



Corona Police Department

Officer Report for Incident 19-13603

Nature: DV-Assault
Location: 4A

Address: 1640 VIA PACIFICA # F205
CORONA CA 92882

Statute Codes: 148(A)(1) Obstruct/Resist/ETC Public/PO/Emerg Tech

Received By: Brandi Navarro - **How Received:** T **Agency:** CPD
002484

Responding Officers: Mark Tarrant - 003128, Jeff Bennett - 10246, Johnathan Drylie - 003152, Kevin Matty - 003187, Russell Siemer - 001531, Ryan Buonarigo - 003427, Cory Wood - 001338, Jason Viefhaus - 11227, Carlos Gutierrez - 003124, , Wayne Bristol - 11659

Responsible Officer: Mark Tarrant - **Disposition:** D 09/01/19
003128

When Reported: 17:34:31 09/01/19 **Occurred Between:** 17:34:31 09/01/19 and 17:34:31 09/01/19

Assigned To: **Detail:** **Date Assigned:** **/**/**
Status: **Status Date:** **/**/** **Due Date:** **/**/**

Complainant:

Last: **First:** **Mid:**
DOB: **/**/** **Dr Lic:** **Address:**
Race: **Sex:** **Phone:** **City:** ,

Offense Codes

Reported: **Observed:**

Additional Statute: 148(A)(1) Obstruct/Resist/ETC
Public/PO/Emerg Tech

Circumstances

0UOFY Use of Force - Yes

Responding Officers:	Unit :
Mark Tarrant - 003128	241
Jeff Bennett - 10246	K91
Johnathan Drylie - 003152	141
Kevin Matty - 003187	142
Russell Siemer - 001531	215
Ryan Buonarigo - 003427	221
Cory Wood - 001338	231
Jason Viefhaus - 11227	S1

Carlos Gutierrez - 003124	K92
	TIP
Wayne Bristol - 11659	J55

Responsible Officer: Mark Tarrant - 003128
Received By: Brandi Navarro - 002484
How Received: T Telephone
When Reported: 17:34:31 09/01/19
Judicial Status:
Misc Entry:

Agency: CPD
Last Radio Log: 22:22:29 09/01/19 CMPLT
Clearance: LOK LOCK - RECORDS ONLY
Disposition: D **Date:** 09/01/19
Occurred between: 17:34:31 09/01/19
and: 17:34:31 09/01/19

Modus Operandi:	Description :	Method :
Demeanor	Personal Demeanor	Aggressive

Involvements

Date	Type	Description	Relationship
09/01/19	Name	[REDACTED]	Other
09/01/19	Name	RODRIGUEZ, JOSE BONIFACIO JR	Offender
09/01/19	Offense	Offense#: 1158 - M - 1 count	Charged With

Narrative

INCIDENT RECORDED ON BODY/DASHBOARD CAMERA: YES

SCENE: 1640 Via Pacifica #205 is a small, two bedroom, upstairs apartment. The front door leads to a short landing which is shared with another apartment. The incident occurred primarily in the main living room area, which is immediately past the door.

POINT OF ENTRY/EXIT: N/A

WEAPON/INSTRUMENT: Hands

EVIDENCE: N/A

INJURIES: Complaint of pain to SU Jose Rodriguez's back. Small bite mark on Jose's tongue

PROPERTY TAKEN: N/A

PROPERTY DAMAGE: N/A

ASSISTING PERSONNEL: Corporal Bennet

SUPPLEMENTAL REPORTS: Corporal Bennett - Use of Carotid Restraint. Officer Buonarigo for OT [REDACTED] statement

DETAILS: On 9-1-19, I was employed as a Peace Officer for the City of Corona; County of Riverside, and was wearing a full police uniform and driving a marked black and white police car (unit #79270).

At approximately 1750 hours I responded to the listed address reference an unknown problem. An anonymous reporting party stated they heard crying, slamming and possibly someone being thrown into a wall or floor. I noticed there was no 250 apartment number so I decided to do a knock and talk at apartment 205, which matched the closest to what the reporting party gave to dispatch.

I spoke to a resident who was walking her dog outside the apartment, and she stated she did not hear or see anything unusual.

I knocked on the door with no answer. I thought I could hear someone talking inside so I knocked a second time louder. OT [REDACTED] answered the door. She was only wearing a towel. I immediately noticed she had a quite, sad demeanor, as if she had just been crying, or involved in an argument. I noticed her eyes appeared watery, and puffy. I identified myself as "Officer Tarrant with the Corona Police Department" with a voice loud enough to carry past the door and into the main living room area of the apartment. I also observed a purplish color .5 inch diameter discoloration under her right eye. At the time I believed that mark to be an contusion. At that point in time, based on the details given to me by dispatch, and the totality of the circumstances, I speculated [REDACTED] was a victim of domestic violence. I felt I needed to conduct further investigation in order to confirm that speculation.

[REDACTED] only opened the door slightly so I could not see entirely into the apartment. I could also not see her entire body. I felt she may have been attempting to conceal other injuries, or the disarray in the apartment. I asked who else was in the apartment, and she stated just her boyfriend as she looked back towards the main living room. I moved closer, and placed my foot inside the door to prevent it from being closed. I looked at Jose and stated "Hello sir, can you come out here and talk to me real quick." I asked Jose to exit the residence so I could investigate further, and determine if a crime occurred. I wanted to separate both parties and ensure no one could get further battered and/or victimized. I also did not want Jose, or any other parties that may have been in the residence, to shut the door and prevent

officers from protecting [REDACTED]. As I was speaking to Jose, he looked at me. I motioned for him to come to me. He could clearly see me, in my entirety at the door. Jose stated "Na I'm good." At that point I opened the door the rest of the way and stepped inside to create a physical barrier between [REDACTED] and Jose and/or anyone else that may have been inside. I stated "I was not asking you, I'm telling you."

Jose immediately stood up, pointed at the door, started walking towards me, and stated "Can you step outside please." Jose continued to briskly walk towards me. I told him to "Come here." Jose stated "No" several times and stopped walking towards me. I then told him to put his hands behind his back as I approached him. Jose began to back up and he threw his hands in the air. Jose stated "I did not do anything."

Before I made physical contact with Jose I took the following into consideration:

1. Jose had not been searched and could have had a weapon in his pockets or waist band (a knife was located during a search incident to arrest in his right hip pocket).
2. Jose had not listened to my commands.
3. Jose was trying to get me to leave his apartment.
4. Jose was in his residence, and I did not know if there were any weapons hidden in any portion of the residence.
5. If I did not immediately control the situation, there was the chance he could harm [REDACTED] Officers or himself.
6. The demeanor of [REDACTED] and the discoloration under her eye which I believed to be an contusion.

I reached out and grabbed both of Jose's arms in an attempt to detain him. Jose immediately tensed up and tried to spin, and break free of my grasp. At that point, I let go of his left arm with my right hand and attempted to take him to the ground with a head lock. I was unsuccessful, and my arm slipped off of his head. I immediately spun to my right, let go of him with both hands and pushed forward and down, which drove him back and down onto a couch. When we landed on the couch, I delivered an open hand blow to his head with my right hand to distract him, so I could safely handcuff him. I was able to roll Jose to his stomach, however I was unable to control his hands.

We landed on the couch. The entire following incident occurred on the couch while attempting to place Jose in custody.

While Corporal Bennett was attempting to apply the Carotid restraint (see his report for further details), I was able to gain control of Jose's left hand. I told Jose to "get on the ground." Jose was told to place his right hand behind his back. I told [REDACTED] to stay back, which she complied and stood by the door until given further direction from me. I once again stated "Police Department, you are being detained, quit resisting." Jose stated he was not resisting. I then told him to "put your right hand behind your back, do it now." I stated that exact command twice throughout the incident. I knew Jose was capable of complying because he was moving his right arm and hand, but made no effort to put it behind his back. At that point I asked for emergency backup over the radio.

At that time I reached over, grabbed Jose's right hand, and threw it to his right side, so Corporal Bennett could reach it. Jose moved it back towards the front center of his body. I again grabbed it and threw it to his right side. Once Corporal Bennett and I realized Jose was starting to lose consciousness, we immediately moved to handcuff Jose. I was able to place a cuff on his left wrist. By the time I started to cuff his right wrist, Jose began to regain consciousness. Jose attempted to grab my hands, but I was able to cuff his right wrist without further incident.

I searched Jose, and emptied his pockets to the best of my ability at the time. I located a pocket knife in his right hip pocket during that search. Once the search was completed, we rolled him to a seated position on the floor, with his back resting against the couch. I then

advised dispatch to start medical attention and a supervisor. I attempted to ask orientation questions, however, Jose was dramatically breathing and not willing to answer. Jose stated something to the effect of "there was no need for that." Jose continued to state that he was not resisting. Based on his awareness of what occurred, and the fact that he was breathing, alert and conscious, I did not conduct any further first aid, and waited for the Corona Fire Department Paramedics to respond and evaluate Jose.

I instructed [REDACTED] to put some clothes on and step out side. I briefly spoke to her, and she stated Jose did not hit her, or throw anything at her. I asked [REDACTED] about the discoloration under her eye, and she stated she works nights. Upon closer examination under direct sunlight, I could see the discoloration clearly, and formed the opinion it was not a contusion.

Officer Buonarigo arrived on scene, and I asked him to get a full statement from [REDACTED] to include photographs.

Jose was told he was under arrest for 148(a)(1)PC

Jose was transported to Corona Regional Hospital by AMR unit 365 for an "Ok-To-Book". I was in the ambulance as well. I asked Jose if he wanted to speak to me reference the event that occurred and he stated no.

Jose was medically cleared by a doctor and CRH. He was then transported to the Corona Police Department where he was booked, photographed, and released with a citation for 148(a)(1)PC per 853.6 PC.

Prior to Jose's release, [REDACTED] was notified that he would be released from our custody. She was advised to spend the night at a different location, to give both her and Jose time in between the incident. [REDACTED] verbally declined our request to leave the apartment, and to the best of my knowledge stayed at the residence.

DISPOSITION: Closed by arrest.

██████████ also stated that Jose has been uncooperative with police before. He was recently pulled over and did not give the officer his ID upon request but was not arrested in that incident.

Even though there was no violence between ██████████ and Jose during this incident, I had Debbie from our Trauma Intervention Program respond out to provide information and resources to ██████████

Jose was arrested by Officer Tarrant. Refer to his initial report for further details.

DISPOSITION:
Supplemental Report.

Supplement

Sequence: 3

Officer: Jeff Bennett - 10246

CORONA POLICE DEPARTMENT CONTINUATION:

19-13603

On 09/01/19 at approx. 1750 hrs. I responded to 1640 Via Pacifica #F205 to assist Ofcr. Tarrant with an unknown problem call. During this time I was wearing a clearly marked Corona Police uniform driving a marked Corona Police K9 unit. The anonymous caller stated that they heard crying, screaming and possibly someone being thrown against a wall or onto the floor. The initial address did not exist however we eventually located the correct location.

I took a position on the apartment stairs about half way up from the landing. Ofcr. Tarrant had made contact at the apartment door with a female who was later identified as [REDACTED]. I could partially observe a female adult wearing a white towel standing behind the partially opened door. I heard Ofcr. Tarrant identify himself as Ofcr. Tarrant with the Corona police Department as he briefly spoke with [REDACTED]. The front door eventually opened wider and now Ofcr. Tarrant was speaking to a different subject. The subject was later identified as Jose Rodriguez Jr., the boyfriend of [REDACTED].

I heard Ofcr. Tarrant ask for Rodriguez to step outside so they could talk. I heard Rodriguez say "no" several times as Ofcr. Tarrant made his way into the apartment. As I made my way onto the landing and approached the front door of the apartment I observed Rodriguez walking towards Ofcr. Tarrant. Ofcr. Tarrant told Rodriguez to put his hands behind his back. Rodriguez said that he didn't do anything and refused to comply.

Refer to Ofcr. Tarrants initial report for additional details on how they ended up on the couch.

After Rodriguez and Ofcr. Tarrant fell to the couch Rodriguez continued to struggle as he landed on his right side.

Rodriguez was eventually moved onto his stomach as I attempted to take control of his left arm. Rodriguez continued to struggle and tense his body as I attempted to gain control of his left arm. During the struggle I told Rodriguez to put his right hand behind his back which he refused to comply. At one point Rodriguez attempted to stand up at which time I took this opportunity to place him in the carotid restraint hold.

Prior to placing Rodriguez in the carotid restraint hold I took the following into consideration:

- 1) Ofcr. Tarrant and I were investigating a report of a possible domestic violence.
- 2) A female was present and appeared to have been in some kind of argument and/or altercation.
- 3) Rodriguez had not been checked for weapons.
- 4) Rodriguez was actively resisting by not complying to Ofcr. Tarrants requests as he violently struggled to escape his holds.
- 5) Once on the couch Rodriguez refused to place his hands behind his back and attempted to stand up.

After applying the carotid restraint Rodriguez lost consciousness momentarily. I then released the pressure of the hold as I gained control of his right hand pulling it to his back. This allowed Ofcr. Tarrant to safely place him in handcuffs. Once handcuffed Rodriguez

began to slowly recover. Medical aid was requested immediately for Rodriguez. He was later transported to Corona Regional Hospital by A.M.R. for an O.K. to book.

Refer to Ofcr. Tarrant's initial report for additional information.

Sentryx Booking Information:

Sentryx Booking Number: 800

Name Number: 4346

Name: RODRIGUEZ, JOSE BONIFACIO

Address: 3969 POLK ST
RIVERSIDE, CA 92505

Phone: (951)478-7042

DOB: 11/05/92

Dr Lic: [REDACTED]

Assigned Bed: "

Current Location: "

Booking Date: 09/01/19

Height: 5'11" **Weight:** 185 **Eyes:** GRN **Hair:** BRO **Build:** MED **Ethnic:** HIS

SSN: [REDACTED]

Additional Info:

Sentryx Inmate Property Taken 19:52:48 09/01/19:

<u>Item</u>	<u>Description</u>	<u>Qty In</u>	<u>Location</u>	<u>Receipt#</u>
shoes	blk and wht	2	038	813
cash	\$20	1	038	813

Sentryx Inmate Holds On Booking # 800:

Type: [APPR] Supervisor Approval

Entered by: Sabrina Martin - 003721

When Entered: 19:57:23 09/01/19

Cleared by: Adam Roulston - 10922

When Cleared: 20:31:36 09/01/19

Remarks: No hold

Sentryx Arrest #19AR-2549

Time/Date: 18:21:31 09/01/19

Agency: CPD

Age at Arrest: 26

Location: 1640 VIA PACIFICA # F105

Officer:

Arrest Type: 2

Area: 4A

Reference:

Disposition: 3

Sentryx Offense # 1158

Statute: 148(A)(1) Obstruct/Resist/ETC
Public/PO/Emerg Tech

NCIC:

Offense: DISC Disorderly Conduct

Crime Class: M

Offense Reference: 370829/11-13-19 **Offense Type:** PC

Offense Area: 4A

Related Incident: 19-13603

Law Jurisdiction: CAS

Entry Code:

Offense Location:

Court Code:

Offense Time/Date: 17:34:31 09/01/19

Offense Disposition:

Disposition Date: **/**/**

Name Involvements:

Other : 3045

Last: [REDACTED] **First:** [REDACTED] **Mid:** [REDACTED]
DOB: [REDACTED] **Dr Lic:** [REDACTED] **Address:** [REDACTED]
Race: [REDACTED] **Sex:** [REDACTED] **Phone:** [REDACTED] **City:** [REDACTED]
Height: [REDACTED] **Weight:** [REDACTED] **Eyes:** [REDACTED] **Hair:** [REDACTED] **Build:** [REDACTED] **Ethnic:** [REDACTED]
SSN: [REDACTED]

Offender : 4346

Last: RODRIGUEZ **First:** JOSE **Mid:** BONIFACIO
DOB: 11/05/92 **Dr Lic:** [REDACTED] **Address:** 3969 POLK ST
Race: H **Sex:** M **Phone:** (951)478-7042 **City:** RIVERSIDE, CA 92505
Height: 5'11" **Weight:** 185 **Eyes:** GRN **Hair:** BRO **Build:** MED **Ethnic:** HIS
SSN: [REDACTED]







