

CITY OF MIDLETOWN POLICE DEPARTMENT

Memo

To: Lt. Paul Rickard, Bureau Commander of Operations

From: Lt. Gregory Metakes

Date: August 31, 2009

Re: Supervisor Investigation-Incident # 24957-09. Injury to subject
Cazmere W. Lowe

I have reviewed the Supervisors investigation conducted by Sergeant Mark Doty, consisting of 14 pages and involving injury to Cazmere W. Lowe during his detainment following a fight call on West Main St. on 08/30/09. The following is my findings in regards to this event.

On the night of this incident, I was working the 12-8 shift as the shift supervisor. Units were dispatched to the front sidewalk area in front of the Old Erie Brew Pub in regards to a fight. I turned the city video camera located at the intersection of West Main St. and North St. in order to observe the activity requiring police presence. I observed numerous subjects in front of the area of 7-11 West Main St. and could not immediately see any fight, but did see what appeared to be a subject holding a second subject up against a vehicle parked on the street in front of 7-11 West Main St. PO Berman was the first officer to arrive and was observed approaching the two subjects against the vehicle. It appeared that PO Berman took a subject into custody at this time without incident as other officers arrived at the scene. The subject taken into custody was placed in the rear of a marked patrol unit. This subject was later identified as Joseph Lowe.

After Joseph Lowe was taken into custody, and not visible on camera, officers were taking a second subject into custody from the front ground area of the parked vehicle. This subject, later identified as Cazmere W. Lowe, became visible to camera when he

was stood up by officers on scene. Cazmere Lowe was observed to appear agitated and was turning from officers, away from parked patrol units and towards the front of the Old Erie Brew Pub. Numerous officers were on the sidewalk side of Cazmere Lowe and PO Dolan was on the street side of Cazmere Lowe. It appeared that PO Dolan pulled Mr. Lowe forward towards the patrol units and in doing so, caused Mr. Lowe to lose his footing, falling forwards and striking marked patrol unit #9. My immediate impression was that Cazmere Lowe was turned slightly away from the direction that he traveled and that the mass of his body weight was canted towards the sidewalk. In pulling Cazmere Lowe in the direction that he was pulled, it was not possible for Cazmere Lowe to regain his footing. Cazmere Lowe struck the marked patrol unit (Unit 9) in the drivers side rear door. Cazmere Lowe was assisted to his feet and placed into patrol unit #9.

Both Cazmere and Joseph Lowe were transported to 370 shortly thereafter.

After both subject arrived at 370, I went into the booking area to interview both subjects and to determine charges from the responding officers. Both Joseph and Cazmere Lowe said that they were "fine" and Cazmere Lowe stated that he had "fucked up". I told Cazmere Lowe that everything would be alright and that sometime people have a bad night. Cazmere then stated "a bad night, I had a bad night for sure".

I asked the officers in booking what the charges were for both subjects and they advised they had to wait for the bouncers from the Old Erie Brew Pub to respond to determine exact charges.

Shortly thereafter, numerous subjects who were identified as bouncers from the Old Erie Brew Pub arrived at Police Headquarter (370) and were interviewed, along with statements taken by officers. After speaking with officers and reviewing the statements of the bouncers, I could not determine any cause for Cazmere Lowe to be detained any further. It appears that Cazmere Lowe may have harassed a bouncer, James Arnott, but the offense being a violation committed outside police presence dictated that any complaint based on this incident would be non custodial. I directed Sgt. Doty to further interview Cazmere Lowe to insure that he was not injured. Sgt. Doty did interview Cazmere Lowe and advised me that Cazmere was not injured and was apologetic in regards to his actions during this incident. Cazmere Lowe was then released. Joseph Lowe was charged with assault in the third degree for punching a separate bouncer in the nose.

At approximately 5:00 A.M. I received a phone call from Orange Regional Medical Center (470) and was advised by the caller, a charge nurse, that there was a subject at 470 named Cazmere Lowe and that Cazmere Lowe was complaining of pain and stated he had been assaulted by a Middletown Police Officer. I directed Sgt. Doty to respond to 470 to further interview Cazmere Lowe.

Sgt. Doty responded to 470 and returned a short time later and advised me that Cazmere Lowe had stated that he went home and tried to go to sleep, but was in pain,

possibly masked earlier due to the effects of alcohol use on the evening of August 30, 2009. Cazmere Lowe stated that he wanted to give a statement in regards to this incident and was advised to come into 370 after his release from 470. I directed Sgt. Doty to return to 470 to photograph Cazmere Lowe's injuries and to check on Cazmere's status. Sgt. Doty then responded back to 470 and photographed injuries that Cazmere Lowe stated occurred as a result of this incident. Cazmere was released from 470 while Sgt. Doty was interviewing him and stated that he wanted to go to breakfast, but would then respond to 370.

As of 08/31/09, 12-8 shift, Cazmere Lowe has not responded to 370.

On 08/31/09 during briefing, I advised all members of my squad that a call of this nature does not automatically dictate that there is an arrest situation. I felt that the immediate detention of both Joseph and Cazmere Lowe was justified in order to determine if any offense had been committed, however, it does not appear that there was an adequate amount of communication with Old Erie staff to determine if either or both subjects should be transported to 370 in effect, under arrest. I advised the squad that in the event of a fight call without bouncers present, they would not arrest based solely on the basis of a radio call of "a fight" and that the presence of bouncers at this scene did not change what their response should be. It does not appear that thorough interview was conducted but if it was, the lines of communication became blurred.

In regards to the injury to Cazmere Lowe, it is unknown whether his injuries occurred from his collision with the marked patrol car, or during his detainment by Old Erie staff, but regardless, the actions that led to his collision with the marked unit most certainly could be viewed in a negative light. Due to Cazmere being off balance when he was pulled forward by PO Dolan, it is quite likely that there would have been no way of Cazmere regaining his balance without another officer retaining the side of Cazmere opposite PO Dolan. I advised PO Dolan that in the future, it would be advisable that whenever possible, have a second officer flank handcuffed subjects from the opposite side to prevent not only injury to the handcuffed subject, but also to prevent the subject fleeing and to prevent injury to officers as well.

Conclusion: I believe that this injury could have been avoided as stated above. The force used to pull Cazmere Lowe from his position near the sidewalk and to the marked patrol unit could have been greatly reduced with the assistance of a second officer and it is likely that Cazmere Lowe would not have lost his footing had there been a second officer assisting with the transport from the point of arrest to the patrol car.

Respectfully submitted

A handwritten signature in cursive script, appearing to read "Lt. Greg Metakes". The signature is written in black ink and is positioned centrally below the typed text.

Lieutenant Gregory W. Metakes

CITY OF MIDDLETOWN POLICE DEPARTMENT

SUBJECT RESISTANCE REPORT

Blotter #: 09-24957 Case #: 09-5045 Arrest #: 09-2193

Date: 08/30/09 Time: 0139 AM Day of Week: SAT

Address of Incident: Old Erie Park 7-11 W. Main SE

Type of Premise: Bar/Street Took Place: Inside Outside Both

Name of Subject Resisting: CAZMERE, Lowe S Sex: M

Address: [REDACTED]

DOB: [REDACTED] e #: [REDACTED] Height: 601 Weight: 215

Condition of Suspect: Sober Drinking Alcohol Intox EDP

Subject Arrested: Yes/No If "Yes", Charges: _____

Subject Injured During Incident: Yes/No If "Yes", Nature of Injuries: No

Did not observe any injuries

Subject Injured Prior to Police Involvement: Yes/No If "Yes", Nature of Injuries: CWK

Subject was involved with a physical altercation with the
boobers prior to police arrival

Medical Attention Refused: Yes/No If "Yes", Witness: _____

If "No", Name of Medical Facility: _____

Transported By: _____ Attending Physician: _____

Less-Lethal Force Used (if any): Circle ALL That Apply

Type	Used	Effective
OC Spray	Yes/No	Yes/No
Baton	Yes/No	Yes/No
Taser	Yes/No	Yes/No
Impact Projectile	Yes/No	Yes/No
Other: <u>Soft Hand</u>	<input checked="" type="checkbox"/> Yes/No	<input checked="" type="checkbox"/> Yes/No

Name/Rank/Shield # of Officer Being Resisted: P.O. [Signature] #1194

Was Officer Assaulted: Yes No

Was Officer Injured: Yes No

Nature of Officer's Injury: _____

Medical Attention Received by Officer: Yes/No Medical Facility: _____

Transported By: _____ Attending Physician: _____

Tech Work Done: Yes/No Type: Photos _____ Diagram _____ Other _____

Names of Other Police Officers Present:	Car#	Injured
<u>Sgt M. Doty</u>	<u>4</u>	Yes <input checked="" type="checkbox"/> No
<u>P.O. P. Cunningham</u>	<u>12</u>	Yes <input checked="" type="checkbox"/> No
<u>P.O. G. Nelson</u>	_____	Yes/No
_____	_____	Yes/No

Narrative - Explain how the subject resisted and what was done to take them into custody, type of equipment used and amount of assistance received from other officers:

While the subject was in handcuffs he
struggled while he walked to Car 9.

[Signature] #1194
Officer's Signature Shield#
[Signature] Lt 71
Supervisor's Signature Shield#

8/30/09
Date
8/30/09
Date

CITY OF MIDDLETOWN POLICE DEPARTMENT

SUBJECT RESISTANCE REPORT

Blotter #: 09-24957 Case #: 09-5045 Arrest #: 09-2193/41-0022301

Date: 8/30/09 Time: 137 Day of Week: SUN

Address of Incident: 7-11 W Main St

Type of Premise: Street Took Place: Inside Outside Both

Name of Subject Resisting: CHARMINE LOWE Sex: M

Address: [REDACTED]

DOB: [REDACTED] Phone #: [REDACTED] Height: 61 Weight: 215

Condition of Suspect: Sober Drinking Alcohol Intox EDP

Subject Arrested: Yes/No If "Yes", Charges: _____

Subject Injured During Incident: Yes/No _____ If "Yes", Nature of Injuries: _____

PO DID NOT OBSERVE ANY INJURIES OR SUSPECT

Subject Injured Prior to Police Involvement: Yes/No _____ If "Yes", Nature of Injuries: UNK

SUBJECT WAS INVOLVED WITH PHYSICAL ALTERCATION WITH BUSINESS JOST
PRIOR TO POLICE CONTACT

Medical Attention Refused: Yes/No _____ If "Yes", Witness: _____

If "No", Name of Medical Facility: _____

Transported By: _____ Attending Physician: _____

Less-Lethal Force Used (if any): Circle ALL That Apply

Type	Used	Effective
OC Spray	Yes/No	Yes/No
Baton	Yes/No	Yes/No
Taser	Yes/No	Yes/No
Impact Projectile	Yes/No	Yes/No
Other: <u>SOFT MAND</u>	<input checked="" type="radio"/> Yes/No	<input checked="" type="radio"/> Yes/No

Name/Rank/Shield # of Officer Being Resisted: P.O. G. Nelson

Was Officer Assaulted: Yes/No Was Officer Injured: Yes/No

Nature of Officer's Injury: _____

Medical Attention Received by Officer: Yes/No Medical Facility: _____

Transported By: _____ Attending Physician: _____

Tech Work Done: Yes/No Type: Photos _____ Diagram _____ Other _____

Names of Other Police Officers Present:	Car#	Injured
<u>Sgt M. Doty</u>	<u>4</u>	Yes/No <u>No</u>
<u>P.O. P. Cunningham</u>	<u>12</u>	Yes/No <u>No</u>
<u>P.O. Dulan</u>	<u>17</u>	Yes/No <u>No</u>
_____	_____	Yes/No _____

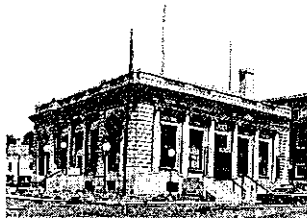
Narrative – Explain how the subject resisted and what was done to take them into custody, type of equipment used and amount of assistance received from other officers:

Suspect was observed refusing to be handcuffed, soft
hand techniques were used to place his hands in handcuffs.
while in hand cuffs suspect continued to struggle to
was controlled by ^{two} soft hand techniques.

George M 1153
Officer's Signature Shield#
[Signature] 741
Supervisor's Signature Shield#

8/23/09
Date
8/30/09
Date

MATTHEW T. BYRNE
CHIEF OF POLICE



TELEPHONE
845-343-3151
FAX NUMBER
845-343-2660

City of Middletown Police Department

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
Established 1888

To: Chief Matthew T. Byrne – Chief of Police

From: Lt. Paul J. Rickard, MPA – Bureau Commander of Operations

Date: August 31, 2009

Re: Cazmere Lowe Supervisors Investigation

I have reviewed the attached Supervisors Investigation. At this time we do not have any active complaint from Cazmere Lowe.

If you have any questions, please advise.

Paul J. Rickard
MPA
9/1/09

CITY OF MIDLETOWN POLICE DEPARTMENT

Memo

To: Lt. G. Metakes
From: Sgt. Mark Doty
Date: August 30, 2009
Re: Injury to Cazmere W. Lowe, Incident: 24957-09, Case: 5045-09

Cazmere Lowe, a person who came to be detained by our department last night at the scene of a disturbance at the Olde Erie Brew Pub, appears to have sustained minor injury, an abrasion to his left shoulder, and an area near his left temple, above his ear, while in our custody.

Based on my observations and participation at the scene of this incident, the initial and supplement reports, the statements of the bouncers/security at the Olde Erie, I believe the following:

1. Mr. Arnott may have over reacted, beyond the scope of his authority, and did so by detaining Mr. Cazmere Lowe in an extremely physical manner for a petty offense not committed in the presence of the police, essentially an incident that appears to have been committed on the sidewalk, before the vestibule, outside of the premisses of the Olde Erie Brew Pub, 7-11 W. Main St., Middletown, NY.
2. As a result of Mr. Arnott's detention of Cazmere Lowe, Mr. Joseph Lowe, half brother of Cazmere, became disorderly and assaulted another employee of the Olde Erie, and a larger disorderly crowd began to form on the sidewalk and had begun to yell and taunt either the employees of the Olde Erie or the persons detained by them.
3. Upon assuming custody of the detained persons by our officers, the crowd had become more raucous. Officer Cunningham deployed K-9 Ivan as a preventive measure and to help re-establish order. Simultaneously one of the detainees, Cazmere Lowe, as he was being moved to a patrol car to move him away from

the crowd and to perform an interview, fell forward striking the rear, drivers side door of car 9. At about the same time there was a radio broadcast that the State Police were in a vehicle pursuit heading toward this city.

4. Both Cazmere and Joseph Lowe were transported to 370 for further interview.
5. The employees of the Olde Erie came to 370 as well, providing statements.
6. It was initially determined that Cazmere Lowe committed no offenses that he could be charged with at this time and was released. Prior to his release he stated that he had some stiffness and soreness, but sustained no injury.
7. Joseph Lowe was charged with assault 3rd.
8. Cazmere Lowe, after being released, had time to metabolize both the alcohol he had consumed earlier and the adrenaline from his incident with Mr. Arnott and his detention with our department. As the anesthetic effects wore off, Mr. Lowe realized he sustained injury from this contact. Mr. Lowe sought treatment at ORMC, Horton Campus's E.R..
9. Initially Mr. Cazmere Lowe participated in this investigation by allowing photographs, but failed to participate further by providing a statement of what occurred. Mr. Lowe had been invited to respond to 370 twice, once prior to his treatment in the emergency room, and upon his release from treatment when the photographs were obtained.
10. As this report and the supporting documents were compiled Mr. Cazmere Lowe did not respond to headquarters, and this stage of the report was completed at about 12:30.

Conclusion:

Mr. Cazmere Lowe's injury is consistent with a fall, possibly from police custody, or from the grappling with Mr. Arnott. Mr. Cazmere Lowe was released as soon as it was determined no criminal charges were forthcoming.

Enclosures: (10)

1. Agency		2. Division/Precinct		New York State INCIDENT REPORT				3. ORI		4. <input type="checkbox"/> Orig <input type="checkbox"/> Supp		5. Case No.		6. Incident No.	
Middletown Police Dept								NY0350100				CM-05045-09		CM-024957-09	
7. Report Day		8. Date		9. Report Time		Occurred On/From:		10. Day		11. Date		12. Time		Occurred On/To:	
Sun		Aug 30 2009		01:39		Sun Aug 30 2009		01:37		Sun		Aug 30 2009		01:37	
16. Incident Type				17. Business Name				18. Weapon(s)				A. -			
DISPUTE				OLD ERIE				DOES NOT APPLY							
19. Incident Address(Street No.,Street Name,Bldg. No.,Apt. No.)								20. City,State,Zip(<input checked="" type="checkbox"/> C <input type="checkbox"/> T <input type="checkbox"/> V)				21. Location Code		B.	
7-11 W MAIN ST								MIDDLETOWN				33			
22. OFF. NO.		LAW	SECTION	SUB	CL	CAT	DEG	ATT	NAME OF OFFENSE			CTS	23. No. of Victims		
1		PL	120.00	-1	A	M	3	O	ASSAULT IN THE THIRD			1	1		
2		PL	240.26	-1	U	V	2	O	HARASSMENT SECOND DEGREE -			1	24. No. of Suspects		
3													1		
25. Person Type:CO=Complainant OT=Other PI=Person Interviewed PR=Person Reporting WI=Witness NI=Not Interviewed VI=Victim											26. Victim also complainant		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
TYPE/NO		NAME(LAST, FIRST, MIDDLE, TITLE)				Date of Birth		STREET NO., STREET NAME, BLDG. NO., APT. NO., CITY, STATE, ZIP				Telephone No.			
OT		OLD ERIE BREW PUB,										BUS ()			
VI		ARNOTT, JAMES 3RD										RES.			
VI		SPALEK, SEBASTIAN J										RES.			
CA		DESTEFANO, JOSEPH										RES.			
27. Date of Birth		28. Age	29. Sex	30. Race		31. Ethnic		32. Handicap	33. Residence Status		Temp. Res. - Foreign Nat.		J. 07		
		34	<input checked="" type="checkbox"/> M <input type="checkbox"/> F	<input checked="" type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Other		<input checked="" type="checkbox"/> Hispanic <input type="checkbox"/> Unk.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Resident <input type="checkbox"/> Tourist <input type="checkbox"/> Student <input type="checkbox"/> Other		<input type="checkbox"/> Commuter <input type="checkbox"/> Military <input type="checkbox"/> Homeless <input type="checkbox"/> Unk/Not Indicated				
34. Victim DID receive information on Victim's Rights and Services pursuant to New York State Law													<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
35. Type/No		36. Name (Last, First, Middle)				37. Alias/Nickname/Maiden Name (Last, First, Middle)				38. Apparent Condition				K.	
SU		LOWE CAZMERE W								<input type="checkbox"/> Impaired Drugs <input type="checkbox"/> Mental Dis <input type="checkbox"/> Unk. <input type="checkbox"/> Impaired Alco <input type="checkbox"/> Inj/Ill <input type="checkbox"/> App Nonm.				L. -	
39. Address (Street No., Street Name, Bldg. No., City, State, Zip)								40. Phone Res:		41. Social Security No.		M.			
								Bus.: ()							
42. Date of Birth		43. Age	44. Sex	45. Race		46. Ethnic		47. Skin		48. Occupation				N. -	
		23	<input checked="" type="checkbox"/> M <input type="checkbox"/> F	<input checked="" type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Other		<input checked="" type="checkbox"/> Hispanic <input type="checkbox"/> Unk.		<input checked="" type="checkbox"/> Light <input type="checkbox"/> Dark <input type="checkbox"/> Unk.							
49. Height		50. Weight	51. Hair	52. Eyes	53. Glasses		54. Build		55. Employer/School		56. Address				
6 01		215	BLK	BRO	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Small <input type="checkbox"/> Medium <input type="checkbox"/> Large								
57. Scars/Marks/Tattoos (Describe)								58. Misc.				1			
59. Victim or Suspect No.		Property Status	Property Type	Quantity/Measure	Make or Drug Type	Model	Serial No.	Description				Value			
60. Vehicle Status		61. License Plate No		Full <input type="checkbox"/> Partial <input type="checkbox"/>	62. State	63. Exp. Yr.	64. Plate Type		65. Value						
66. Veh. Yr.		67. Make		68. Model		69. Style		70. VIN.							
71. Color(s)			72. Towed By:			73. Vehicle Notes									
			To:												
74. ON 8/30/09 AT APPROX 1:39 AM OFFICERS WERE DISPATCHED TO A REPORT OF DISPUTE IN FRONT OF THE OLD ERIE BREW PUB. R/O WAS THE FIRST UNIT ON SCENE AND OBSERVED 2 MALE BOUNCERS WHO WORKED AT THE OLD ERIE BREW PUB RESTRAINING A BLACK MALE SUBJECT WHO WAS WEARING A WHITE BUTTON DOWN DRESS SHIRT AND BLUE JEANS, AGAINST A MOTOR VEHICLE. R/O THEN ADVISED UNITS IN THE FIELD OF AN ACTIVE FIGHT AT THE LOCATION. R/O IMMEDIATELY RESPONDED TO THE BOUNCERS AND ADVISED THE MALE SUBJECT WHO WAS LATER IDENTIFIED AS JOSEPH S LOWE (DEFENDANT), "MIDDLETOWN POLICE, MIDDLETOWN POLICE, ARE NOW HERE" AND ADVISED THE TWO BOUNCERS TO RELEASE THE DEFENDANT. R/O THEN SECURED THE DEFENDANT'S ARMS BEHIND HIM BACK AND PLACED HIM INTO HANDCUFFS WHICH WERE DOUBLE LOCKED AND CHECKED FOR FIT WITHOUT FURTHER INCIDENT. R/O THEN OBSERVED A THIRD BOUNCER, LATER IDENTIFIED AS JAMES ARNOTT													8		
													9		
													10		
													11		
													12		
													13		
													0		
75. Inquiries (Check all that apply).						76. NYS PIN Message No.			77. Complainant Signature						
<input type="checkbox"/> DMV. <input type="checkbox"/> Want/Warrant. <input type="checkbox"/> Scofflaw <input type="checkbox"/> Crim. History <input type="checkbox"/> Stolen Property <input type="checkbox"/> Other															
78. Reporting Officer Signature (Include Rank)				79. ID No		80. Supervisor's Signature (include Rank)				81. ID No					
				1179 PO BERMAN											
82. Status						83. Status Date			84. Notified/TOT						
<input type="checkbox"/> Vict. Refused to Coop. <input checked="" type="checkbox"/> Closed (if Closed, check box below). <input type="checkbox"/> Unfounded <input type="checkbox"/> CBI <input type="checkbox"/> Juv. - No Custody <input type="checkbox"/> Arrest <input type="checkbox"/> Pros. Declined <input type="checkbox"/> Warrant Advised <input type="checkbox"/> Arrest-Juv. <input type="checkbox"/> Offender Dead. <input type="checkbox"/> Extrad. Declin <input type="checkbox"/> Unknown						Aug 30 2009									
ADMINISTRATIVE													B use cover sheet		
													85. 1		
													Page of 2		
													Pages		

INCIDENT No.: CM-05045-09

BLOTTER/CC No.: CM-024957-09

=====
ADDITIONAL NARRATIVE
=====

3RD, RESTRAINING A HISPANIC MALE SUBJECT WITH SHOULDER LENGTH BRAIDS ON THE PAVEMENT OF WEST MAIN ST, DIRECTLY IN FRONT OF THE ESTABLISHMENT. R/O THEN OBSERVED SGT DOTY AND PO CUNNINGHAM ON SCENE AND ADVISED THEM TO ASSIST THE BOUNCER.

R/O THEN SECURED THE DEFENDANT IN THE REAR OF PATROL VEHICLE 4 AND STOOD BY THE DEFENDANT. R/O THEN REMOVED THE DEFENDANT FROM PATROL VEHICLE 4 AND PLACED HIM INTO PATROL VEHICLE 17. PO DOLAN THEN TRANSPORTED THE DEFENDANT TO HEADQUARTERS IN PATROL VEHICLE 17.

R/O THEN APPROACHED JAMES ARNOTT AND SEBASTIAN SPALEK (BOUNCERS/VICTIMS) AND ASKED THEM TO RESPOND TO HEADQUARTERS FOR STATEMENT PURPOSES. AT HEADQUARTERS R/O COMPLETED A STATEMENT WITH JAMES ARNOTT 3RD (BOUNCER/VICTIM).

OFFICER NEILSON COMPLETED A STATEMENT WITH SEBASTIAN SPALEK (BOUNCER/VICTIM) AND R/O SIGNED A COMPLAINT FOR ASSAULT 3RD AGAINST JOSEPH LOWE.

AT HEADQUARTERS JOSEPH WAS BOOKED AND PROCESSED FOR ASSAULT 3RD AND ROR'D WITH A RETURN DATE OF 9/11/09. CAZMERE LOWE WAS RELEASED.

LT. METAKES CALLED MR. ARNOTT AND LEFT A MESSAGE LETTING HIM KNOW THAT BASED ON OUR INVESTIGATION HE COULD SIGN A COMPLAINT FOR HARASSMENT 2ND. A COMPLAINT WAS COMPLETED AND STORED AS A PAPERWORK ONLY ARREST, AND AVAILABLE TO BE PRINTED SHOULD HE RESPOND TO 370.

=====
ADDITIONAL SUSPECT/MISSING/ARRESTED PERSON(S)
=====

Type:ARRESTED PERSON Name:JOSEPH S LOWE Address:
AKA : Condition:IMPAIRED ALCOHOL SS #
Home Phone: Business Phone.:
DOB: Age: 21 Sex:M Race:BLK Ethnic:NON-HISPANIC Skin:MED
Height:5 03 Weight:175 Hair:BAL Eyes:BRO Glasses:NO Build:MEDIUM
Occupation: Employer:
Scars:ROSE WITH "JOJO FOREVER" ON BACK Misc:

D.D. No.:

MISDEMEANOR COMPLAINT

Blotter/CC No.: CM-024957-09

Case Report No: CM-05045-09

Police Serial No: _____

Return Date...: 09/11/2009

Appearance Ticket: _____

Arrest Number...: CM-02193-09

Court Docket No.: _____

Defendant in Custody from: 01:41 August 30, 2009

to 04:00 August 30, 2009

2 JAMES STREET
MIDDLETOWN, NEW YORK 10940
THE PEOPLE OF THE STATE OF NEW YORK
against

JOSEPH S LOWE (21)

D.O.B. [REDACTED]
(1)

STATE OF NEW YORK^{SS}
COUNTY OF ORANGE

PO JASON A BERMAN, Shield 1179, being duly sworn, deposes and says that he is a member of the Middletown Police Dept, County of ORANGE, New York and that from approximately 1:37AM on the 30 day of August, 2009 through approximately 1:40AM on the 30 day of August, 2009 at 7-11 W MAIN ST MIDDLETOWN in the County of ORANGE, New York.

JOSEPH S LOWE

OFFENSE
ASSAULT 3RD
CLASS A
MISDEMEANOR

THE DEFENDANT(S) DID VIOLATE SECTION 120.00 SUBDIVISION 1 OF THE PENAL LAW OF THE STATE OF NEW YORK, IN THAT AT THE TIME AND PLACE AFORESAID THE DEFENDANT(S) DID WITH INTENT TO CAUSE PHYSICAL INJURY TO ANOTHER PERSON, DID CAUSE SUCH INJURY TO SUCH PERSON OR TO A THIRD PERSON, TO WIT; ON THE ABOVE DATE, TIME, AND LOCATION THE ABOVE NAMED DEFENDANT DID INTENTIONALLY CAUSE PHYSICAL INJURY TO ANOTHER PERSON, THAT BEING SEBASTIAN SPALEK (VICTIM), BY HITTING THE VICTIM IN THE FACE WITH HIS HAND, WHICH RESULTED IN THE VICTIM SUSTAINING A SUBSTANTIAL AMOUNT OF PAIN, SWELLING, AND REDNESS TO HIS NOSE, POSSIBLY RESULTING IN THE NOSE BEING BROKEN. THE ABOVE STATED ACTIONS BY THE DEFENDANT DID THEREBY VIOLATE THE ABOVE SECTION OF LAW, THAT BEING A CLASS "A" MISDEMEANOR.

Prepared By
PO J BERMAN

This complaint is based on information and belief, the source being, A SIGNED STATEMENT BY THE VICTIM AND YOUR DEPONENT'S OBSERVATION OF THE VICTIM'S INJURY. Any false statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law.

Subscribed and sworn to before me
this 30 day of August, 2009

PO Berman 1179

JASON A BERMAN
POLICE OFFICER

JASON A BERMAN
POLICE OFFICER

Narrative #: 1

Officer Rank/Name: PO PATRICK P CUNNINGHAM

Department: Middletown Police Dept

Case Number.: CM-05045-09

DD Number :

Blotter/CC #: CM-024957-09

DISPUTE REPORT 09-24957;

ON 08/30/2009 AT 0139HRS R/O AND PO G NEILSON WERE DISPATCHED TO THE OLDE ERIE BREW PUB, 7-11 WEST MAIN ST, FOR A DISPUTE. PO BERMAN ARRIVED ON SCENE AND ADVISED OFFICERS THAT THERE WAS AN ACTIVE FIGHT IN PROGRESS. R/O, PO G NEILSON AND SGT DOTY ARRIVED ON SCENE. R/O OBSERVED THAT PO BERMAN HAD ONE MALE IN CUSTODY AND WAS WALKING HIM TO CAR 4. R/O OBSERVED A BOUNCER FROM THE BAR LYING ON TOP OF ANOTHER MALE IN THE ROADWAY OF WEST MAIN ST.

R/O APPROACHED THE BOUNCER, LATER IDENTIFIED AS JAMES ARNOTT 3RD, WHO WAS LYING ON TOP OF A MALE ON THE ROADWAY. R/O ASKED JAMES TO LET THE MALE UP AND WHEN HE STARTED TO RELEASE PRESSURE ON THE MALE HE STARTED TO BECOME COMBATIVE. R/O AND SGT DOTY IMMEDIATELY ATTEMPTED TO SECURE THE MALE IN HANDCUFFS TO PROTECT HIMSELF AND OTHERS ON SCENE.

THE COMBATIVE MALE, LATER IDENTIFIED AS CAZMERE LOWE, CONTINUED TO FIGHT WITH POLICE AS HE WAS BEING HANDCUFFED. CAZMERE WAS STOOD UP ON HIS FEET AND WAS LATER TAKEN BACK DOWN TO THE GROUND IN ATTEMPT TO SECURE HIM. CAZMERE WAS FINALLY SECURED IN HANDCUFFS, WHICH WERE CHECKED FOR FIT AND DOUBLE LOCKED. AS R/O AND PO G NEILSON STOOD HIM UP, CAZMERE PUT HIS FACE DIRECTLY IN FRONT OF R/O'S, ALMOST TOUCHING R/O'S FACE, AND BEGAN TO YELL. R/O THOUGHT, DUE TO THE CRAZED LOOK AND HOSTILE LIKE MANNER, THAT CAZMERE WAS GOING TO HEADBUTT R/O. R/O IMMEDIATELY SECURED HIS HEAD WITH R/O'S HANDS AND PUSHED HIM AWAY. OTHER OFFICERS IMMEDIATELY GRABBED CAZMERE AND ESCORTED HIM TO THE PATROL VEHICLE.

AFTER CAZMERE WAS SECURED PATRONS FROM THE OLDE ERIE BAR AND ONE UNDER BAR STARTED TO COME OUT ONTO THE SIDEWALK. AT ONE POINT, THERE WAS OVER 150 PEOPLE OUT ON THE SIDEWALK STARTING TO YELL AT OFFICERS. R/O IMMEDIATELY RETURNED TO PATROL VEHICLE 12 AND RETRIEVED K9 IVAN FOR CROWD CONTROL.

AFTER THE INCIDENT THE CROWDS REMAINED ON THE STREETS AND SIDEWALK WITHOUT INCIDENT.

Signature

PO P

D.O.: _____

Sqd. Superv.: _____

Sgt Doty

C.O.: _____

Narrative #: 2

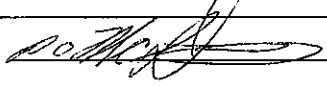
Officer Rank/Name: PO MICHAEL J MCDONALD

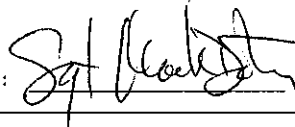
Department: Middletown Police Dept
DD Number :

Case Number.: CM-05045-09
Blotter/CC #: CM-024957-09

1226:08/30/2009 07:33 - DISPUTE

RO RESPONDED TO THE OLD ERIE FOR A REPORT OF A DISPUTE. RO ARRIVED ON SCENE AND OBSERVED OFFICER'S ATTEMPTING TO DETAIN A SUBJECT AND MAINTAIN CROWD CONTROL. SEVERAL PEOPLE CONTINUED TO GATHER AROUND WATCHING. I PROCEEDED OVER AND STOOD BY TO MAKE SURE NO ONE FROM THE CROWD COULD GET INVOLVED IN THE INCIDENT AND POSSIBLY PUT AN OFFICER OR THE SUBJECT BEING DETAINED IN DANGER.

Signature 

D.O.: _____ Sqd. Superv.:  C.O.: _____

Narrative #: 3

Officer Rank/Name: PO GEORGE NEILSON

Department: Middletown Police Dept
DD Number :

Case Number.: CM-05045-09
Blotter/CC #: CM-024957-09

PO G NEILSON 08/30/2009

RO WAS DISPATCHED TO A DISPUTE IN FRONT OF THE OLD ERIE, EN ROUTE TO THE DISPUTE A TRANSMISSION OVER MPD RADIO STATED THAT THERE WAS AN ACTIVE FIGHT AT THAT LOCATION. UPON ARRIVAL RO OBSERVED A WHITE MALE EMPLOYEE (JAMES ARNOTT) OF THE OLD ERIE BAR SITTING ON TOP OF A BLACK MALE WITH BRAIDS. RO THEN OBSERVED SGT DOTY ATTEMPTING TO HANDCUFF CAZMERE LOWE. RO ASSISTED SGT DOTY IN HANDCUFFING THE SUSPECT. RO THEN BROUGHT CAZMERE TO HIS FEET AND HE CONTINUED TO STRUGGLE. AT THIS TIME A LARGE CROWD OF APPROX 175 PEOPLE GREW HOSTILE AND BEGAN FORMING AROUND OFFICERS. RO'S THEN STRUGGLED WITH CAZMERE TO ESCORT HIM TO CAR 9 TO SECURE HIM. WHILE WALKING CAZMERE TO CAR 9 HE FELL IN TO THE REAR DOOR OF CAR 9. RO ASSISTED CAZMERE OFF THE GROUND AND SECURED HIM IN PATROL 9. RO STOOD BY FOR CROWD CONTROL AND THEN TRANSPORTED CAZMERE TO MPD FOR PROCESSING.

Signature _____

[Handwritten Signature] 7/1/14

D.O.: _____ Sqd. Superv.: _____ C.O.: _____

Narrative #: 4

Officer Rank/Name: PO CHRISTOPHER J DOLAN

Department: Middletown Police Dept	Case Number.: CM-05045-09
DD Number :	Blotter/CC #: CM-024957-09

ON 08/30/2009 AT APPROX 0139 AM R/O DOLAN RESPONDED TO THE OLD ERIE BREW PUB, 7-11 WEST MAIN ST, FOR A DISPUTE. PO BERMAN ARRIVED ON SCENE AND ADVISED OFFICERS THAT THERE WAS AN ACTIVE FIGHT IN PROGRESS. R/O OBSERVED THAT PO BERMAN HAD ONE MALE IN CUSTODY IN FRONT OF CAR 4. R/O OBSERVED A BOUNCER FROM THE BAR LYING ON TOP OF ANOTHER MALE IN THE ROADWAY OF WEST MAIN ST..

R/O THEN OBSERVED SGT DOTY ATTEMPTING TO HANDCUFF A MALE SUBJECT LATER IDENTIFIED AS CAZMERE LOWE. A LARGE CROWD OF APPROX 150 PEOPLE GREW HOSTILE AND BEGAN FORMING AROUND OFFICERS. R/O STOOD BY TO MAKE SURE NO ONE FROM THE CROWD COULD GET INVOLVED IN THE INCIDENT AND POSSIBLY PUT AN OFFICER OR THE SUBJECT BEING ARRESTED IN DANGER.

R/O THEN BROUGHT CAZMERE TO HIS FEET AND CAZMERE PUT HIS FACE DIRECTLY IN FRONT OF OFFICER CUNNINGHAM'S FACE, ALMOST TOUCHING OFFICER CUNNINGHAM'S FACE, AND BEGAN TO YELL. R/O THEN GRABBED CAZMERE AND PULLED HIM BACK AWAY FROM OFFICER CUNNINGHAM'S FACE AND ATTEMPTED TO WALK CAZMERE TO CAR 9 TO SECURE HIM. WHILE WALKING CAZMERE TO CAR 9 HE KEPT ATTEMPTING TO PULL AWAY FROM R/O'S GRASP, WHICH APPEARED THAT HE WAS WANTING TO GET BACK AT OFFICER CUNNINGHAM. R/O THEN PULLED CAZMERE TOWARDS CAR 9 AT WHICH POINT CAZMERE FELL OUT OF R/O'S GRASP WHICH CAUSED HIM TO FALL INTO THE REAR DOOR OF CAR 9. R/O THEN ASSISTED CAZMERE OFF THE GROUND AND SECURED HIM IN PATROL 9. R/O STOOD BY FOR CROWD CONTROL AND THEN TRANSPORTED JOSEPH LOWE IN MARKED UNIT #17 TO 370 FOR PROCESSING.

Signature

D.O.: _____

Sqd. Superv.: _____

C.O.: _____

STATE OF NEW YORK :

DATE: 08/30/2009

COUNTY OF ORANGE : ss

TIME: 245 AM

CITY OF MIDDLETOWN:

CASE #09-5045

I, SEBASTIAN J. SPALEK

, BEING DULY SWORN, DEPOSES AND SAY THAT I AM [REDACTED]

YEARS OF AGE DOB [REDACTED] AND I RESIDE AT [REDACTED]

AND I GIVE THIS STATEMENT TO PO G NEILSON OF THE MIDDLETOWN NEW YORK POLICE DEPARTMENT, and that AT APPROX 1:37 AM ON 08/30/2009 I WAS WORKING INSIDE THE OLD ERIE PUB AS A BOUNCER, OVER MY WORK TWO WAY RADIO I WAS CALLED FOR A FIGHT OUTSIDE THE FRONT DOOR, I WALKED OUTSIDE I OBSERVED A SHORT BLACK MALE HOLDING MY CO WORKER BILL BARBEE AGAINST A BLACK DODGE CHARGER. I GRABBED THE BLACK MALE OFF BILL AND I FELL TO THE GROUND, I GOT BACK UP AND SAW THE SAME BLACK MALE ATTEMPT PUNCH ANOTHER CO WORKER JIM ARNOTT. I GRABBED THE BLACK MALE AND THREW HIM TO THE GROUND. HE THEN STOOD UP, TOOK A FIGHTING STANCE AND ATTEMPTED TO PUNCH ME 3 TIMES HITTING ME ONCE ON THE LEFT SIDE OF MY FACE AND I THINK MY NOSE IS BROKEN. BILL THEN GRABBED THE BLACK MALE AND RESTRAINED HIM UNTIL THE MIDDLETOWN POLICE SHOWED UP.

I have read this statement consisting of one page(s) and I swear it to be the truth to the best of my recollection and knowledge.

Sworn to before me this 30 Day of August 2009

Dee Weiser (N.Y.)
~~Notary Public~~
Police Officer

Note: False statements made herein are punishable as a Class "A" misdemeanor pursuant to section 210.45 of the New York State Penal Law.


Signed

STATE OF NEW YORK :

DATE: 08/30/09

COUNTY OF ORANGE : ss

TIME: 02:30 AM

CITY OF MIDDLETOWN:

CASE #09-5045

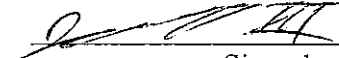
I, JAMES A ARNOTT 3RD, BEING DULY SWORN, DEPOSES AND SAY THAT I AM [REDACTED] YEARS OF AGE DOB [REDACTED] AND I RESIDE AT [REDACTED] AND I GIVE THIS STATEMENT TO POLICE OFFICER BERMAN OF THE MIDDLETOWN NEW YORK POLICE DEPARTMENT, and that ON 8/30/09 AT APPROX 1:37 AM I WAS WORKING AT THE OLD ERIE BREW PUB AND RESTAURANT AS A BOUNCER. THE OWNER, JOE DESTAFANO APPROACHED ME AND TOLD ME THAT A GENTLEMAN WITH SHOULDER LENGTH BRAIDS WEARING BLUE JEANS AND A LIME GREEN NEON DRESS SHIRT WITH A WHITE T-SHIRT UNDERNEITH WAS NO LONGER WELCOMED IN THE BAR BECAUSE OF POOR BEHAVIOR WHICH WAS IN REGARDS TO HIM PHYSICALLY INTIMIDATING FEMALE PATRONS. JOE POINTED THE GENTLEMAN OUT TO ME AS THE GENTLEMAN WAS ALREADY WALKING OUTSIDE OF THE BAR. I THEN WENT OUTSIDE NEAR THE FRONT DOOR TO THE BAR WITH JOE AND WE SPOKE WITH THE GENTLEMAN. JOE TOLD HIM THAT HE WAS NO LONGER WELCOMED IN THE BAR AND WAS BANNED FROM THE BAR AND COUND NOT ENTER AGAIN. THE GENTLEMAN THEN BEGAN YELLING AT US, PACED UP AND DOWN THE SIDEWALK NEAR THE ENTRANCE TO THE BAR, AND THEN TURNED AROUND WITH A DETERMINED OR MILITANT WALK, TRIED TO WALK TOWARDS ME AND GO THROUGH THE MAIN ENTRANCE WHERE I WAS STANDING. I PUT MY RIGHT HAND UP IN A STOP MOTION AND TOLD THE GENTLEMAN HE WAS NOT ALLOWED BACK IN THE BAR. THE GENTLEMEN THEN LIFTED HIS RIGHT ARM INTO THE AIR AND FORCEFULLY PUSHED MY ARM ASIDE SO THAT HE CAN WALK PAST ME. I THEN PUT MY ARMS AROUND HIM IN A BEAR HUG AFTER HE MADE CONTACT WITH THE RIGHT SIDE OF MY BODY. I KEPT TELLING HIM TO CALM DOWN, AT WHICH TIME HE KEPT MAKING GUN THREATS TELLING ME HE WOULD KILL ME AND BLAST ME, AS HE CONTINUED TO CURSE AT ME IN A DRUNK MANNER. AN APPROX FIVE FOOT BLACK MEAL WEARING A WHITE SHIRT THEN RAN OUT OF THE BAR ONTO THE SIDEWALK AND TOOK A SWING AT ME, BUT I AVOIDED THE CONTACT BY BRUSHING HIM OFF. I THEN TOOK THE ORIGINAL GENTLEMAN WHO HAD THE BRAIDS TO THE PAVEMENT OF WEST MAIN ST BETWEEN TWO PARKED CARS. I THEN PUT THE GENTLEMAN IN A SIDE MOUNT WITH A KEY GRIP IN ORDER TO RESTRAIN HIM UNTIL THE POLICE ARRIVED. AT WHICH POINT THE POLICE OFFICERS CAME AND ASKED ME TO RELEASE THE MALE. I THEN RELEASED THE MALE AND THE GENTLEMAN IMMEDIATLY BEGAN YELLING AT THE POLICE AND BECAME COMBATIVE WITH THE POLICE.

I have read this statement consisting of one page(s) and I swear it to be the truth to the best of my recollection and knowledge.

Sworn to before me this 30 Day
of August 2009
PO Be 1179

Notary Public
Police Officer Berman

Note: False statements made herein are punishable as a Class "A" misdemeanor pursuant to section 210.45 of the New York State Penal Law.



Signed

PAGE ² ~~1~~ OF ² ~~102~~

CITY OF MIDDLETOWN POLICE DEPARTMENT

SUBJECT RESISTANCE REPORT

Blotter #: 09-24957 Case #: 09-5045 Arrest #: 09-2193

Date: 08/30/09 Time: 0139 AM Day of Week: SAT

Address of Incident: Old Erie Park 7-11 W Main SE

Type of Premise: Bar/Street Took Place: Inside Outside Both

Name of Subject Resisting: CARMER, LOWE S Sex: M

Address: [REDACTED]

DOB: [REDACTED] Phone #: [REDACTED] Height: 601 Weight: 215

Condition of Suspect: Sober Drinking Alcohol Intox EDP

Subject Arrested: Yes/No If "Yes", Charges: _____

Subject Injured During Incident: Yes/No If "Yes", Nature of Injuries: No

Did not observe any injuries

Subject Injured Prior to Police Involvement: Yes/No If "Yes", Nature of Injuries: UNK

Subject was involved with a physical altercation with the
Bouncers prior to Police Arrival

Medical Attention Refused: Yes/No If "Yes", Witness: _____

If "No", Name of Medical Facility: _____

Transported By: _____ Attending Physician: _____

Less-Lethal Force Used (if any): Circle ALL That Apply

Type	Used	Effective
OC Spray	Yes/No	Yes/No
Baton	Yes/No	Yes/No
Taser	Yes/No	Yes/No
Impact Projectile	Yes/No	Yes/No
Other: <u>Soft Hand</u>	<u>Yes/No</u>	<u>Yes/No</u>

Name/Rank/Shield # of Officer Being Resisted: P.O. [Signature] #1194

Was Officer Assaulted: Yes No

Was Officer Injured: Yes No

Nature of Officer's Injury: _____

Medical Attention Received by Officer: Yes/No Medical Facility: _____

Transported By: _____ Attending Physician: _____

Tech Work Done: Yes/No Type: Photos _____ Diagram _____ Other _____

Names of Other Police Officers Present:	Car#	Injured
<u>Sgt M. Doty</u>	<u>4</u>	Yes <input checked="" type="checkbox"/> No
<u>P. P. Cunningham</u>	<u>12</u>	Yes <input checked="" type="checkbox"/> No
<u>P. G. Nelson</u>	_____	Yes/No
_____	_____	Yes/No

Narrative - Explain how the subject resisted and what was done to take them into custody, type of equipment used and amount of assistance received from other officers:

While the subject was in handcuffs he
struggled while he walked to Car 9.

[Signature] #1194
Officer's Signature Shield#

[Signature] 4 71
Supervisor's Signature Shield#

8/30/09
Date

8/30/09
Date

CITY OF MIDDLETOWN POLICE DEPARTMENT

SUBJECT RESISTANCE REPORT

Blotter #: 09-24957 Case #: 09-5045 Arrest #: 09-2193/41-0022301

Date: 8/30/09 Time: 137 Day of Week: SUN

Address of Incident: 7-11 W Main St

Type of Premise: store Took Place: Inside ___ Outside Both ___

Name of Subject Resisting: CAIMIRE LOWE Sex: M

Address: [REDACTED]

DOB: [REDACTED] Phone #: [REDACTED] Height: 61 Weight: 215

Condition of Suspect: Sober ___ Drinking Alcohol ___ Intox EDP ___

Subject Arrested: Yes/No If "Yes", Charges: _____

Subject Injured During Incident: Yes/No ___ If "Yes", Nature of Injuries: _____

PO DID NOT OBSERVE ANY INJURIES OR SUSPECT

Subject Injured Prior to Police Involvement: Yes/No ___ If "Yes", Nature of Injuries: UNK

SUBJECT WAS INVOLVED WITH PHYSICAL ALTERCATION WITH BUSINESS JOST
PRIOR TO POLICE CONTACT

Medical Attention Refused: Yes/No ___ If "Yes", Witness: _____

If "No", Name of Medical Facility: _____

Transported By: _____ Attending Physician: _____

Less-Lethal Force Used (if any): Circle ALL That Apply

Type	Used	Effective
OC Spray	Yes/No	Yes/No
Baton	Yes/No	Yes/No
Taser	Yes/No	Yes/No
Impact Projectile	Yes/No	Yes/No
Other: <u>SOFT HANDS</u>	<input checked="" type="checkbox"/> Yes/No	<input checked="" type="checkbox"/> Yes/No

Name/Rank/Shield # of Officer Being Resisted: P.O. G. Wilson

Was Officer Assaulted: Yes/No

Was Officer Injured: Yes/No

Nature of Officer's Injury: _____

Medical Attention Received by Officer: Yes/No Medical Facility: _____

Transported By: _____ Attending Physician: _____

Tech Work Done: Yes/No Type: Photos _____ Diagram _____ Other _____

Names of Other Police Officers Present:	Car#	Injured
<u>Sgt M. Doty</u>	<u>4</u>	Yes <u>No</u>
<u>P.O. P. Cunningham</u>	<u>12</u>	Yes <u>No</u>
<u>P.O. Dulan</u>	<u>17</u>	Yes <u>No</u>
_____	_____	Yes/No

Narrative - Explain how the subject resisted and what was done to take them into custody, type of equipment used and amount of assistance received from other officers:

Suspect was observed refusing to be handcuffed, soft
hand techniques were used to place his hands in handcuffs.
while in hand cuffs suspect continued to struggle to
was controlled by ^{low} soft hand techniques.

George M 1153
 Officer's Signature Shield#

8/20/09
 Date

[Signature] 741
 Supervisor's Signature Shield#

8/20/09
 Date