not intoxicated. In addition he stated that he had not been driving the vehicle, and when the officers approached him the vehicle was not running. Both PO Valdez and PO Hobson stated that they observed § 87(2)(b) in the driver's seat of the vehicle and that the engine was running. In addition, the both stated that § 87(2)(b) appeared quite intoxicated in that he had slurred speech and glassy eyes, which are indicative of intoxication. This assessment was verified by PO Jerez and PO Duncan. § 87(2)(g)

§ 87(2)(b) alleged that in the process of being handcuffed by officers, he was brought to the ground and due to this action, received a bump to his head as well as other abrasions on his extremities. All four officers state that some amount of force was needed to handcuff § 87(2)(b) however, they were

consistent in stating he was never brought to the ground nor were injuries ever seen on § 87(2)(b) § 87(2)(g)  
§ 87(2)(g)  
PO Valdez and PO Hobson both state that when they approached § 87(2)(b) he appeared quite intoxicated in that he had slurred speech and glassy eyes. § 87(2)(b) admitted during his statement that he was not entirely compliant with the officers' directives. § 87(2)(b) admitted that he refused to enter the police vehicle when he was instructed to. In addition, § 87(2)(b) stated that when the officers attempted to get him in the vehicle he stated that the officers would have to taser him to get him in the car. § 87(2)(g)

PO Valdez stated that he needed to call for back up in order to handcuff § 87(2)(b) due to his large size, and PO Jerez recalled § 87(2)(b) shoving PO Duncan to the side when he attempted to handcuff § 87(2)(b) although PO Duncan did not corroborate this statement. Additional officers did respond, however lending credence to PO Valdez's and PO Hobson's statement. § 87(2)(g)

**Allegation A: Force: PO Richard Valdez used physical force against § 87(2)(b)**  
**Allegation B: Force: PO Ronald Hobson used physical force against § 87(2)(b)**  
**Allegation C: Force: PO Edwin Jerez used physical force against § 87(2)(b)**  
**Allegation D: Force: PO Elisha Duncan used physical force against § 87(2)(b)**

§ 87(2)(b) alleged that he was thrown to the ground by four police officers. The officers state that some amount of force was needed to handcuff and arrest § 87(2)(b) however, he was never thrown to the ground, nor did the officers observe any injuries on § 87(2)(b) According to Patrol Guide Procedure 203-11 "All uniformed members of the service are responsible for the proper use of force under appropriate circumstances, only that amount of force necessary to overcome resistance will be used to effect arrest" (Encl 1-1a). § 87(2)(g)

Investigator:	Date:
Supervisor:	Date:
Reviewed by:	Date:
Reviewed by:	Date:



