

Print Case Report with Supplementals - 09-04854

Case Report with Supplementals

Minneapolis Police Department

CCN: MP-09-04854

Report Details

Reporting Officer:	007481: Richard Walker	Approval Status:	Approved
Assisting Officer:		Approval Date:	Feb 19, 2009
Supervising Officer:	007448: Steven Wagner	Date Returned:	
Approving Supervisor:	007448: Steven C Wagner	Return Count:	0
Call/Sqd:	465	Date Printed:	Feb 20, 2009
Precinct:	04	Last Uploaded:	Feb 19, 2009
Related CGN :	--	Solvability:	100
Reported Date:	Feb 19, 2009 04:00	Primary Routed Unit:	4116 - Assault
Entered By:	098226	Assigned Investigators:	007448: Wagner, Steven

Incident Details

Offense1:	ASLT4	Desc:	Aalt-police/emerg P	Statute:	609.2231	Attempted:	
Offense2:	DWIREF	Desc:	Refuse to give a test on a misdemeanor DWI	Statute:	169A	Attempted:	
Offense3:	DAS	Desc:	Driving After Susp	Statute:	171.24	Attempted:	
Address:	3000 Penn AV N MINNEAPOLIS, 55411						
Occurred From:	02/19/2009 03:06			Dispatched:	00:00:00		
Occurred To:	02/19/2009 03:20			Arrived:	03:06:00		
Location:	30 AV NLOWRY AV N			Cleared:	04:00:00		
Minor Involved:	No						

Public Data

I stopped the listed vehicle for speeding. AP1 was transferred to the hospital and booked into HCJ for the listed charges. PC authorized by Sgt. PICKHARDT #5716.

RECOMMENDATION: FURTHER INVESTIGATION
JUDICIAL PROBABLE CAUSE: THE COMPLAINANT, BEING DULY SWORN, SWEARS THE BELOW FACTS ARE TRUE AND CORRECT TO THE BEST OF COMPLAINANT'S KNOWLEDGE AND BELIEF AND CONSTITUTE PROBABLE CAUSE TO BELIEVE THAT THE BELOW-NAMED ARRESTEE COMMITTED THE OFFENSE (S) DESCRIBED HEREIN.

COMPLAINANT'S SIGNATURE _____

NOTARY SIGNATURE AND STAMP _____

SUBMITTED UNDER OATH BY _____

SIGNATURE OF NOTARY _____
A.B., Peace Officer License Number _____, Hennepin County, Minnesota.

My license expires on June 30, _____.
DURING A TRAFFIC STOP ON AP, HE BECAME CONFRONTATIONAL. AP1 STEPPED OUT OF THE VEHICLE EVEN THOUGH HE WAS ORDERED NOT TO AND A FIGHT ENSUED. A HELP CALL WAS TONED AND OTHER OFFICERS RESPONDED TO ASSIST ME. AP1 SUSTAINED SOME INJURIES AND WAS TREATED AT NORTH MEMORIAL AND BOOKED INTO HCJ FOR DWI REFUSAL AND ASLT4. PC AUTHORIZED BY SGT. PICKHARDT #5716.

Arrestee

Role / Role #:	A001	MPD#:	0089001681
Name:	Jenkin, Derryl Matthew		
Residence:	[REDACTED] Brooklyn Center, MN [REDACTED]		
Telephone:	[REDACTED]		
Drv Lic #:	[REDACTED]		
Date of Birth:	08/18/1966	Event Age: 42	Est. Age: 42 - 42
Race:	Black	Medical Treatment:	Yes
Sex:	Male	Prior Injury:	No
Height:	507	City of Origin:	Long Beach
Build:	ME	St. of Origin:	CA

Arrest Information

Arrest Address:	3000 Penn AV N MINNEAPOLIS,	Precinct:	04
Arrest Date:	Feb 19, 2009 03:30		
Arrest Location:			
Disposition:	Booked County	Call/Sqd:	465
Arresting Officer:	007461: Walker, Richard Curtis		

Charges

Status	Type	Charge Code	Statute	Citation	Related CCN
PC	Felony	ASLT4 - Aslt-police/emerg P	609.2231		
PC	Gross MSD	DWIREF - Refuse to give a test on a misdemeanor DWI	169A		

Personal Description

Category	Description	Related Offense	Comments
Agg Aslt Circm	Aslt on Officer	ASLT4	
Appearance	Violent		
Appearance	Mad/Angry		
Appearance	Drunk		
Appearance	Uncooperative		
Complexion	Dark		
Employment Status	Employed		
Eye Color	Brown		
Force Used	Yes		
Hair Style	Shaved		
Identification	FBI Number		461379wb5
Identification	MN SID		mn02412257
Injury Location	Head/Neck		left eye
Injury Type	Apparent Minor Injury	ASLT4	
Injury Type	Bruise	ASLT4	
Type of Resistance Encountered	Assaulted Officer		
Weapon Used	Hand/Feet/Bodily For	ASLT4	

Police Victim

Role / Role #:	PV001	Event Age: 0	Est. Age: 0
Name:	Walker, Richard		
Residence:	[REDACTED] Minneapolis, MN		
Telephone:	[REDACTED]		
Date of Birth:			
Race:			
Sex:	Male		

MINNAPOLIS POLICE DEPARTMENT - CAPRS REPORT

Height:
 Build:
 Victim of: ASLT4
 Off. Badge:
 Activity Type:
 Weapon Type:
 Victim of:
 Off. Badge: 007461
 Activity Type: None/Unknown
 Weapon Type: Fists
 Asst. Officer: 007461
 Assaulted by: PV001 - Walker, Richard

Assignment Type:
 Injury Type:
 Assisted:

Assignment Type: 1 Person Vehicle - Alone
 Injury Type: Apparent Minor Injury
 Assisted: Y

Employment Information

<u>Employer/School</u>	<u>Address</u>	<u>Telephone</u>	<u>Occupation</u>
City Of Minneapolis		673-5704	Police Officer
<u>Availability:</u>			

Personal Description

<u>Category</u>	<u>Description</u>	<u>Related Offense</u>	<u>Comments</u>
Employment Status	Employed		
Injury Location	Head/Neck	ASLT4	upper and lower lip busted and bloody nose
Injury Type	Apparent Minor Injury	ASLT4	
Victim Location	At Work		
Victim Was	Hit/Assaulted		

Relationships

None Defined

Modus Operandi

<u>Category</u>	<u>Description</u>	<u>Related Offense</u>	<u>Comments</u>
Crime Elements	Arrest(s) Made	ASLT4	
Crime Elements	Arrest(s) Made	DA6	
Crime Elements	Arrest(s) Made	DWIREF	
Crime Elements	Alcohol		
Crime Location	Auto		
Crime Location	Street/Sidewalk		
Type of Drugs	Alcohol	ASLT4	
Type of Drugs	Alcohol	DWIREF	

Non-Inventoried Property

Vehicle

Vehicle Number:	1	Owner Name:	Jenkin, Darryl
Owner Role:	A001	Model:	Pt Cruiser
Make:	Chrysler	VIN #:	3A4FY48B66T322115
Model Year:	2005	Plate Year:	2009
Plate:	MN TJX607		
Estimated Value:	\$1.00		

Vehicle Status

Category	Date	Description
Vehicle Impounded		Yes
Vehicle Used In Crime		Yes

Vehicle Description

Category	Description	Comments
Vehicle Color Side	Light Blue/Turquoise	
Vehicle Color Top	Light Blue/Turquoise	
Vehicle Type	SUV	

Property and Evidence

PH#	Item #	Description	Owner	Qty	Make/Mod/Ser #	Auth ID	Dsp Dt	Dsp Mnr
2009-5452	1	SQUAD VIDEO, P#76159		1				
2009-5456	1	SQUAD VIDEO, P# 76206, TAPE# 3309		1				
2009-5457	1	LONG SLEEVED SHIRT	A001	1				
2009-5457	2	BLACK SWEAT PANTS	A001	1				
2009-5457	3	BLACK POLO JEANS VEST	A001	1				
2009-5457	4	BLACK HOODIE	A001	1				
2009-5457	5	PR WHITE & GREY TENNIS SHOES	A001	1				
2009-5458	1	DEPLOYED TASER CARTRIDGE H08-914743		1				
2009-5496	1	PHOTOGRAPHIC EVIDENCE		1				

Case Supplements

10 supplements begin on the following page.

Supplement number: 1

CCN: 09-048547

Author:

007575 - George Warzinik

Supplement of Off G.Warzinik #007575 on 02/19/2009 05:13

On 2/19/2009 while working marked squad 421 with my partner Officer Powell we responded to a help call from squad 465 (Officer Walker) in the area of Lowry Ave N & Penn Ave N. Officer Powell was the passenger and I was the driver at this point in our watch.

Officer Powell and I responded from the precinct and we were the second squad to arrive on the scene. As we arrived, I exited from the vehicle and saw other officers actively engaged in a physical struggle with a black male, later identified as AP1/Jenkins. Initially, AP1 was on his face down as the officers were attempting to handcuff AP1. I kneeled on the fleshy part of AP1's hamstrings and delivered approximately 5 closed fist strikes to the fleshy part of AP1's buttocks. As I was striking AP1, I continually shouted "stop resisting." AP1's muscles were tense and continued to struggle against the officers attempts to handcuff him.

I then heard Officer Tuma shout that the tazer was going to be deployed. I then got off of AP1's legs and grabbed his left arm. The tazer was deployed but was ineffective. Other officers then grabbed AP1's arms and attempted to handcuff him again. I began shouting at AP1 repeatedly to "stop resisting."

After AP1 was finally handcuffed, utilizing two pairs of handcuffs, I then went over to my squad car and completed the towing form.

We then went to NMMC to obtain sanitary wipes, as Officer Powell discovered his uniform had been contaminated with AP1's fecal matter. After cleaning Officer Powell's uniform we then waited at NMMC until we were cleared to leave by Sgt. Pickhardt.

END of Supplement 1

Supplement of Sgt C.Pickhardt #005716 on 02/19/2009 05:20

On 2-19-2009 I responded to a help call at Lowry/Penn. Squad 465 Officer Walker aired that he was fighting with one. When I arrived I observed Officer Walker to be out of breath and other officers were still struggling with the suspect to get him handcuffed. Once the male was finally taken into custody it was determined the suspect received minor injuries to his face. An ambulance was ordered and the suspect was transported to North Memorial to be checked prior to being taken to jail.

While at the scene I reviewed squad 465's squad tape which showed the beginning of the incident. It showed Officer Walker at the door of the suspect vehicle for over 1 1/2 minutes before the male exits the vehicle and refuses to cooperate with Officer Walker. The male continues to struggle and swing at Officer Walker during the confrontation until other officers arrive and are able to get the suspect under control. Officer Walker received a strike to his mouth that resulted in a split lip and bloody nose. Officer Walker was also checked and released at North Memorial. The squad tape was removed and given to Officer Walker to Property Inventory. A K-9 car also was going to property inventory their squad tape.

I went to North Memorial and while conducting a force review I spoke with the suspect. The suspect spoke with slurred speech and had a very strong odor of alcohol coming from his breath. The suspect told me that he had had 3 beers to drink and that during the incident he was pulled over by the officer for no reason but was told it was for speeding. He said he had no conversation with the officer and that he was just pulled from the vehicle and assaulted. The suspect reiterated several times that he did not speak with the officer prior to the assault. The suspect did admit he reached back for his cell phone during the encounter.

During the conversation, and my five years experience with the traffic unit, from the suspects speech, odor of alcohol and admission of drinking I could tell that the suspect was severely impaired from alcohol consumption. A traffic unit responded to the hospital and requested a blood or urine test but the suspect refused. Officers stayed with the suspect at North Memorial and were directed to then book the suspect for Assault 4 and should also be charged with the DWI Refusal. Photographs were taken of both the suspect and Officer Walker. I audio taped my conversation with the suspect and that will be transferred to a CD and property inventoried.

END of Supplement 2

MPR Case Report with Supplement #001394 - ILL-09-048547

Supplement number: 3 CCN: 09-048547 Author:

001394 - Scott Dahlquist

Supplement of Off S.Dahlquist #001394 on 02/19/2009 05:34

On 2/18/09 I was assigned to squad 463A. on 2/19/09 at about 0310 hrs I respond to help call for squad 465, Officer WALKER, in the 3000 block of Penn Ave. N.

Upon my arrival I found A1/JENKINS laying handcuffed on his back on the sidewalk on the West side of Penn Ave. N. Shortly after I arrived an ambulance arrived to transport JENKINS to North Memorial Medical Center. As he was placed on a gurney by the paramedics I searched him and removed his wallet from a pants pocket. Upon opening the wallet I found his MN DL inside. I then gave this to Officer POWELL. I also detected the odor of an alcoholic beverage coming from his person.

I told Sgt. PICKHARDT of this, and he directed me to request a traffic squad to come to North Memorial. Squad 999, Officer RUEBEN, responded, and I met him at North Memorial after following the ambulance with JENKINS in it there. I told Officer RUEBEN what I had smelled coming from JENKINS.

Officer RUEBEN read the implied consent advisory to point where JENKINS could contact an attorney, and JENKINS requested to speak with one. A white and yellow pages were brought to him, and I explained how to use the phone in the treatment cubicle. Later, I was present when Officer RUEBEN asked JENKINS if he would take either the blood or urine test. He said he would not take either of them. His stated reason for refusing was "Because you guys beat the shit out of me."

END of Supplement 3

Supplement number: 4 CCN: ...? -048547 Author:

Supplement of Off R.Walker #007461 on 02/19/2009 05:42
TYPED BY KJM; CCN: 09-048547

On the above date and time, I was working marked squad #448 able as squad #465. The beginning of the shift I noted on my MVR that I did not have a microphone and my Sergeant was notified.

I was following behind this vehicle south on Penn AV from 39th AV N. At approximately Dowling and Penn AV, I was following by about a car length behind him. I follow this vehicle from Dowling and Penn AV to Lowry and Penn AV with speeds of 45 mph in a 30 mph zone. I made a traffic stop on the vehicle for speeding and attempted to make contact with the driver. I approached the vehicle slowly, at which point I noticed the driver/AP1/JENKINS, was talking on his cell phone. I reached for the door handle and the door was locked as was as the window was rolled all the way up. I knocked on the window to get AP1's attention, at which point it appeared to aggravate him. AP1 then opened the door and I asked him for his license. AP1 then became irate and stated "what the fuck you stop me for?" I told him I stopped him for speeding and I wanted him to hand me his license and proof of insurance. I made a gesture with my hand telling him to hand over his license.

AP1 then stated "fuck you, call a Captain, I ain't handling you shit." I then got on my radio and asked for a roll-by because AP1 was increasingly getting angrier. It appeared that AP1's speech was slurred and his eyes were bloodshot and red and AP1 may have been under the influence. I then told AP1 several times to hand me his license and relax. AP1 said "fuck you, call a Captain, I want a Captain!" I then stated that a Captain was not available and to give me his license. AP1 then turned towards me completely and started to exit the vehicle even though I was standing in the doorway. I then stuck my hand out and pushed him in his chest slightly and instructed him to stay in the car. AP1 then stated "yo brother why you putting your fucking hands on me?" I then again told him to give me his license and to stay in the car. AP1 refused and started to make a phone call on his cell phone, at which point I reached in the car and took his cell phone from him. I then placed his cell phone on top of the car and told him to give me his license, at which point he exited the car and we both were standing in the immediate door area and began to fight.

I grabbed AP1 by his sweater and pulled it down over his head in attempts to bring him to the ground, at which point he began to resist. I stepped back while holding onto AP1's sweater and got on the radio again and stated that I was fighting one. A help call was toned immediately. AP1 continued to resist me even though I was shouting for him to get down on the ground. I managed to keep AP1's sweater over his head which prevented this fight from getting completely out of hand. AP1 went down to the ground and got back up even though I was ordering him not to. While I had AP1's sweater pulled over his head, he tried to break free punching me in my face causing both my lips to bleed along with the right side of my nose.

I managed to get AP1 down on the ground and tried to kneel on him to keep him face down, at which point he kept turning over and over trying to get up. AP1 rolled over on his back and I punched him in his face with my right fist in attempts for him to stop resisting and comply with my orders. AP1 then rolled over again and tried to get up, at which point I was on his back and struggled to hold him down until other officers arrived. When other officers arrived, they immediately went hands on with AP1, at which point I stepped back in order to gain my breath. AP1 continued to resist officers and not comply with orders. It took several officers to detain AP1 and he was tazed. I then got on the air and asked for a Sergeant to arrive on the scene. Sgt. PICKHARDT arrived along with Lt. RUGEL and I informed them of the situation. An ambulance was called for AP1 and he was transported to NORTH MEMORIAL via ambulance. I also went to NORTH MEMORIAL for my injuries to be examined. Photos were taken of my injuries along with AP1's injuries and will be property inventoried. This incident was captured on my squad video and the tape will be property inventoried as well.

An IOD form was completed for my injuries. It should be noted that during this altercation my uniform shirt received a rip in it as well.

END of Supplement 4

MPD CAPRS Case Report with Supplements - MP-09-048547

111236 - John Trangsrud

Supplement number: 5 CCN: 09-048547 Author:

Supplement of Off J. Trangsrud #111236 on 02/19/2009 05:47

On the above date and time I was working marked squad 411 able. I responded to an OFFICER NEEDS HELP call on the 3000 block of Penn Ave N. I heard on the radio that squad 465 was fighting with one.

I arrived on scene and observed several officers struggling with a large black male, later IDed as AP1. AP1 was activating resisted officers. I used loud verbal commands and told AP1 to stop resisting and put his hands behind his back. I yelled the commands several times and AP1 didn't comply. I then kicked AP1 in the lower area of AP1's back in a attempt to gain control of AP1's right arm. AP1 struggled and refused to put his hands behind his back, I told AP1 over and over to put his hands behind his back. I then punched AP1 in the lower back area three times and attempted again to gain control of AP1's right arm.

I then heard an assisting officer yell "TAZER" several times. At this time I stepped away from AP1 and a Tazer was deployed. I observed that the tazer had no effect on AP1. AP1 then sat up and attempted to get up into his feet, myself and several other officers pushed him back to the ground. After another short struggle I was then able to get part control of AP1's right arm and with the assistance of other officers get AP1 handcuffed without further incident.

I then notified Sgt. Pickhardt who responded to the scene of the force that I used. I CAPRS force report was completed.

AP1 was later booked HCJ.

END of Supplement 5

Supplement number: 6 CCN: .. 19-048547 Author: 005969 - Patrick Reuben

Supplement of Off P.Reuben #005969 on 02/19/2009 05:53
STATEMENT OF OFFICER PATRICK REUBEN ON 02/19/2009 AT 0522 HOURS.
REF: MP09-048547

On 02/19/2009 at 0323 hours I was requested to NORTH MEMORIAL HOSPITAL on a BLOOD TEST.

I arrived at approximately 0340 hours and met AP1. AP1 was speaking very loud his speech was slurred and fast and he appeared agitated. I could smell the strong odor of a consumed alcoholic beverage coming from him and his right eye was blood shot and watery.

I identified AP1 with his MN DL bearing his photo and other pertinent information.

At 0354 hours I read the IMPLIED CONSENT to AP1 and he stated that he understood but wished to call an attorney. AP1 was provided a phone, yellow pages and white pages. I instructed AP1 how to get an outside line by dialing "9".

AP1 made several calls but stated he would contact an attorney when he was done being processed in jail.

At approximately 0417 hours I finished the IMPLIED CONSENT and offered AP1 a BLOOD TEST. AP1 refused and then I asked him if he would take a URINE TEST. AP1 also refused the URINE TEST.

I left the hospital at 0420 hours and returned to CHEM TEST to complete the DWI FORMS. I also contacted OFFICER TUMA to have him clip the license of AP1 to invalidate.

Currently AP1 is under a SUSPENDED status for unpaid fines and other civil matters.

The DWI paperwork was left in CHEM TEST ROOM II for further processing.

I faxed the LICENSE PLATE IMPOUNDMENT form to the auto desk and followed that with the standard phone call.

I cleared the call at 0530 hours.

END of Supplement 6

MPD CAPRS Case Report With Supplements - MP-09-048547

Supplement number: 7 CCN: 9-048547 Author: 005792 - Shawn Powell

Supplement of Off S.Powell #005792 on 02/19/2009 06:24

On 02-19-2009 I was working squad 421 with Officer Warzinik. At approximately 0306 hours Officer Walker conducted a TLE near the intersection of Lowry Av N and Penn Av N. Shortly after Officer Walker aired that he was on the TLE I heard Officer Walker ask dispatch to send a rollby. A short time later I heard Officer Walker air that he was fighting with someone. It should be noted that Officer Walker sounded to be in distress and in the need of urgent help from fellow officers. I then heard dispatch immediately tone the call upping it to a help call.

My partner and I responded from the 4th PCT lot to assist Officer Walker.

Upon arrival I could see Officer Walker struggling with a black male who was later identified as A1/JENKINS. I rushed out of the squad to assist as I was running up I could see that Officer Walker was extremely out of breath and appeared to be completely worn out. I ran up to A1 and immediately struck him three times in the torso with my right foot. I heard Officers yelling for A1 to put his hands behind his back and to also stop resisting. I also ordered A1 to put his hands behind his back he failed to comply. Still seeing that A1 was still actively resisting making fists and continuing to fight and get his hand away from officer. I then started to strike A1 in the head with my right closed hand multiple times. I noted that this had no effect on A1. By this time there was approximately six officers on scene struggling with A1 and still not gaining compliance from A1.

I then heard and Officer yell TASER TASER and then the taser was deployed. I noticed that the taser had no effect on A1. I actually watched A1 sit up in attempts to get off the ground to further resist Officers. I quickly jumped on A1 and found that I was on top of A1. A1 started to turn towards me to face me. I again started to strike A1 in the head with my left and right closed fist. This had no effect on A1. By this time I could feel that A1 was actually pushing up against me and I was moving off the ground even though other officers were assist me. Officers partially got A1's hands behind his back with he pulled them back underneath him. I then struck A1 in the head with my right elbow multiple times. Finally Officers were able to get A1's hands behind his back and officers were barely able to get A1 handcuffed. It appeared that A1 was either drunk or on some sort of narcotic as his resistive behavior appeared to be heightened seeing that all the strikes and taser had no effect on him.

During the time of this struggle I could feel A1 tensing what felt like all the muscles of his body. It should be noted that A1 is approximately 250 pounds out weighing myself by 65 pounds. From the time I arrived on the scene until the time the handcuffs were place on A1 continued to fail to comply with officer commands and physically resisting officers.

Once the scene was safe I noticed that Officer Walker's nose and mouth was bleeding from the altercation that took place before I and other officer had arrived. I took photos of Officer Walkers injuries at the scene and also while at the hospital. I also took photos of A1's injuries that he sustained from his resistive behavior. The camera was later property inventoried by myself.

END of Supplement 7

CAPRS Case Report with Supplemental #007339

Supplement number: 8 CCN. # 9-048547

Author:

007339 - Christopher Tuma

Supplement of Off C.Tuma #007339 on 02/19/2009 06:40

On 02-19-09 at 0306 hours, I was working marked squad 425 with my partner Officer Honeycutt. We were just pulling into the 4th PCT lot when I heard Officer Walker on squad 465 ask for another squad on his traffic stop at 30th Ave and Penn Ave N. I advised dispatch that we would start to his location from the PCT.

While we were en route to 465's location, Officer Walker got on the radio and asked for "HELP" and that he was fighting with one. We proceeded to his location code 3 and when we arrived I observed Officer Walker on top of the party later ID'd as AP1/Jenkins. AP1/Jenkins was lying on the ground on his stomach. I ran over to Officer Walker and he appeared to be out of breath and was struggling to hold AP1/Jenkins down on the ground. I couldn't see either of AP1/Jenkins hands and his arms were tucked underneath his body. I shouted commands for him to get his hands behind his back which he didn't comply with. I then punched him three times on the right side of his head and continued shouting for him to get his hands behind his back. AP1/Jenkins still didn't comply and continued struggling with officers. I then used my body weight to keep AP1/Jenkins from getting up from the ground until more squads arrived. A few moments later assisting officers arrived and continued to struggle with AP1/Jenkins and were not able to control him enough to get his hands behind his back and handcuff him. I then stood up and removed my taser from its holster and advised other officers that I was going to deploy my taser. After assisting officers backed away I deployed my taser at AP1/Jenkins chest area with probes for one cycle. The taser had no effect on AP1/Jenkins and he started to sit himself up. Assisting officers moved back in and attempted to take control of AP1/Jenkins and keep him from getting back to his feet. I deployed the taser for another cycle and it again had no effect on AP1/Jenkins. I then observed that only one of the taser probes had hit AP1/Jenkins and the other probe was on the ground. Officers continued to struggle with AP1/Jenkins and were not able to get both of his arms behind his back. I then removed the taser cartridge and delivered one touch stun to AP1/Jenkins left thigh. This again had no effect on him. A few moments later assisting officers were able to get AP1/Jenkins handcuffed.

I removed the probe that was attached to AP1/Jenkins jacket. The other probe was still attached to the cartridge but was on the ground. The taser cartridge was later property inventoried, (H08-914743).

AP1/Jenkins was transported to North Memorial by ambulance. AP1/Jenkins was read the implied consent advisory by Officer Ruben. AP1/Jenkins refused both the blood and urine test.

AP1/Jenkins was treated for his injuries and later booked HCJ for PC 4th Degree Assault.

END of Supplement 8

MPD CAPRS Case Report with Supplementals - #003141

Supplement number: 9 CCR: .. 9-048547 Author:

003141 - Michael Honeycutt

Supplement of Off M.Honeycutt #003141 on 02/19/2009 06:42

On 02/19/2009 I was working marked squad 425 with Officer Tuma. As we pulled into the 4th Precinct parking lot I heard squad 465 Able call for a squad for roll by. We immediately started to squad 465's location at Penn Ave. N. and 30th Ave N. While en route Officer Walker called for help and said that he was fighting with one person.

Upon arrival I saw that Officer Walker was lying on top of A1/Jenkins on the side of the road in between Officer Walker's squad car and A1's car. A1 was on his stomach with his hands up near his head. I heard Officer Walker telling A1 to put his hands behind his back and saw that A1 was not complying. I immediately grabbed one of A1's arms and tried to pull his hand behind his back. I told A1 to put his hands behind his back. A1's arms were tensed and he was not complying at all. I delivered several punches to A1's shoulder in an effort to get him to put his arm behind his back. The punches were not effective. I continued to try to wrestle A1's arm behind his back until other officers arrived.

As other officers arrived we continued to give verbal commands to A1 to put his hands behind his back. A1 continued to resist despite having multiple officers attempting to wrestle his hands behind his back.

At one point Officer Tuma said that he was going to Taser A1 and I let go of A1 and backed up two steps. Officer Tuma deployed his Taser but it had no effect. I then moved back in to grab A1's arm. There were several officers around A1's torso struggling with his arms so I delivered a kick to A1's thigh.

I was then able to grab A1's right arm and along with other officers was able to get it behind his back. Once his right arm was in position an officer was able to get one cuff on A1's right wrist. At that time A1 said that he was having trouble breathing. Due to A1's size and his breathing complaint the decision was made to use two sets of hand cuffs. Other officers had gotten A1's left hand behind his back by this time and I used my hand cuffs to cuff his left hand. Another officer then connected the cuffs behind A1's back. I advised A1 to lie on his side if he was still having problems breathing.

An ambulance was called to the scene and A1 was transported to NMMC by ambulance, run number AL95570. I rode in the back of the ambulance with A1 to the hospital.

After A1 received medical attention Officer Tuma and I transported A1 to HCJ where he was booked for PC Assault 4. A1's outer clothes were property inventoried.

END of Supplement 9

MPD CAPRS Case Report With Supplements - MP-09-048547

Supplement number: 10 CCN: 09-048547 Author:

J07448 - Steven Wagner

Supplement of Sgt S.Wagner #007448 on 02/20/2009 09:02

I received this case for investigation on 2/19/09. After reviewing the case it is clear that the officer suffered demonstrable bodily harm resulting from the assault by the defendant. The injuries are substantiated by the photographs taken by another officer following the incident. The defendant was interviewed by Sgt. Pickhardt at the hospital. The interview was recorded and will be added to the case when transcribed. I requested the Crime Lab to process the inventoried photos showing the injuries to the officer and included photos in the file.

I will present the case to the County Attorney for consideration of charging the defendant with felony Assault In The Fourth Degree. It is also clear that the defendant refused to give a test to determine blood alcohol content and should therefore also be charged with DWI Refusal.

The defendant remains in custody at HCJ.

Sgt. Wagner

CID

END of Supplement 10

End of report for case MP-09-048547. Print ID: 0fdbfd45-632e-4316-b833-cff73641c688

Opinion:

There is no weapon by Jenkins and the one police injury reported may very possibly have occurred accidentally as Walker wrestles Jenkins down.

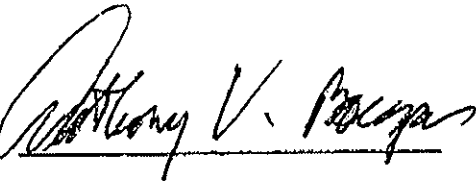
The complaint against Jenkins is another eloquent example of creative writing with references to the suspect's "fighting", "resist(ance)" and "punching" etc. Officer Walker is described as suffering split lips with a nose bleed.

The case constitutes a shockingly offensive display of police brutality from beginning to end. Since the documents I received were already available to the P.D. hierarchy, their inactions renders them totally complicit in this appalling example of the unnecessary use of force, malicious prosecution and official wrong doing.

Mr. Jenkins pulled over, opened the door and remained passive and unresistant throughout yet was assaulted horrifically by the police, starting with Officer Walker. The charges had to be dismissed. Yet no disciplinary action, or even an inquiry, was undertaken in this egregious act of police wrongdoing.

I predicate these views on the basis of the records listed and would amend the report accordingly should additional evidence surface.

Signed



Date

