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October 11, 2016

THOMAS J. HALLERAN
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OF COUNSEL

IN REPLY REFER TO FILE NO.

Ms. Deborah O'Toole
2506 N. 72nd Court
Apt. 1W
Elmwood Park, Illinois 60707

EP-1

Re: Freedom of Information Act Request

Dear Ms. O'Toole:

On October 4, 2016, the Village of Elmwood Park received your Illinois Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") request for the following records:

"ONE COPY OF WILLIAM BRIAN ANDERSON'S ARREST REPORT FROM SEPT. 9, 2016[.]"

Please be advised that the Village of Elmwood Park is extending the time to respond to your FOIA request. Pursuant to Section 3(e)(v) of FOIA, the Village of Elmwood Park requires an additional five (5) business days to respond to your FOIA request because "the requested records require examination and evaluation by personnel having the necessary competence and discretion to determine if they are exempt from disclosure under Section 7 of this Act or should be revealed only with appropriate deletions." A response to your FOIA request will be made by October 18, 2016.

Sincerely,

STORINO, RAMELLO & DURKIN
Attorneys for the Village of Elmwood Park


Erin C. Tinaglia

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October 17, 2016

THOMAS J. HALLERAN
ERIN C. TINAGLIA
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"ONE COPY OF WILLIAM BRIAN ANDERSON'S ARREST REPORT FROM SEPT. 9, 2016[.]"

Enclosed please find the records responsive to your FOIA request. However, please be advised that certain information in the records responsive to your FOIA request has been determined to be exempt from disclosure under FOIA. Accordingly, such information has been redacted from the records being provided.

Section 7(1)(b) of FOIA provides that "private information" is exempt from disclosure. "Private information" is defined in FOIA as, "unique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, home or personal telephone numbers, and personal email addresses. Private information also includes home address and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person." 5 ILCS 140/2(c-5). Consequently, certain unique identifiers, including driver's license numbers, home or personal telephone numbers, and home addresses, have been redacted from the records being provided.

Section 7(1)(c) of FOIA provides that, "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy" is exempt from disclosure. Consequently, birthdates, and other personal information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, including the name of a suspect who was never arrested, the name of a third party who incidentally appears in a police report, and the races of individuals, have been redacted from the records being provided.

STORINO, RAMELLO & DURKIN

Ms. Deborah O'Toole
October 17, 2016
Page 2

Section 7(1)(d)(iv) of FOIA provides that, “[r]ecords in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes” are exempt from disclosure, “but only to the extent that disclosure would: ... unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies.” Consequently, information that would reveal the identity of persons who filed complaints with or provided information to the Village of Elmwood Park Police Department has been redacted from the records being provided.

The person responsible for the decision to deny a portion of your FOIA request is the Village of Elmwood Park Freedom of Information Officer, Gina Pesko. In accordance with Section 9(a) of FOIA, you are hereby notified that you have the right to file a Request for Review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer with the Public Access Counselor at the Illinois Attorney General’s Office. You can file your Request for Review with the Public Access Counselor by writing to:

Sarah Pratt
Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

If you choose to file a Request for Review with the Public Access Counselor, you must do so within 60 calendar days of the date of this letter. Please note that you must include a copy of your original FOIA request and this letter when filing a Request for Review with the Public Access Counselor.

You are also notified that you have the right to judicial review regarding the decision made by the Village of Elmwood Park Freedom of Information Officer pursuant to Section 11 of FOIA.

Sincerely,

STORINO, RAMELLO & DURKIN
Attorneys for the Village of Elmwood Park


Erin C. Tinaglia

Enclosures

ARREST REPORT

| | | | | | | | | | | |
|-------------------|---------------------------------------------------------------------------------------------------------------|---------------------|----------------------------------|------------------------------------|------------------------------------------------------|-----------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| AGENCY | Agency Name Elmwood Park Police Department | | ORI IL0163100 | | Date/Time Arrested 09/09/2016 15:30 Fri | | Case # 1602209 | | | |
| | Taken Prints, Photos | | Arrest Tract E2 | | Residence Tract | | Arrest Number | | | |
| ARRESTEE | Name (Last, First, Middle) ANDERSON, WILLIAM B | | | D.O.B. [REDACTED] | Age 45 | Race [REDACTED] | Sex M | Place of Birth | Citizenship US | |
| | Current Address 2506 N 72ND CT, 1W, ELMWOOD PARK, IL 60707 | | | Phone [REDACTED] | | Occupation | | Residence Status Resident | | |
| | Employer's Name | | | Address | | | Phone | | | |
| | Also Known As (Alias Names) | | | | | Hgt 5'11 | Wgt 182 | Hair Black | Eyes Brown | Skin Tone Dark |
| | Scars, Marks, Tattoos ART LEFT ARM / "LADY BLUE" | | | Social Security # | | OLN and State [REDACTED] | | Misc. # and Type | | |
| | Nearest Relative Name | | | Address | | | Phone | | | |
| ARREST | If Armed, Type of Weapon FIREARM | | Type of Arrest ON VIEW | | Place of Arrest 2506 72ND CT, ELMWOOD PARK | | | | | |
| | Charge #1 Aggravated Battery | Type Fel | Counts 1 | IBR Code 0410 | Warrant/Summons # | | Statute # 720 ILCS 5/12-4 | Warr. Date // : : | | |
| | Charge #2 Aggravated Battery | Type Fel | Counts 1 | IBR Code 0410 | Warrant/Summons # | | Statute # 720 ILCS 5/12-4 | Warr. Date // : : | | |
| | Charge #3 Criminal Damage To Property | Type Misd | Counts 1 | IBR Code 1310 | Warrant/Summons # | | Statute # 14-4-3 | Warr. Date // : : | | |
| VEH | VYR | Make | Model | | Style | | | | | |
| | Color | | Plate #/State/Plate Year | | VIN | | | | | |
| | Vehicle | | | | | | | | | |
| CONF | Date/Time Confined | | Place Confined | | | Committing Magistrate | | | | |
| | Type Bond No Bond | | Bond Amount | | Trial Date | Time | Court Of | City | | |
| | Arresting Officer Name/ID #/Bureau GIOVENCO, J. (PATL, PAT) (EP9700) EPPD | | | | | | | | | |
| | Assisting Officer Name/ID #/Bureau SWOBODA, L. PATL/PAT EPPD | | | Released By (Name/Department/ID #) | | | Date/Time Released | | | |
| Status Codes | 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown/Lost | | | | | | | | | |
| DRUGS | Code | Status | Quantity | Type Measure | Suspected Type | | | | | |
| | | | | | | | | | | |
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| | | | | | | | | | | |
| Other Name | Name | | | Address | | | Phone | | | |
| | Name | | | Address | | | Phone | | | |
| NARRATIVE | | | | | | | | | | |
| | | | | | | | | | | |
| STATUS | Arresting Officer Signature/ID #/Bureau GIOVENCO, J. (PATL, PAT) (EP9700) EPPD | | | | | | | | | |
| | Case Status Arrested (held Or Released On Bond) | | | Arreslee Signature | | | | | | |

c_ar11br

Printed By: EP9700, X3925 # jgiovenco

ARREST REPORT (Additional Charges)

| | | | |
|------------------------------------------------------|-------------------------|-----------------------------------------------|--------------------------|
| Agency Name Elmwood Park Police Department | ORI IL0163100 | Date/Time Arrested 09/09/2016 15:30 | Case # 1602209 |
| Arrestee Name ANDERSON, WILLIAM B | | | Arrest Number |

| Charge | Fel/Misd | Counts | IBR Code | Warrant/Summons # | Statute # | Warr. Date |
|--------------------------------------------------|----------|--------|----------|-------------------|---------------|------------|
| 4) Unlawful Use Or Possession Of Weapon-felon | Fel | 1 | 1430 | | 720 ILCS | |
| 5) No Fold Card | Misd | 1 | 1460 | | 430 ILCS 65/2 | |
| 6) Officers-resisting Arrest, Obstructing | Fel | 1 | 9999 | | 35-36 EPPD | |
| 7) Officers-resisting Arrest, Obstructing | Fel | 1 | 9999 | | 35-36 EPPD | |
| 8) Officers-resisting Arrest, Obstructing | Misd | 1 | 9999 | | 35-36 EPPD | |

Incident Report Additional Name List

Elnwood Park Police Department

OCA: 16-02209

Additional Name List

| Name Code/# | Name (Last, First, Middle) | Victim of Crime # | DOB | Age | Race | Sex |
|-------------|----------------------------|-------------------|---------------|-----|------------|-----|
| 1) WI 1 | [REDACTED] | | [REDACTED] | 20 | [REDACTED] | M |
| | Address | | H: - - | | | |
| | Empl/Addr | | B: - - | | | |
| | | | Mobile #: - - | | | |
| 2) WI 2 | [REDACTED] | | [REDACTED] | 62 | [REDACTED] | M |
| | Address | | H: [REDACTED] | | | |
| | Empl/Addr | | B: - - | | | |
| | | | Mobile #: - - | | | |

Incident Report Suspect List

Elmwood Park Police Department

OCA: 16-02209

| | | | | | | | | | | | | | | | |
|-------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|---------|-------------|------|------------|---------------|-----|--------|--------|---------------|-----------------------------------------------------------------------|---------------|--|-----|--|
| 1 | Name (Last, First, Middle) <i>ANDERSON, WILLIAM B</i> | | | | | Also Known As | | | | | Home Address <i>2506 N 72ND CT - 1W ELMWOOD PARK, IL 60707</i> | | | | |
| | Business Address [REDACTED] | | | | | | | | | | Driver's License / State. [REDACTED] | | | | |
| DOB | | Age | Race | Sex | Eth | Hgt | Wgt | Hair | Eye | Skin | Driver's License / State. | | | | |
| [REDACTED] | | 45 | [REDACTED] | M | [REDACTED] | 511 | 182 | BLK | BRO | DBR | [REDACTED] | | | | |
| Scars, Marks, Tattoos, or other distinguishing features <i>ART RIGH ARM / HEART WITH HORNS; ART LEFT ARM / "LADY BLUE"</i> | | | | | | | | | | | | | | | |
| <i>Reported Suspect Detail</i> | | | Suspect Age | | | Race | Sex | Eth | Height | | | Weight | | SSN | |
| Weapon, Type | | Feature | | Make | | Model | | | Color | | Caliber | Dir of Travel | | | |
| VehYr/Make/Model | | Drs | Style | | Color | | | Lic/St | | | VIN | | | | |
| Notes | | | | | | | | | | Physical Char | | | | | |

INCIDENT/INVESTIGATION REPORT

Elmwood Park Police Department

Case # 16-02209

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

| | IBR | Status | Quantity | Type Measure | Suspected Type | |
|-----------------------|-----|--------|----------|--------------|----------------|--|
| D R U G S | | | | | | |
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Assisting Officers
BROWN, T. (EP9026), BROWN, T. (EP9026), ZELASCO, M. (EP8569), LAPENNA, D. (EP6027), RODRIGUEZ, C. (EP6361), SWOBODA, L. (EP4970), SWOBODA, L. (EP4970), SWOBODA, L. (EP4970), KLISZ, R. (EP7134)

Suspect Hate / Bias Motivated:

NARRATIVE

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

| |
|----------------------------------------------|
| OCA 16-02209 |
| Date / Time Reported Fri 09/09/2016 15:30 |

Victim
LAPENNA 6027, D

Offense
AGGRAVATED BATTERY

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On 09/09/16 at 1530 hours Officer Swoboda and I responded to the area of 2506 72nd Ct for a suspicious person participating in possible drug activity. WESCOM provided a description of a M/W, subject with facial tattoos wearing a black hooded sweatshirt and asking for a subject living in the area known for drug activity. Officer Swoboda and I were a two-man car in unmarked squad, unit 345.

Officer Swoboda and I checked the front of the residence and were unable to locate the subject. We then circled into the west alley in the rear of 2506 72nd Ct. Upon doing so we observed a subject matching the description now identified as [REDACTED] M [REDACTED] accompanied by the offender now identified as William B Anderson, M [REDACTED] walk out of the gangway of 2506 72nd Ct.

Officer Swoboda and I exited our squad and approached [REDACTED] and Anderson. I notified WESCOM of our location. We made contact with both subjects which our agency has had multiple prior contacts with. When asked where they were coming from both said, "Over there." I asked [REDACTED] if he had and thing illegal on him and he said no. I asked [REDACTED] and Anderson if we could check and [REDACTED] replied yes.

Both [REDACTED] and Anderson were advised to place their hands on our squad and not move until instructed to do so.

Officer LaPenna arrived on scene.

I escorted [REDACTED] away from Anderson while Officer Swoboda and Officer LaPenna stood with Anderson. While escorting [REDACTED] away, Anderson stated, "Fuck this" and attempted to walk away. Officer Swoboda and Officer LaPenna advised Anderson to keep his hands on the squad and not move. Anderson then pulled his arm away from both Officers and pushed away. Officer Swoboda and Officer LaPenna then began to physically struggle with Anderson.

I observed Anderson actively resisting Officer Swoboda and Officer LaPenna by flailing his arms and pushing away from both Officers. I then observed Officer Swoboda fall to the ground with Anderson at which time I placed [REDACTED] into handcuffs, told him he was not under arrest, but was being detained. He complied.

I then assisted Officer Swoboda and Officer LaPenna. I observed Officer Swoboda standing over Officer LaPenna and Anderson with his Taser drawn and was instructing Anderson to stop resisting or he would be tased. I assisted Officer LaPenna at which time I went hands on with Anderson in an attempt to control Anderson's arms and take him into custody. Anderson continued to resist by tensing his body, pulling arms away, and pushing myself and Officer LaPenna away.

I observed Anderson strike Officer LaPenna in the face with a closed fist at which time Anderson rose to his feet while Officer LaPenna and I attempted to control Anderson's arms. I then heard Officer Swoboda shout, "Taser, Taser, Taser" and heard the Taser cartridge deploy but failed to have an affect on Anderson. He then continued to fight with myself and Officer LaPenna, at which time he spun around exposing his abdomen to Officer Swoboda. I again heard Officer Swoboda shout, "Taser, Taser, Taser" and heard a second deployment of a Taser cartridge.

REPORTING OFFICER NARRATIVE

Elmwood Park Police Department

| | | |
|----------------------------------|--------------------------------------|-----------------------------------------------------|
| Victim <i>LAPENNA 6027, D</i> | Offense <i>AGGRAVATED BATTERY</i> | OCA <i>16-02209</i> |
| | | Date / Time Reported <i>Fri 09/09/2016 15:30</i> |

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Anderson then fell to the ground but only for a few seconds, and continued to actively resist myself and Officer LaPenna. While wrestling with Anderson, I struck him in the right side of his face with a closed fist in an attempt to subdue Anderson to prevent him from further striking myself or other Officers. I observed Officer Swoboda assist us on the ground at which time I was able to use a wrist lock and pain compliance technique to place a handcuff on his left wrist. I then instructed Anderson to place his left hand behind his back and bring it to me. He was able to do so. I informed WESCOM the subject was in custody at that time.

While in handcuffs, Anderson continued to squirm around and attempt to reach for his pants and pockets. I advised Anderson to roll on to his right side so and attempt to perform a custodial search of his person. Anderson continued to try to move away. While patting his left cargo short pocket and felt a hard object. Further investigation revealed Anderson to have a Ceska Zbrojovka semi-automatic pistol in his pocket. I advised Anderson to stop moving, and sit still. my search revealed no further weapons or contraband on his person.

EPFD was requested to the scene due to the Taser deployment to Anderson.

Commander Klisz, Sgt. Brown, Officer Zelasco, and Officer, Rodriguez arrived on scene.

Anderson was then placed into EPFD unit 944 to be transported to Gottlieb Hospital for treatment. I was then the assigned evidence technician to process the scene and collect the spent Taser cartridges and the firearm. See my connected evidence report.

Upon being released from the hospital, Anderson was transported to the Public Safety Building. He was read Miranda from a preprinted form at 2115 hours at which time I spoke with Anderson. in summary he stated he knew [REDACTED] from his old neighborhood of Parkside and Grand Ave. The two were going to buy liquor and go back to Anderson`s apartment to hangout. Anderson said he suffers from a bipolar disorder and does not like to be confronted by Police. Anderson said he consumed multiple alcoholic beverages, smoked cannabis, and snorted three lines of cocaine prior to leaving his residence with [REDACTED] He said he found the gun in the city and carries it on him for protection.

I contacted the States Attorneys Office and spoke with ASA Coelho who provided felony approvals at 2133 hours. Anderson was then processed according to Elmwood Park procedures and prepared to be transported to bond court.

There is nothing further to report at this time. I returned to active patrol.

Incident Report Suspect List

Elmwood Park Police Department

OCA: 16-02209

| | | | | | | | | | | |
|-------------------------------------------------------------------------------------------------------------------------------|------------------|--------------------|-----------------|-------|-------------------|-----------------------------------------------------------------------|--------------------|-------------------|--------------------|----------------------------------------|
| 1 Name (Last, First, Middle) <i>ANDERSON, WILLIAM B</i> | | Also Known As | | | | Home Address <i>2506 N 72ND CT - 1W ELMWOOD PARK, IL 60707</i> | | | | |
| Business Address [REDACTED] | | | | | | | | | | |
| DOB [REDACTED] | Age <i>45</i> | Race [REDACTED] | Sex <i>M</i> | Eth | Hgt <i>511</i> | Wgt <i>182</i> | Hair <i>BLK</i> | Eye <i>BRO</i> | Skin <i>DBR</i> | Driver's License / State [REDACTED] |
| Scars, Marks, Tattoos, or other distinguishing features <i>ART RIGH ARM / HEART WITH HORNS; ART LEFT ARM / "LADY BLUE"</i> | | | | | | | | | | |
| <i>Reported Suspect Detail</i> | | Suspect Age | | Race | Sex | Eth | Height | | Weight | SSN |
| Weapon, Type | Feature | Make | | Model | | Color | Caliber | Dir of Travel | | |
| Veh Yr/Make/Model | | Drs | Style | | Color | Lic/St | | VIN | | |
| Notes | | | | | | Physical Char | | | | |

CASE SUPPLEMENTAL REPORT

Printed: 09/13/2016 16:25

Elmwood Park Police Department

OCA: 1602209

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *PENDING / ACTIVE*Case Mng Status: *NA*Occurred: *09/09/2016*Offense: *AGGRAVATED BATTERY*Investigator: *GIOVENCO, J. (EP9700)*Date / Time: *09/09/2016 18:58:24, Friday*Supervisor: *ZELASCO, M. (EP8569)*Supervisor Review Date / Time: *09/10/2016 19:08:21, Saturday*

Contact:

Reference: *Evidence Report*

On 09/09/16 at 1550 hours I was assigned to process the scene of a Taser deployment in the west alley of 2506 72nd Ct. I was already on scene as Officer Swoboda and I responded to a suspicious person call. I collected deploying Officer Swoboda's Taser, model X26P, serial #X13002EF and placed it into a brown paper bag. A black, Ceska Zbrojovka semi-automatic pistol, serial number 94007, which was recovered from a subject on scene now identified as William Anderson, M. [REDACTED] was collected. I put on a pair of rubber gloves, removed the empty magazine, placed the weapon into a paper bag and secured it in my squad, unit 345.

Sgt. Brown secured the scene with Police caution tape while I was then able to locate two deployed Taser cartridge, four wires from the cartridges, three prongs from the cartridges, three cartridge doors, and multiple AFIDs from the cartridges.

I photographed the scene as it was, and all items where they were located. I then put on a pair of rubber gloves and collected the two spent cartridges. Upon doing so I observed the wires to not have been stretched to full length however they were partially damaged due to the physical altercation with the subject.

I collected the spent cartridges, wires and three prongs, and placed them into a paper bag for evidence purposes. I was only able to locate three of the four spent cartridge doors. The doors were collected and placed into a separate paper bag with seven AFIDs collected from the scene all bearing serial #C410248HP.

Once all items were collected and the scene was secure, I relocated to Gottlieb. At Gottlieb I took detailed photographs of the injuries to Anderson due to Taser deployment and the physical altercation. I also took detailed photographs of the injuries to Officer LaPenna and Officer Swoboda. While at the hospital, hospital staff removed the third prong from Anderson's stomach area and placed it into a sharps container for evidential purposes.

I then returned to the Public Safety Building. I took detailed photographs of the items collected, as well as the X26P model Taser, serial #X13002EF as the Ceska Zbrojovka pistol. I then packaged the following items according to Elmwood Park procedures, and placed them into BEAST as evidence:

- Two deployed Taser cartridge, with wires attached and three prongs collected from the scene
- Three blast doors from the deployed Taser Cartridges
- One prong collected from Gottlieb Hospital staff
- Seven AFIDs, serial # C410248HP
- One Taser model X26P Serial #X13002EF
- On Ceska Zbrojovka pistol and empty magazine

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 09/13/2016 16:25

Elmwood Park Police Department

OCA: 1602209

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: PENDING / ACTIVE

Case Mng Status: NA

Occurred: 09/09/2016

Offense: AGGRAVATED BATTERY

Investigator: GIOVENCO, J. (EP9700)

Date / Time: 09/09/2016 18:58:24, Friday

Supervisor: ZELASCO, M. (EP8569)

Supervisor Review Date / Time: 09/10/2016 19:08:21, Saturday

Contact:

Reference: Evidence Report

The Taser model X26P serial #X13002BF has been taken out of service at this time. Sergeant Rosa was notified to download the Tasers firing data and logs.

I printed a contact sheet of the photographs and burned two copies of the photographs to CD-R disc. One disc copy was submitted into evidence.

There is nothing further to report at this time. I returned to active patrol.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 09/13/2016 16:25

Elmwood Park Police Department

OCA: 1602209

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: PENDING / ACTIVE

Case Mng Status: NA

Occurred: 09/09/2016

Offense: AGGRAVATED BATTERY

Investigator: RODRIGUEZ, C. (EP6361)

Date / Time: 09/11/2016 14:45:09, Sunday

Supervisor: BUSCH, D. (EP5697)

Supervisor Review Date / Time: 09/12/2016 14:42:12, Monday

Contact: [REDACTED]

Reference: Supplement / Follow Up

On September 9, 2016, at 1530 hours, I responded to the 2500 block of 72nd Court to assist officers.

Upon my arrival, I assisted with securing the area.

I had the opportunity to speak with a witness on scene.

I spoke to [REDACTED] M [REDACTED]

[REDACTED] said he was visiting his mother at 2448 N. 72nd Court when he heard loud voices from the rear alley.

[REDACTED] told me he stood in the rear garage and looked out the overhead door.

[REDACTED] said he saw uniformed officers telling a male he will be tased.

[REDACTED] said he heard the officer tell the male several times.

[REDACTED] said the male continued to be argumentative with the officers, asking "WHY!"

[REDACTED] said he heard the officers tell the male to put his hands behind the male's back.

[REDACTED] said the male did not listen and comply with the officers.

[REDACTED] said he saw the male being tased.

[REDACTED] said the officers still had a difficult time with the male.

[REDACTED] said the male was then placed in handcuffs.

[REDACTED] said he saw a second male that complied with officers.

I ended my conversation with [REDACTED]

Nothing Further.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 09/13/2016 16:25

Elmwood Park Police Department

OCA: 1602209

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: PENDING / ACTIVE

Case Mng Status: NA

Occurred: 09/09/2016

Offense: AGGRAVATED BATTERY

Investigator: KLISZ, R. (EP7134)

Date / Time: 09/12/2016 14:40:12, Monday

Supervisor: KLISZ, R. (EP7134)

Supervisor Review Date / Time: 09/12/2016 17:26:20, Monday

Contact:

Reference: Investigative Action Supplement

ON 09-12-16, AT APPROXIMATELY 1415 HOURS, I MET WITH OFFICER SWOBODA IN MY OFFICE. OFFICER SWOBODA SUSTAINED INJURIES FROM THE INCIDENT. I TOOK THE FOLLOWING STATEMENT FROM OFFICER SWOBODA. THIS STATEMENT IS NOT VERBATIM OR IN ITS ENTIRETY:

ON 09/09/2016 AT APPROXIMATELY 1530 HOURS, OFFICER GIOVENCO AND I RESPONDED TO A CALL AT 2506 72ND CT FOR A DUG INVESTIGATION. WE WERE ADVISED VIA WESCOM OF A SUBJECT DESCRIBED AS M/W, WITH TATTOOS ON HIS FACE, AND WEARING A BLACK SWEATSHIRT IN THE AREA LOOKING FOR A SUBJECT WHO WAS A KNOWN DRUG DEALER. I WAS FAMILIAR WITH ADDRESS FOR HAVING PREVIOUS CONTACTS REGARDING DRUG INVESTIGATIONS AND SUSPICIOUS PERSONS.

OFC GIOVENCO AND I WERE ASSIGNED TO A TWO-MAN CAR. WE DROVE PAST THE FRONT OF THE RESIDENCE IN SEARCH OF THE SUBJECT WITH NEGATIVE RESULTS. WE CONTINUED ON TO THE WEST ALLEY OF 72ND CT AND OBSERVED A SUBJECT, NOW KNOWN AS [REDACTED] (M [REDACTED]), MATCHING THE DESCRIPTION EXITING THE REAR OF 2506 72ND CT ACCOMPANIED BY ANOTHER SUBJECT, M [REDACTED], APPROXIMATELY 600 FT TALL, WEARING BLACK SHORTS, AND A HEAVY WINTER VEST WITH A HOOD, NOW KNOWN AS WILLIAM ANDERSON (M [REDACTED]). OFC GIOVENCO INFORMED ME HE HAD PRIOR PERSONAL KNOWLEDGE WILLIAM WAS A DRUG DEALER.

OFC GIOVENCO AND I EXITED UNMARKED SQUAD CAR #345 IN FULL UNIFORM TO SPEAK WITH THE SUBJECTS. UPON SPEAKING WITH [REDACTED] AND WILLIAM THEY STATED THEY WERE COMING FROM 2506 72ND CT. OFC GIOVENCO ASKED [REDACTED] AND WILLIAM IF THEY HAD ANY CONTRABAND ON THEIR PERSONS. [REDACTED] AND WILLIAM SAID NO.

WHILE SPEAKING WITH WILLIAM, I OBSERVED HIS EYES TO BE SCANNING MYSELF AND THE SURROUNDING AREA AS IF HE WERE LOOKING TO FLEE. WILLIAM WOULD NOT MAINTAIN EYE CONTACT WITH ME. I HAD TO ASK WILLIAM SEVERAL TIMES TO TAKE HIS HANDS OUT OF POCKETS. WILLIAM WAS SWEATING PROFUSELY FROM HIS BROW AND HIS ARMS WERE TENSED. WILLIAM WAS WEARING FLIP FLOPS WHICH HE REMOVED WITHOUT BEING TOLD TO DO SO. WILLIAM TOOK A BLADED STANCE TOWARD ME.

BELIEVING WILLIAM WAS PLANNING AN ESCAPE OR ATTEMPTING TO FIGHT, I INSTRUCTED HIM TO PLACE HIS HANDS ON SQUAD #345. WILLIAM STATED "FUCK YOU. I DIDN'T DO SHIT. I LIVE HERE".

Investigator Signature

Supervisor Signature

Elmwood Park Police Department

OCA: 1602209

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: PENDING / ACTIVE

Case Mng Status: NA

Occurred: 09/09/2016

Offense: AGGRAVATED BATTERY

Investigator: KLISZ, R. (EP7134)

Date / Time: 09/12/2016 14:40:12, Monday

Supervisor: KLISZ, R. (EP7134)

Supervisor Review Date / Time: 09/12/2016 17:26:20, Monday

Contact:

Reference: Investigative Action Supplement

OFFICER LAPENNA ARRIVED ON SCENE.

WHILE WILLIAM WAS POSITIONED ON THE SQUAD CAR, I DETECTED A STRONG ODOR OF ALCOHOLIC BEVERAGE COMING FROM HIS BREATH. AS I ATTEMPTED TO PERFORM A PROTECTIVE PAT DOWN OF WILLIAM, HE STATED "FUCK THIS" AND SPUN AROUND AND REMOVED HIS HANDS FROM THE SQUAD CAR. I INSTRUCTED WILLIAM TO PLACE HIS HANDS BACK ON THE SQUAD CAR.

OFFICER LAPENNA ATTEMPTED TO ASSIST ME IN RESTRAINING WILLIAM. WILLIAM REFUSED TO PLACE HIS HANDS BEHIND HIS BACK AND PUSHED OFC LAPENNA AND I AWAY. WILLIAM ATTEMPTED TO FLEE THE AREA. I ATTEMPTED TO GAIN CONTROL OF WILLIAM BY PLACING MY ARMS ON HIS SHOULDERS AND TOOK HIM TO THE GROUND.

WHILE ON THE GROUND, I MOUNTED WILLIAM AND ATTEMPTED TO TAKE CONTROL OF HIS ARMS. WILLIAM FLAILED HIS ARMS AND PUSHED ME IN THE CHEST. WILLIAM GRABBED MY DUTY BELT AND WOULD NOT LET GO. FEARING THAT WILLIAM WAS ATTEMPTING TO GAIN ACCESS TO MY FIREARM, I STRUCK WILLIAM IN THE CHEST WITH A CLOSED FIST AND DISENGAGED.

OFC GIOVENCO AND OFC LAPENNA ASSISTED ME ON THE GROUND AND ATTEMPTED TO GAIN CONTROL OF WILLIAM'S ARMS. I OBSERVED WILLIAM STRIKE OFC LAPENNA IN THE FACE WITH A CLOSED FIST. WILLIAM ROSE TO FEET. FEARING FOR MY SAFETY AND THE SAFETY OF MY FELLOW OFFICERS, I DREW MY TASER AND TOLD WILLIAM TO STOP RESISTING OR HE WOULD BE TASED. WILLIAM DID NOT COMPLY WITH MY ORDER. I AIMED MY TASER AT WILLIAM'S BACK, SHOUTED "TASER! TASER! TASER!", AND PULLED THE TRIGGER. THE TASER PRONGS SPILT WILLIAM'S BELT LINE, STRIKING HIM IN THE LOWER BACK AND RIGHT LEG.

DUE TO WILLIAM'S HEAVY WINTER COAT AND BAGGY SHORTS, THE TASER DEPLOYMENT HAD NO EFFECT ON WILLIAM. WILLIAM CONTINUED TO FIGHT WITH OFC GIOVENCO AND OFC LAPENNA. I LOADED ANOTHER CARTRIDGE INTO MY TASER AND AGAIN INSTRUCTED WILLIAM TO STOP RESISTING. WILLIAM SPUN TOWARD ME EXPOSING HIS ABDOMEN. I DEPLOYED MY TASER A SECOND TIME, STRIKING WILLIAM IN THE CHEST.

THE TASER DEPLOYMENT APPEARED TO HAVE AN EFFECT ON WILLIAM AS HE FELL TO THE GROUND. AFTER 5 SECONDS, WILLIAM AGAIN BEGAN TO FIGHT WITH OFC GIOVENCO AND OFC LAPENNA. WILLIAM CONTINUED TO BE AN ACTIVE RESISTOR BY FLAILING HIS ARMS AND STRIKING

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 09/13/2016 16:25

Elmwood Park Police Department

OCA: 1602209

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: PENDING / ACTIVE

Case Mng Status: NA

Occurred: 09/09/2016

Offense: AGGRAVATED BATTERY

Investigator: KLISZ, R. (EP7134)

Date / Time: 09/12/2016 14:40:12, Monday

Supervisor: KLISZ, R. (EP7134)

Supervisor Review Date / Time: 09/12/2016 17:26:20, Monday

Contact:

Reference: Investigative Action Supplement

OFC GIOVENCO AND OFC LAPENNA. I REMOVED THE CARTRIDGE FROM THE TASER AND ASSISTED OFC GIOVENCO AND OFC LAPENNA ON THE GROUND. I ATTEMPTED TO DRIVE STUN WILLIAM IN THE LEG TWICE BUT WAS KICKED IN THE HAND BY WILLIAM.

I WAS ABLE TO DRIVE STUN WILLIAM IN THE ARM ON MY THIRD ATTEMPT WHILE OFC GIOVENCO AND OFC LAPENNA WERE ABLE TO PLACE WILLIAM IN HANDCUFFS. WHILE IN HANDCUFFS, WILLIAM CONTINUED TO SQUIRM AND ATTEMPT TO REACH INTO HIS POCKETS. I WAS ABLE TO HOLD WILLIAM STILL WHILE OFC GIOVENCO SEARCHED HIS PERSON. A HANDGUN WAS RECOVERED FROM WILLIAM'S LEFT CARGO POCKET.

NOTHING FURTHER AT THIS TIME.

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 09/13/2016 16:25

Elmwood Park Police Department

OCA: 1602209

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *PENDING / ACTIVE*

Case Mng Status: *NA*

Occurred: *09/09/2016*

Offense: *AGGRAVATED BATTERY*

Investigator: *RANSOM, D. (EP4339)*

Date / Time: *09/12/2016 16:54:12, Monday*

Supervisor: *(0)*

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *Investigative Action Supplement*

Det. Cmdr. Kllisz asked me to enter the CZ pistol into ETRACE for this investigation.

I entered the firearm into ETRACE under ID# T20160272202. Response to be attached to this report when it is completed.

Nothing further. [09/12/2016 16:56, EP4339, 111, EPPD]

Investigator Signature

Supervisor Signature

CASE SUPPLEMENTAL REPORT

Printed: 09/13/2016 16:25

Elmwood Park Police Department

OCA: 1602209

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: PENDING / ACTIVE

Case Mng Status: NA

Occurred: 09/09/2016

Offense: AGGRAVATED BATTERY

Investigator: BROWN, T. (EP9026)

Date / Time: 09/12/2016 19:28:23, Monday

Supervisor: BUSCH, D. (EP5697)

Supervisor Review Date / Time: 09/12/2016 22:11:26, Monday

Contact:

Reference: Investigative Action Supplement

On 9/9/16, I arrived on scene of a drug investigation where an officer called for help over the radio. Upon arrival, I saw two subjects in handcuffs. I was told a conducted energy device was used on one of the subjects. Officer LaPenna had already contacted paramedics to respond. I checked Officer Giovenco, Officer LaPenna, and Officer Swoboda for injuries. I saw scrapes to the arms and knees of Officer LaPenna and Officer Swoboda. They both stated they felt pain in their knees after the struggle with the offender. Swoboda was checked out by paramedics who told him he should go to the hospital. I saw Officer LaPenna wrap one of his knees with an icepack.

Paramedics stated they were transporting the prisoner to the hospital. Officer LaPenna said he signed a refusal with the paramedics. I instructed Officer Zelasco to ride in the ambulance with the prisoner, and told Officer LaPenna to drive Officer Swoboda to the hospital to be checked out. At 16:51 hours, I received a message from Ofc. LaPenna that medical staff was checking on him at the hospital.

At approximately 2130 hours, Officer Giovenco picked up Officer LaPenna and Officer Swoboda from the hospital. I was told that they were given [REDACTED] by doctors. I helped them retrieve their gear and advised them the shift was over for them. Because they were given a narcotic by doctors, I did not question them about the case and made sure they had rides home. I returned to duty.

Investigator Signature

Supervisor Signature

ELMWOOD PARK POLICE DEPARTMENT
ARREST REPORT
 (For use by Police Department Personnel Only)

IR #/WARRANT CHECK PENDING

CB #: 19369153
 IR #: 849116
 YD #:
 RD #: 16-2209

ARREST REPORTING

OFFENDER

Name: **ANDERSON, William B**
 a.k.a Willy
 Res: 2506 N 72nd Ct, #1W
 Elmwood Park, IL 60707
 Beat: 3100
 DOB: [REDACTED]
 AGE: 45 years
 POB: Illinois
 ARMED WITH Handgun
IR # 849116
SIO # IL 28651010
FBI # 470621KAB

Male
 [REDACTED]
 5' 11"
 182 lbs
 Black Eyes
 Black Hair
 Bald Hair Style
 Black Complexion



INCIDENT

Arrest Date: 09 September 2016 15:48 TRR Completed? No
 Location: 2506 N 72nd Ct
 Elmwood Park, IL 60707
 304 - Street
 Holding Facility: Elmwood Park Lockup
 Resisted Arrest? No

Beat: 3100
 Total No Arrested: 1
 Co-Arrests
 Assoc Cases
 DCFS Ward ? No
 Dependent Children? No

CHARGES

| Charge # | Offense Description | Victim |
|----------|---------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| 1 | Offense As Cited 720 ILCS 5.0/12-4-A 09 SEP 2016 03:30 AGG BATT/HARM/POLICE/DOC/DHS Class 1 - Type F | Lapenna, Dan |
| 2 | Offense As Cited 720 ILCS 5.0/12-4-A 09 SEP 2016 03:30 AGG BATT/HARM/POLICE/DOC/DHS Class 1 - Type F | Swoboda, Lawrence |
| 3 | Offense As Cited 720 ILCS 5.0/24-1.1-A 09 SEP 2016 03:30 UUU - WEAPON - FELON/PAROLE-POSSESS/USE FIREARM PRIOR Class 2 - Type F | |
| 4 | Offense As Cited 720 ILCS 5.0/31-1-A-7 09 SEP 2016 03:30 RESISTING/OBSTRUCT/PC OFF/CORR EMP/FRFTR INJ Class 4 - Type F | Lapenna, Dan |
| 5 | Offense As Cited 720 ILCS 5.0/31-1-A-7 09 SEP 2016 03:30 RESISTING/OBSTRUCT/PC OFF/CORR EMP/FRFTR INJ Class 4 - Type F | Swoboda, Lawrence |
| 6 | Offense As Cited 720 ILCS 5.0/24-1.6-A-2 09 SEP 2016 03:30 AGG UUU/PERSON/NO FOID Class 4 - Type F | |
| 7 | Offense As Cited 720 ILCS 5.0/31-1-A 09 SEP 2016 03:30 RESISTING/OBSTRUCT/PC OFF/CORR EMP/FRFTR Class A - Type M | Giovenco, Joseph |
| 8 | Offense As Cited 720 ILCS 5.0/21-1-A-1 09 SEP 2016 03:30 CRIM DAMAGE TO PROPERTY <\$300 Class A - Type M | Lapenna, Dan |

IR #849116
 CB #19369153

Joseph Giovenco
849116

13 8209

ARREST REPORTING

FELONY REVIEW

Felony Review : Approved 09 SEP 2016 21:33 Coelho, Jason State's Attorneys's Office

RECOVERED NARCOTICS

NO NARCOTICS RECOVERED

WARRANT

NO WARRANT IDENTIFIED

VICTIM AND COMPLAINANT

| | | | | |
|--------------------------------------------------------------------------------------------|------------|-----------|---------------------------|--------------|
| Name: LAPENNA, Dan Empl: 7420 W Fullerton Ave Elmwood Park, IL 60707 708-453-2137 | Beat: 3100 | Male | Injured? Yes | Deceased? No |
| | | DOB: | Hospitalized? Yes | |
| | | Age: | Gottlieb Memorial | |
| | | Comments: | Treated and Released? Yes | |

NON-OFFENDER(S)

VICTIM AND COMPLAINANT

| | | | | |
|-------------------------|--|-----------|---------------------------|--------------|
| Name: SVOBODA, Lawrence | | Male | Injured? Yes | Deceased? No |
| | | DOB: | Hospitalized? Yes | |
| | | Age: | Gottlieb Memorial | |
| | | Comments: | Treated and Released? Yes | |

VICTIM AND COMPLAINANT

| | | | | |
|------------------------|--|-----------|--------------------------|--------------|
| Name: GIOVENCO, Joseph | | Male | Injured? No | Deceased? No |
| | | DOB: | Hospitalized? No | |
| | | Age: | Treated and Released? No | |
| | | Comments: | | |

16-2209

ARREST REPORTING

ARRESTEE VEHICLE

NO ARRESTEE VEHICLE INFORMATION ENTERED

PROPERTIES

Confiscated Properties :

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

PROPERTIES INFORMATION FOR ANDERSON, William, NOT AVAILABLE IN THE AUTOMATED ARREST SYSTEM.

INCIDENT NARRATIVE

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

Upon investigation of a suspicious person, William B Anderson, M [REDACTED] actively resisted arrest to all arresting officers causing injuries to officers. Custodial search revealed Anderson to have an unload firearm in his possession. Anderson being a convicted felon for previous weapons charges. Anderson was processed according to Elmwood Park procedures and prepared for bond court. See connecting reports.

COURT INFO

Desired Court Date: 14 September 2016

Branch: MAYW1500 MAYBROOK DR - Room 102 @

Court Sgt Handle? No 0900

BOND INFO

BOND INFORMATION NOT AVAILABLE

REPORTING PERSONNEL

ATTESTING OFFICER:

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

ARRESTING OFFICER(S):

1st Arresting Officer: #9700 GIOVENCO, J M (IL01631ACA)

2nd Arresting Officer: #4970 SWOBODA, L J (IL01631ACH)

Beat

APPROVING SUPERVISOR:

16-2209

ARREST PROCESSING REPORT

Holding Facility: Elmwood Park Lockup
 Received in Lockup:
 Prints Taken: 10 September 2016 19:52
 Palmprints Taken: No
 Photograph Taken:
 Released from Lockup:

Time Last Fed:
 Time Called: Phone#:
 Cell #: Placed in one person cell
 Placed under close observation
 Transport Details : 1PO

VISUAL CHECK OF ARRESTEE

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

ARRESTEE QUESTIONNAIRE

(if female) are you pregnant? No
 First time ever been arrested? No
 Attempted suicide/serious harm? No
 Transgender/intersex/gender non-conforming? No
 Deaf/hard of hearing-request interpreter for court? No
 Interpreter needed? (indicate language) No
 Serious medical problems? No
 Serious mental problems? No

LOCKUP KEEPER PROCESSING

ARRESTEE PRESCRIPTION MEDICATION INFORMATION:

| Question | Response | Medical Condition | Next Medication Due |
|-----------------------------------------|----------|-------------------|---------------------|
| Presently Taking Prescribed Medication? | No | | |

RETURN TO HOLDING FACILITY COMMENTS:

QUESTIONNAIRE REMARKS:

Subject Was Under The Influence Of Drugs And Alcohol And Injured Due To Resisting Arrest.

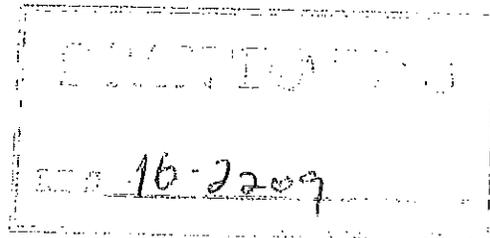
LOCKUP KEEPER COMMENTS:

EMERGENCY CONTACT

Name :
 Res: Beat:

INTERVIEW LOG

NO INTERVIEWS LOGGED



ARREST PROCESSING REPORT

VISITOR LOG

NO VISITORS LOGGED

MOVEMENT LOG

MOVEMENT LOG INFORMATION NOT AVAILABLE

WC COMMENTS

Watch Commander Comments:

REL W/O CHARGING

DOES NOT APPLY TO THIS ARREST

PROCESSING PERSONNEL

ARRESTEE PROCESSING PERSONNEL:

| | | | |
|------------------------------|-------|----------------------------|------|
| Searched By: | #9700 | GIOVENCO, J M (IL01631ACA) | Beat |
| Lockup Keeper: | #9700 | GIOVENCO, J M (IL01631ACA) | |
| Assisting Arresting Officer: | #6027 | LAPENNA, D J (IL01631ACE) | |

APPROVAL PERSONNEL:

16 2009

Investigative Action Report



ELMWOOD PARK POLICE DEPARTMENT
Investigations Division



Case Report: 16-2209

Title: Aggravated Battery/UUW

Commander: Robert J. Klisz #2611

Date: 09-13-16

Case Action

The following is a summary of my investigation of Aggravated Battery/UUW report that occurred on 09/09/16 in Elmwood Park, Cook County, Illinois 60707. Any witness and/or suspect statements contained herein are not in their entirety nor verbatim.

On 09-13-16, I spoke with Officer LaPenna, via the telephone and via email, reference this case. Officer LaPenna sustained injuries during this incident and currently on medical leave.

This is a summary of the events as stated by Officer LaPenna:

On 09/09/16, while assigned to uniformed patrol, Sgt Brown, Ofc Swoboda, Ofc Giovenco, and I responded to 2506 72nd Ct for a suspicious person. Per the caller, an unknown subject asked him for a person known to be involved in narcotics use and sales. The subject the caller described, was a white male with tattoos on his face.

I had prior knowledge of gang crime activity in the 2500-2700 block of 72nd Ct, to include: three shootings in close proximity to the area in question, as well as multiple complaints from residents regarding various suspected narcotics dealers in the recent past. I also had prior knowledge of William Anderson, a resident at 2506 72nd Ct, to be the subject of prior drug complaints with numerous weapons and narcotics related arrests. In addition to my prior knowledge of William's involvement in criminal activity, I also had prior interactions with William in which he was uncooperative, agitated, and appeared to be under the influence of stimulant-type narcotics. I positioned my vehicle in the 2400 block of 72nd Ct to conduct surveillance in the area.

Ofc Swoboda and Ofc Giovenco advised via radio that he had located 2 subjects in the west alley of 72nd Ct behind building address 2506.

I responded to Ofc Swoboda's location.

Commander Robert J. Klisz #2611

Page 1 of 2

Supervisor

Investigative Action Report



ELMWOOD PARK POLICE DEPARTMENT Investigations Division



Upon my arrival, I observed a subject that I recognized as William Anderson, with his hands on the passenger side of patrol vehicle 345. As I exited my patrol vehicle, I observed Ofc Swoboda tell William several times to keep his hands on the car. Williams appeared to comply momentarily and then ignore Ofc Swoboda's request. I observed a subject with tattoos on his face standing next to Ofc Giovenco. I heard Ofc Swoboda tell William, "don't go anywhere." (not verbatim).

I turned and saw Ofc Swoboda engaged in a physical struggle with William.

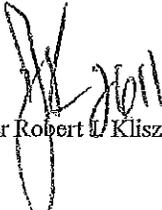
I began to assist Ofc Swoboda by grabbing a hold of Williams right arm using a mechanical advantage control hold. As I controlled William's right arm, Ofc Swoboda informed me that William was clenching his left fist and refused to open it. Based on William's history, the nature of the call, and the location in the 2500 block of 72nd ct, I believed William to be attempting to conceal contraband in his right hand.

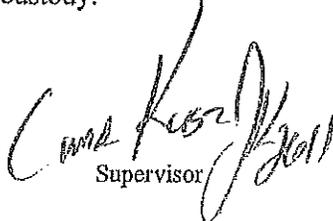
Ofc Swoboda and I began to attempt to secure William in handcuffs. I ordered William to place his hands behind his back multiple times, but he refused to comply. As we continued to struggle to gain control of William, we determined we would be more effective in doing so if William was on the ground.

Ofc Swoboda performed an emergency take down. William landed on top of Ofc Swoboda, and I landed on top of William. I began to work at controlling William's right arm. I maintained control of William by mounting him, applying a cross face with my shoulder, and applying a grapevine lock to his right leg. I began requesting assistance from other units via radio, but did not hear any response from dispatch. William continued to ignore multiple commands to give me his hand. William rose to his feet.

Ofc Swoboda deployed his taser as William faced away from Ofc Swoboda. Ofc Swoboda yelled, "taser, taser, taser". It was immediately apparent that the taser probed did not make a proper connection due to William's clothing. William turned towards Ofc Swoboda. Ofc Swoboda deployed his Taser. Ofc Swoboda again yelled, "taser, taser, taser." William fell to the ground, and I immediately grabbed ahold of his arm while he was under power. I was able to control William momentarily, but he immediately tensed up and continued to refuse to provide me with his arm. I began to control William by mounting him, and applying a cross face with my shoulder. I continued to call for assistance via radio, but did not hear any response from dispatch. William punched me with his left hand on the right side of my jaw. I feared William would inflict bodily harm if I did not take swift and immediate action to protect myself. To prevent William from further battering me, and in an attempt to gain control via pain compliance, I delivered several strikes to his face using my right hand and left elbow.

Additional Officers arrived on scene, and we were able to take him into custody. Nothing further at this time.


Commander Robert L. Klisz #2611


Supervisor