

1 <input type="checkbox"/> GANG RELATED <input checked="" type="checkbox"/> ADULT ARREST <input type="checkbox"/> SUSPECT ONLY <input type="checkbox"/> JUVENILE ARREST <input type="checkbox"/> SUPPLEMENT TO ORG RPT		<b>TUSTIN POLICE DEPARTMENT</b> <b>300 CENTENNIAL WAY</b> <b>TUSTIN, CA 92780</b>  <b>SUSPECT/ARRESTEE REPORT</b>				2 A <input type="checkbox"/> ACTIVE <input type="checkbox"/> S SUSPENDED <input type="checkbox"/> R RECORDS <input type="checkbox"/> K COURTESY		4 CR# <b>15-2524</b>		5 REFER OTHER RPT#		6 PAGE			
7 CODE SECTION <b>PC 148(a)(1)</b>		8 CRIME / INCIDENT TYPE <b>RESISTING ARREST</b>			9 PRIMARY COUNTS <b>260700</b>		10 SECONDARY COUNTS <b>421500</b>		11 OTHER-COUNTS		12 OTHER-COUNTS				
13 LOCATION OF CRIME/ARREST <b>750 EL CAMINO REAL</b>		14 DATE OF CRIME / ARREST <b>04 26 15 / 04 27 15</b>				15 TIME OF CRIME / ARREST <b>2347 / 0011</b>									
16 LICENSE #		17 STATE		18 VEH YR		19 MAKE		20 MODEL		21 BODY <input type="checkbox"/> UNK <input type="checkbox"/> 1 2-DR <input type="checkbox"/> 2 4-DR <input type="checkbox"/> 3 CONV <input type="checkbox"/> 4 P/U <input type="checkbox"/> 5 TRUCK STYLE <input type="checkbox"/> 6 VAN <input type="checkbox"/> 7 SW <input type="checkbox"/> 8 RV <input type="checkbox"/> 9 M/C <input type="checkbox"/> 10 OTHER					
22 COLOR/COLOR		23 OTHER CHARACTERISTICS (I.e. T/C Damage, Unique Marks or Paint, etc.) <b>N / A</b>						24 DISPOSITION OF VEH							
25 REGISTERED OWNER															
28 NAME (LAST, FIRST, MIDDLE) <b>CHOPIN, JUAN DAVID</b>						CII NUMBER		27 SEX <input checked="" type="checkbox"/> 1 M <input type="checkbox"/> 1 F	28 DOB		29 RACE <input type="checkbox"/> 1 WHT <input checked="" type="checkbox"/> 2 HISP <input type="checkbox"/> 3 BLK <input type="checkbox"/> 4 IND <input type="checkbox"/> 5 CHI <input type="checkbox"/> 6 JAPN <input type="checkbox"/> 7 FIL <input type="checkbox"/> 8 RISL <input type="checkbox"/> 9 VIET <input type="checkbox"/> 10 OTH				
30 AKA						31 POB <b>CALIF.</b>		32 HGT <b>5-7</b>		33 WGT <b>140</b>		34 BUILD <input checked="" type="checkbox"/> 1 THIN <input type="checkbox"/> 2 MED <input type="checkbox"/> 3 UNK <input type="checkbox"/> 4 HEAVY <input type="checkbox"/> 5 MUSCLR			
35 HAIR <input type="checkbox"/> 0 UNK <input type="checkbox"/> 1 BRO <input checked="" type="checkbox"/> 2 BLK <input type="checkbox"/> 3 BLN <input type="checkbox"/> 4 RED <input type="checkbox"/> 5 GRAY <input type="checkbox"/> 6 S/P <input type="checkbox"/> 7 WHI <input type="checkbox"/> 8 OTH		36 EYES <input type="checkbox"/> 0 UNK <input checked="" type="checkbox"/> 1 BRO <input type="checkbox"/> 2 BLK <input type="checkbox"/> 3 BLU <input type="checkbox"/> 4 GRN <input type="checkbox"/> 5 HAZEL <input type="checkbox"/> 6 GRAY <input type="checkbox"/> 7 OTH		37 DL #		38 STATE <b>CA</b>									
39 RESIDENCE ADDRESS						40 ZIP CODE		41 RES. PHONE		42 CELL PHONE					
43 BUSINESS OR SCHOOL NAME AND ADDRESS <b>NONE</b>						44 ZIP CODE		45 GRADE		46 BUS. PHONE					
47 SSN #		48 OCCUPATION(S) <b>LABORER</b>				49 STATUS <input type="checkbox"/> 1 DRIVER <input checked="" type="checkbox"/> 3 PED <input type="checkbox"/> 2 PASS		50 BOOKING # <b>AR 15-1131</b>							
51 CLOTHING <b>BLK SWEATER, GRAY SHORTS, GRAY SHOES</b>						52 GANG AFFILIATION HOW KNOWN <b>DENIED</b> <input type="checkbox"/> 1 KNOWN <input type="checkbox"/> 2 SUSPECTED									
53 <b>AMOUNT OF HAIR</b> <span style="float:right">Q21</span>		54 <b>HAIR LENGTH</b> <span style="float:right">Q22</span>		55 <b>HAIR CONDITION</b> <span style="float:right">Q23</span>		56 <b>HAIR STYLE</b> <span style="float:right">Q24</span>		57 <b>FACIAL HAIR</b> <span style="float:right">Q25</span>		58 <b>R/L HANDED</b> <span style="float:right">Q26</span>		59 <b>MIRANDA ADVISEMENT</b>		60 <b>COMPLEXION</b> <span style="float:right">Q27</span>	
<input checked="" type="checkbox"/> 01 FULL HEAD OF HAIR <input type="checkbox"/> 02 THINNING <input type="checkbox"/> 03 RECEDING <input type="checkbox"/> 04 BALD <input type="checkbox"/> 05 UNKNOWN <input type="checkbox"/> 06 OTHER		<input type="checkbox"/> 01 VERY SHORT <input type="checkbox"/> 02 SHORT <input checked="" type="checkbox"/> 03 REGULAR <input type="checkbox"/> 04 OVER COLLAR <input type="checkbox"/> 05 OVER SHOULDERS <input type="checkbox"/> 06 LONG <input type="checkbox"/> 07 UNKNOWN <input type="checkbox"/> 08 OTHER		<input checked="" type="checkbox"/> 01 CLEAN <input type="checkbox"/> 02 DIRTY <input type="checkbox"/> 03 GREASY <input type="checkbox"/> 04 MATTED <input type="checkbox"/> 05 ODOR <input type="checkbox"/> 06 OTHER		<input checked="" type="checkbox"/> 01 REGULAR <input type="checkbox"/> 02 PART RIGHT <input type="checkbox"/> 03 PART LEFT <input type="checkbox"/> 04 PART CENTER <input type="checkbox"/> 05 STRAIGHT BACK <input type="checkbox"/> 06 COMBED FORWARD <input type="checkbox"/> 07 BUZZ JOB <input type="checkbox"/> 08 FLAT TOP <input type="checkbox"/> 09 STRAIGHT <input type="checkbox"/> 10 CURLY OR PERMED <input type="checkbox"/> 11 WAVY <input type="checkbox"/> 12 AFRO CLOSE <input type="checkbox"/> 13 AFRO FULL (1 INCH) <input type="checkbox"/> 14 PROCESSED (BLK ONLY) <input type="checkbox"/> 15 IN CORN ROWS <input type="checkbox"/> 16 WITH PONY TAIL <input type="checkbox"/> 17 WITH TAIL <input type="checkbox"/> 18 IN BRAIDS <input type="checkbox"/> 19 NEW WAVE <input type="checkbox"/> 20 PUNK <input type="checkbox"/> 21 UNKNOWN <input type="checkbox"/> 22 OTHER <input type="checkbox"/> 23 SHAVED <input type="checkbox"/> 24 FADE <input type="checkbox"/> 25 MULLET		<input type="checkbox"/> 01 CLEAN SHAVEN <input checked="" type="checkbox"/> 02 MUSTACHE-THIN <input type="checkbox"/> 03 MUSTACHE-THICK <input type="checkbox"/> 04 UNSHAVEN <input type="checkbox"/> 05 FEW DAYS GROWTH <input type="checkbox"/> 06 SHORT BEARD <input type="checkbox"/> 07 LONG BEARD <input type="checkbox"/> 08 UNKEMPT BEARD <input type="checkbox"/> 09 SIDEBURNS <input type="checkbox"/> 10 FUMANCHU <input type="checkbox"/> 11 GOATEE <input type="checkbox"/> 12 UNKNOWN <input type="checkbox"/> 13 OTHER <input type="checkbox"/> 14 VAN DYKE		<input checked="" type="checkbox"/> 01 RIGHT HANDED <input type="checkbox"/> 02 LEFT HANDED <input type="checkbox"/> 03 UNKNOWN		<input type="checkbox"/> 01 LIGHT / FAIR <input checked="" type="checkbox"/> 02 MEDIUM <input type="checkbox"/> 03 DARK <input type="checkbox"/> 04 TAN <input type="checkbox"/> 05 SUNBURNED <input type="checkbox"/> 06 FRECKLED <input type="checkbox"/> 07 OLIVE <input type="checkbox"/> 08 RUDDY <input type="checkbox"/> 09 ACNE/POCKED <input type="checkbox"/> 10 WEATHERED <input type="checkbox"/> 11 WRINKLED <input type="checkbox"/> 12 ALBINO <input type="checkbox"/> 13 UNKNOWN <input type="checkbox"/> 14 OTHER		<input type="checkbox"/> 01 YES BUT NO DESCR. <input type="checkbox"/> 02 PRESCRIPTION <input type="checkbox"/> 03 SUN GLASSES <input type="checkbox"/> 04 PLASTIC FRAME - COLOR <input type="checkbox"/> 05 WIRE FRAME <input type="checkbox"/> 06 CONTACTS <input checked="" type="checkbox"/> 07 NONE <input type="checkbox"/> 08 UNKNOWN <input type="checkbox"/> 09 OTHER	
62 DISPOSITION: ADULT ARRESTEE <input type="checkbox"/> 849b1 <input type="checkbox"/> DETOX <input type="checkbox"/> RELSD O.R. <input checked="" type="checkbox"/> BOOKED OCJ <input type="checkbox"/> BOOKED OTHER						63 <input type="checkbox"/> MISD. ARR / CITE / RELEASE CITATION # <b>N/A</b>									
64 TRANSPORTED BY: <b>#68</b>				65 DATE/TIME <b>04 27 15</b>				66 <input checked="" type="checkbox"/> FINGERPRINTED <b>ccj</b>				67 <input checked="" type="checkbox"/> PHOTOGRAPHED <b>ccj</b>			
68 REPORTING OFFICER / ID NO. <b>DEL MERARI 1227</b>						69 DATE <b>04 27 15</b>		70 APPROVED BY / ID NO. <b>MWL #1054</b>				71 DATE <b>4-28-15</b>			

72 CR #  
15-2524

<b>73 SPEECH</b> <span style="float:right">Q29</span> <input checked="" type="checkbox"/> 01 NORMAL <input type="checkbox"/> 02 LISP <input type="checkbox"/> 03 SLURRED <input type="checkbox"/> 04 STUTTER <input type="checkbox"/> 05 DEEP <input type="checkbox"/> 06 HIGH PITCHED <input type="checkbox"/> 07 SOFT <input type="checkbox"/> 08 UNKNOWN OR NOT HEARD <input type="checkbox"/> 09 OTHER _____	<b>75 TEETH</b> <span style="float:right">Q31</span> <input type="checkbox"/> 01 BRACES <input type="checkbox"/> 02 BUCKED <input type="checkbox"/> 03 CHIPPED <input type="checkbox"/> 04 MISSING <input type="checkbox"/> 05 CROOKED <input type="checkbox"/> 06 GOLD / SILVER CAPPED <input type="checkbox"/> 07 STAINED <input checked="" type="checkbox"/> 08 NORMAL TEETH <input type="checkbox"/> 09 UNKNOWN <input type="checkbox"/> 10 OTHER _____	<b>77 UNIQUE CLOTHING</b> <span style="float:right">Q33</span> <input type="checkbox"/> 01 BEACH CLOTHES <input type="checkbox"/> 02 TRANSIENT <input type="checkbox"/> 03 CONSTRUCTION <input type="checkbox"/> 04 GANG STYLE <input type="checkbox"/> 05 PUNK <input type="checkbox"/> 06 MILITARY <input type="checkbox"/> 07 OTHER UNIFORM <input type="checkbox"/> 08 WELL DRESSED <input checked="" type="checkbox"/> 09 NORMAL DAY CLOTHES <input type="checkbox"/> 10 HAT <input type="checkbox"/> 11 SKI MASK <input type="checkbox"/> 12 STOCKING MASK <input type="checkbox"/> 13 UNKNOWN <input type="checkbox"/> 14 OTHER _____	<b>76 WEAPON TYPE</b> <span style="float:right">Q34</span> <input type="checkbox"/> 01 HANDS <input type="checkbox"/> 02 FEET <input type="checkbox"/> 03 CLUB <input type="checkbox"/> 04 MARTIAL ARTS <input type="checkbox"/> 05 BASEBALL BAT <input type="checkbox"/> 06 NUNCHUKU <input type="checkbox"/> 07 OTHER STRIKING OBJECT <input type="checkbox"/> 08 KNIFE <input type="checkbox"/> 09 BOTTLE <input type="checkbox"/> 10 SIMULATED FIREARM <input type="checkbox"/> 11 TOY GUN <input type="checkbox"/> 12 HANDGUN <input type="checkbox"/> 13 RIFLE / SHOTGUN <input checked="" type="checkbox"/> 14 NONE <input type="checkbox"/> 15 UNKNOWN <input type="checkbox"/> 16 OTHER _____
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<b>74 ACCENT</b> <span style="float:right">Q30</span> <input checked="" type="checkbox"/> 01 US NORMAL <input type="checkbox"/> 02 US SOUTHERN <input type="checkbox"/> 03 US EAST COAST <input type="checkbox"/> 04 BLACK SLANG <input type="checkbox"/> 05 SPANISH <input type="checkbox"/> 06 ASIAN <input type="checkbox"/> 07 EUROPEAN <input type="checkbox"/> 08 MIDDLE EAST <input type="checkbox"/> 09 JAMAICAN <input type="checkbox"/> 10 UNKNOWN OR NOT HEARD <input type="checkbox"/> 11 OTHER _____	<b>76 SCARS, MARKS, OR TATTOOS</b> <span style="float:right">Q32</span> <input type="checkbox"/> 01 FACE _____ <input type="checkbox"/> 02 TEETH _____ <input type="checkbox"/> 03 NECK _____ <input type="checkbox"/> 04 RIGHT ARM _____ <input type="checkbox"/> 05 LEFT ARM _____ <input type="checkbox"/> 06 RIGHT HAND _____ <input type="checkbox"/> 07 LEFT HAND _____ <input type="checkbox"/> 08 RIGHT LEG _____ <input type="checkbox"/> 09 LEFT LEG _____ <input type="checkbox"/> 10 RIGHT SHOULDER _____ <input type="checkbox"/> 11 LEFT SHOULDER _____ <input checked="" type="checkbox"/> 12 FRONT TORSO <i>MY WORLD MY PEACE</i> <input type="checkbox"/> 13 BACK TORSO _____ <input type="checkbox"/> 14 MISSING FINGERS _____ <input type="checkbox"/> 15 MISSING LIMBS _____ <input type="checkbox"/> 16 UNKNOWN _____ <input type="checkbox"/> 17 OTHER _____	<b>78 FIREARM DETAIL</b> <span style="float:right">Q35</span> <input type="checkbox"/> 01 BLUE STEEL <input type="checkbox"/> 02 CHROME / NICKEL <input type="checkbox"/> 03 REVOLVER <input type="checkbox"/> 04 AUTOMATIC <input type="checkbox"/> 05 DERRINGER <input type="checkbox"/> 06 PUMP <input type="checkbox"/> 07 BOLT ACTION <input type="checkbox"/> 08 DOUBLE BARREL <input type="checkbox"/> 09 OVER-UNDER <input type="checkbox"/> 10 DISGUISED FIREARM <input type="checkbox"/> 11 SAWED OFF <input type="checkbox"/> 12 ALTERED STOCK <input checked="" type="checkbox"/> 13 NONE <input type="checkbox"/> 14 UNKNOWN <input type="checkbox"/> 15 OTHER _____
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**- JUVENILES ONLY -**

80 FATHER (LAST, FIRST, MIDDLE)	81 OCCUPATION	82 D.O.B.	83 NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO	84 DATE	85 TIME
86 RESIDENCE ADDRESS	87 CITY	88 ZIP CODE	89 RES. PHONE ( ) ( )	90 CELL PHONE ( ) ( )	
81 BUSINESS ADDRESS	92 CITY	93 ZIP CODE	94 BUS. PHONE ( ) ( )		
95 MOTHER (LAST, FIRST, MIDDLE)	96 OCCUPATION	97 D.O.B.	98 NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO	99 DATE	100 TIME
101 RESIDENCE ADDRESS	102 CITY	103 ZIP CODE	104 RES. PHONE ( ) ( )	105 CELL PHONE ( ) ( )	
106 BUSINESS ADDRESS	107 CITY	108 ZIP CODE	109 BUS. PHONE ( ) ( )		
110 STEP FATHER (LAST, FIRST, MIDDLE)	111 OCCUPATION	112 D.O.B.	113 NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO	114 DATE	115 TIME
116 RESIDENCE ADDRESS	117 CITY	118 ZIP CODE	119 RES. PHONE ( ) ( )	120 CELL PHONE ( ) ( )	
121 BUSINESS ADDRESS	122 CITY	123 ZIP CODE	124 BUS. PHONE ( ) ( )		
125 STEP MOTHER (LAST, FIRST, MIDDLE)	126 OCCUPATION	127 D.O.B.	128 NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO	129 DATE	130 TIME
131 RESIDENCE ADDRESS	132 CITY	133 ZIP CODE	134 RES. PHONE ( ) ( )	135 CELL PHONE ( ) ( )	
136 BUSINESS ADDRESS	137 CITY	138 ZIP CODE	139 BUS. PHONE ( ) ( )		
140 LEGAL GUARDIAN (LAST, FIRST, MIDDLE)	141 OCCUPATION	142 D.O.B.	143 NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO	144 DATE	145 TIME
146 RESIDENCE ADDRESS	147 CITY	148 ZIP CODE	149 RES. PHONE ( ) ( )	150 CELL PHONE ( ) ( )	
151 BUSINESS ADDRESS	152 CITY	153 ZIP CODE	154 BUS. PHONE ( ) ( )		

155 DISPOSITION: JUVENILE (MUST BE COMPLETED)

RELEASED TO PARENT   
  DETAINED JUVENILE HALL-PARENT NOTIFIED   
  YES     NO  
 YOUTH SHELTER HOME   
  UNABLE TO LOCATE PARENT   
  PARENT REFUSED CUSTODY

156 FOLLOW UP: (MUST BE COMPLETED)   
 NO FOLLOW UP REQUIRED   
 FOLLOW UP REQUIRED   
 DIVERSION   
 PETITION   
 INFORMAL COUNSEL

157 REPORTING OFFICER / ID NO. <b>DEL MERARI 1227</b>	158 DATE <b>04 27 15</b>	159 APPROVED BY / ID NO.	160 DATE
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**TUSTIN POLICE DEPARTMENT  
ARREST REPORT  
CR 15-2524  
PG#1**

**Suspect: Chopin, Juan [REDACTED]**  
**Crime: CPC 148(a)(1) – Resisting/Delaying a Police Officer**

**I am assigned to the Tustin Police Department's Special Enforcement Detail (SED). The SED team is assigned primarily to southwest Tustin, as part of the area command to provide saturation patrol resources in high crime areas. SED is also assigned to conduct directed patrol in areas that have been identified in recent crime trends as well as areas with chronic gang and narcotic activity.**

**SYNOPSIS**

While conducting an occupied vehicle check, a male subject approached us and asked to purchase a cigarette. When he noticed we were Police Officers he took off running and I took chase. He was tackled by responding Officers and continued to resist arrest. The Carotid Restraint was applied and the suspect was taken into custody without further incident. He was transported to WMSA for medical clearance and later booked at OCJ for an outstanding warrant and PC 148(a)(1) – Resisting/Delaying a Police Officer.

**NARRATIVE**

On 04/26/15 at approximately 2347 hours, Sergeant VanCleve #1054 and I were working patrol in an undercover capacity (Blue jeans and t-shirt) in an unmarked Ford Police Interceptor. We were conducting an occupied vehicle check of a silver Toyota Tacoma pickup (CA LIC# [REDACTED]) in the rear parking lot of the Tustin Motor Lodge, Located at 750 El Camino Real, Tustin. The vehicle was occupied by a female driver, [REDACTED] and a male passenger, [REDACTED]

The Tustin Motor Lodge is located in a high crime area and has a reputation for illegal drug activity, and prostitution. I have made and assisted with several arrests at this location for illegal drug possession and illegal drug sales.

Sergeant Van Cleve and I identified ourselves as Tustin Police Officers and presented our TPD badges from our waistbands. Sergeant Van Cleve asked the subjects why they were at the motel. They stated they parked in the parking lot to "talk". A records check revealed [REDACTED] had prior arrests for drug related crimes. We suspected they were involved in illegal drug activity based on the location's reputation, time of night, and neither of the subjects being able to provide a valid reason for being at the motel.

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ARREST REPORT  
CR 15-2524  
PG#2

While speaking to the subjects, a male subject, later identified as Juan Chopin (DOB [REDACTED]), exited an upstairs motel room and whistled. He then walked down the stair case, adjacent to his room, and walked toward us. The subject approached Sergeant Van Cleve and asked Sergeant Van Cleve if he could "buy" a cigarette. Sergeant Van Cleve asked Chopin if he knew the subjects in the vehicle and he stated, "No". Sergeant Van Cleve identified himself as a Tustin Police officer and asked Chopin if he needed assistance.

Chopin looked startled and nervous about our presence and immediately began to walk away. Sergeant Van Cleve suspected he was involved in illegal drug activity based on the late hour, the motel being known for illegal drug use and sales, and him approaching a vehicle occupied by two known drug users. He told Chopin to have a seat on the rear bumper of the vehicle and Chopin started to walk toward El Camino Way. Sergeant Van Cleve again told him to have a seat and Chopin suddenly ran northbound toward El Camino Real.

I immediately gave chase and began following after Chopin on foot. I yelled, "Tustin Police. Stop!" as I chased after Chopin. He continued to run northbound toward El Camino Real. Chopin crossed El Camino Real and ran to the rear of Alberta's, located at 765 El Camino Real. I continued to chase him and continued to order him to "Stop". Chopin did not comply.

Sergeant Van Cleve, announced over the radio, we were in foot pursuit of Chopin and asked for additional units to assist. Chopin ran to the intersection of Newport Ave and El Camino Real. He then ran northbound Newport Ave on the west sidewalk. I was still chasing after Chopin ordering him to "Stop" and announcing "Tustin Police". Chopin was not complying.

Officer Barraza #1170 was driving southbound Newport Ave when he saw Chopin running northbound. He pulled over and exited his marked Police vehicle. Officer Barraza was wearing fully patched police uniform. He approached Chopin and identified himself as a Police Officer. He then ordered Chopin to stop. Chopin did not comply. Officer Barraza chased after Chopin and caught up to him. He once again ordered Chopin to stop running and comply. Chopin did not comply. Officer Barraza tackled Chopin to the ground. They both landed on the sidewalk, and Chopin immediately began squirming and kicking trying to get away from Officer Barraza. I arrived moments later and began assisting Officer Barraza take Chopin into custody. Chopin was kicking his legs and pulling his arms away from us.

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PG#3

We ordered Chopin to "Quit resisting" and told him to place his arms behind his back. He did not comply and he continued to pull his arms away from us. Sergeant Van Cleve arrived and also began giving Chopin orders to quit resisting and comply with officers. Chopin did not comply.

Chopin then began attempting to pull his arms underneath his body toward his waistband. Chopin had not been searched and was wearing an oversized black sweater that concealed his waistband. Fearing Chopin was attempting to reach into his waistband, and produce a weapon to harm Officer Barraza and myself, I pulled harder at his right arm to keep him from reaching underneath his torso. Officer Barraza told me he was unable to fully control Chopin's left arm and alerted me he was going to place Chopin in a Carotid Restraint. I told Officer Barraza to use the Carotid Restraint on Chopin because I feared Chopin was going to gain control of his hands and reach into his waistband.

Officer Barraza released Chopin's left arm and applied the Carotid Restraint. After approximately 5 seconds, Chopin's body relaxed. Officer Barraza and I quickly placed Chopin's hands behind his back and handcuffed him without further incident. Chopin regained consciousness after approximately 2 seconds and began saying he could not breathe. Officer Barraza placed Chopin in the recovery position and radioed for Paramedics to respond to the scene to provide medical aid to Chopin. Chopin continued to complain he could not breathe. Officer Barraza finished conducting a weapon search of Chopin and then immediately placed Chopin in a seated position until Paramedics arrived. Officer Barraza then notified Sergeant Van Cleve he applied the Carotid Restraint on Chopin. See Officer Barraza's and Sergeant Van Cleve's attached supplemental reports for further details.

OCFA Paramedics treated Chopin at the scene and then transported him to Santa Ana Western Medical Center Emergency Room for further evaluation. Chopin was complaining of neck pain, lower back cramps, and pain in his lower left leg. X-rays and a CT scan showed Chopin had no apparent injuries. Chopin had sustained a small scrape above his right eyebrow and small scrape on his chin from the altercation.

I photographed the injuries to Chopin's face and later uploaded them into the TPD database.

Chopin began spontaneously apologizing for running from Sergeant Van Cleve and me. He then stated, "I ran because I have a warrant and I got scared." He told me he continued to run because he was afraid to go to jail.

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PG#4

A records check of Chopin revealed he had an outstanding bench warrant for traffic violations.

I read Chopin his Miranda rights from my issued card. He stated, "Yes" he understood all four of his rights and agreed to talk to me.

Chopin told me he walked to the parking lot to see if he could buy a cigarette from the people he saw in the parking area. He told me he became nervous and scared when Sergeant Van Cleve and I identified ourselves as Police Officers. He took off running because he was afraid of being arrested and did not want to go to jail. I asked him why he did not stop and comply with my orders and he said, "I already started running and I was afraid to stop." I then asked Chopin why he continued to resist officers and not comply with our orders after he had been tackled to the ground. Chopin replied, "I was trying to get away because I was scared to go to jail" and "I did not want to get handcuffed". Chopin again apologized for not complying. He had no further information.

Chopin was medically cleared by Santa Ana Western Medical Center staff and Officer Carson transported Chopin to Orange County Jail where he was booked for PC 148(a)(1) – Resisting/delaying a Police Officer and the outstanding bench warrant.

I request a copy of this report be forwarded to the Orange County District Attorney's Office for review and filing.

**TUSTIN POLICE DEPARTMENT**  
**Supplemental Report**  
**CR #15-2524**  
Page 1 of 3

**Narrative:**

I am a Sergeant assigned as the supervisor to the Special Enforcement Detail (SED). The SED team's primary function is to suppress criminal activity in identified high crime areas in a proactive fashion and to assist in the apprehension of wanted criminals.

On 4-26-15 2347 hours, Officer Del Merari and I were working a plain clothes assignment in an unmarked vehicle. Officer Del Merari and I conducted an occupied vehicle check to the rear of the Tustin Motor Lodge (750 El Camino Real) on a white Toyota P/U (Ca. Lic. [REDACTED]). The vehicle was occupied by a female driver, identified as [REDACTED] and a male passenger, identified as [REDACTED].

The Tustin Motor Lodge has a reputation for illegal drug activity and I have made and assisted with numerous arrests at the location for illegal drug possession and sales.

I presented my TPD badge from my waistband and identified myself as a Tustin Police Officer. I asked the subjects if they were staying or visiting someone at the motel and they said they weren't. They both couldn't seem to come up with a valid reason for being at the location, except that they merely stopped there to talk. I asked [REDACTED] if she had ever been arrested and she said she had been for possession of drug paraphernalia. I suspected they were involved in illegal drug activity based on the location's reputation, time of night and neither of them being able to give a reason for being there.

As we were speaking to the two occupants in the vehicle, a male subject, later identified as Juan Chopin, whistled toward our direction as he was standing at the top of the stair well of the motel. He then walked toward us and as if he was coming to speak with the subjects in the vehicle. Chopin asked we had a cigarette and Officer Del Merari and I identified ourselves as police officers. He looked startled and nervous about our presence and immediately began to walk away. I suspected he was involved in illegal drug activity based on the late hour, the motel being known for illegal drug

**TUSTIN POLICE DEPARTMENT**  
**Supplemental Report**  
**CR #15-2524**

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use and sales and him approaching a vehicle occupied by two known drug users.

I told Chopin to have a seat on the rear bumper of the pick-up truck and he started to walk toward El Camino Way. I again told him to have a seat and he suddenly ran N/B toward El Camino Real.

Officer Del Merari and I chased after Chopin identifying ourselves numerous times as police officers and giving him commands to stop. I observed Chopin run N/B on El Camino Wy. and then across El Camino Real. He ran behind and around the business at 765 El Camino Real (Alberta's) and continued E/B in the middle of the street on El Camino Real. Chopin then ran N/B on the west sidewalk of Newport Av. I broadcast our activity and the direction of travel over my portable radio.

Officer Barraza responded to the area upon hearing my radio traffic and tackled Chopin on the N/W sidewalk of Newport and El Camino Real. Refer to Officer Barraza's supplemental report for further details. As I got closer to where Barraza had tackled Chopin, I noticed Officer Barraza was still struggling to detain Chopin on the ground. I noticed Chopin had his hands under his upper torso and appeared to be attempting to escape by pushing his body up with his hands.

Officer Del Merari and I arrived and attempted to help Officer Barraza restrain Chopin, but he continued to pull his hands and arms under his chest to avoid being placed in handcuffs. After a several minutes of the 3 of our unsuccessful attempts to remove Chopin's hands from under his body, Officer Barraza placed him in a carotid restraint. Chopin went limp and unconscious for approximately 2 seconds allowing us enough time to place his hands behind his back and into handcuffs.

Chopin was treated at the scene by OCFA Paramedics and then transported to Western Medical Center Santa Ana Emergency Room. (WMSA ER). Chopin complained of pain to his neck, back and lower left leg, but x-rays and CT scan showed no apparent injuries. I noticed Chopin had small scrapes on his forehead chin from the altercation.

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Chopin, without being questioned, apologized for running from us and said he ran from us because he knew he had a warrant and he got scared. A record check confirmed he had an outstanding misdemeanor bench warrant out of Central Orange Court.

Officer Del Merari photographed Chopin's face at WMSA and the photos were downloaded to the computer data base.

Chopin was medically cleared by the WMSA ER staff and transported to OCJ by Officer Carson. Chopin was booked for 148 (a)(1) PC – resisting delaying a police officer and for the warrant. See Officer Del Merari's arrest report for further details.

Tustin Police Department  
Supplemental Report  
CR#15-2524

**NARRATIVE:**

I am currently assigned to the Tustin Police Dept. K-9 Unit with Police Service Dog "Bravo." We are assigned to south area of Tustin, as part of the south area command to provide saturation patrol resources in high-crime areas. South area of Tustin is a high-crime area prone to robberies, sexual assaults, assault with deadly weapons, burglaries, stolen vehicles, and gang activity.

On 04/26/15, at approximately 2347 hours, I was driving southbound on Newport Ave. just north of El Camino Real in my marked police vehicle. Over the radio, I heard Sgt. Van Cleve announce he was in foot pursuit of a male subject wearing black clothing, running toward Alberta's (765 El Camino Real).

I was approximately 20 yards north of the intersection of Newport Ave. and El Camino Real. I observed the male subject (later identified as Juan Chopin) matching the description running northbound on Newport Ave. from El Camino Real towards me. I pulled over to the east curb of Newport Ave. and exited my patrol vehicle.

I was wearing my patrol uniform with Tustin Police patches on my shoulders, my duty belt with service weapon, and my K-9 handler vest. My K-9 handler vest has a police patch and cloth badge sewn to the front and a Police K-9 patch on the back.

As I exited the vehicle, I identified myself as a police officer and ordered Chopin to stop. Chopin refused to comply with my orders and continued running northbound on the west sidewalk of Newport Ave. I gave chase and at one point was running next to Chopin. I again told Chopin to stop and lay on the ground. Chopin continued to refuse my order and continued to run. I jumped over a hedge and tackled Chopin to the ground. As we fell to the ground, I landed on top of Chopin's left side of his body. Chopin landed on his right side of his body, and the right side of his head struck the concrete sidewalk. I observed Chopin had sustained a laceration over his right eye. I kept giving orders to Chopin, telling him to roll on to his stomach and place his hands behind his back. Chopin refused to comply with my orders and kept screaming, "I CAN'T BREATHE!" I told Chopin if he complied I would allow him to sit up.

I was able to grab Chopin's left arm, at the forearm, and attempted to place it behind his back. Due to the way Chopin's arm was turned, I was not able bend it behind him. Sgt. Van Cleve and Officer Del Merari arrived and attempted to assist me into taking Chopin into custody. I saw Officer Del Merari attempting to put Chopin's right arm behind his back. We were both having difficulty placing Chopin's hands behind his back. Chopin was lying on his left side and would not allow us to roll him onto his stomach. He continued to pull his arms away from us, and tried to place them under his front torso. I could hear Sgt. Van Cleve and Officer Merari also giving Chopin commands to roll to his stomach and place his hands behind his back. Chopin refused to comply with our orders and continued fighting us in attempt to get away. I also heard Sgt. Van Cleve tell Chopin if he did not comply with our orders, he would be tasered.

Officer R. Barraza #1170

Tustin Police Department  
Supplemental Report  
CR#15-2524

Chopin had not been searched and we did not know if he had any weapons hidden on his person. Fearing Chopin might turn and face us, causing Officer Del Merari and I to lose control of Chopin's arms, I used a forearm strike to Chopin's left side of his head. This was the only target area in which I was able to strike from my position. The strike caused Chopin to turn and finally lay on his stomach.

Chopin continued to resist us by not placing his hands behind his back. During the struggle I lost my grip on Chopin's left arm. I saw Chopin raise his left arm over his head and then his right arm. Chopin clenched both his hands together and slid them under his body toward his waistband. Again, Chopin had not been search and we did not know if he had a weapon concealed on his person. Fearing Chopin might be reaching for a weapon to use against us, I made the decision to place Chopin in a carotid restraint. I yelled to the other officers, I was placing Chopin in a carotid restraint. Approx. 5 seconds after I placed Chopin in the carotid restraint he went limp for approximately 2 seconds. This gave us enough time to place Chopin's hands behind his back and handcuff him without further incident. I immediately radioed for paramedics to come to my location to provide medical aid to Chopin. Chopin woke back up and started yelling that he could not breathe. I placed Chopin in a recover position. When he continued complaining he was not able to breathe, I placed Chopin in a sitting position until paramedics arrived. Chopin was bleeding heavily from the laceration above his eye.

Paramedics tended to his injury at the scene and Chopin was transported to Western Medical Center Santa Ana by ambulance for further treatment. See Officer Del Merari's report for further details and charges.

# PROPERTY REPORT

## TUSTIN POLICE DEPARTMENT

1 CR# <b>15-2524</b>
2 REFER OTHER REPORTS

ORIG  
 SUPP

SOURCE CODE: "F"=FINDER "O"=OWNER "S"=SUSPECT "V"=VICTIM "W"=WITNESS

SOURCE LAST, FIRST, MIDDLE (FIRM, IF BUSINESS)	SOURCE LAST, FIRST, MIDDLE (FIRM, IF BUSINESS)
<b>S Chopin, Juan</b>	

<input type="checkbox"/> DISPOSAL REQ <input type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND	<input type="checkbox"/> SAFEKEEPING <input type="checkbox"/> LOST	<input type="checkbox"/> RECOVERED <input type="checkbox"/> STOLEN <input type="checkbox"/> STOLEN/RECOV	<input type="checkbox"/> SEARCH WARRANT <input type="checkbox"/> 5150 / 5102 WA 1	<input type="checkbox"/> FINDER'S CLAIM <input type="checkbox"/> D.V./12028.5 PC	<input type="checkbox"/> CAGE <input type="checkbox"/> FREEZER <input type="checkbox"/> LOCKER?	<input type="checkbox"/> REFRIGERATOR <input type="checkbox"/> HAZMAT <input type="checkbox"/> V-VICTIM RETAINED
--	---	--	--	---	---	--

ITEM NO.	3 TYPE <b>SLK</b>	4 QTY <b>1</b>	5 ARTICLE <b>CELL PHONE</b>	6 BRAND <b>ALCATEL</b>	7 MODEL <b>ONETOUCH</b>	8 SERIAL NO./OAN <b>---</b>	9 VALUE <b>\$238<sup>00</sup></b>
10 COLOR(S) <b>BLUE</b>			11 DESCRIPTION <b>CELL PHONE \$238<sup>00</sup> US CURRENCY</b>				

<b>GUN</b>	TYPE <input type="checkbox"/> Pistol <input type="checkbox"/> Shotgun <input type="checkbox"/> Other _____ <input type="checkbox"/> Rifle <input type="checkbox"/> Combo	CATEGORY <input type="checkbox"/> Auto <input type="checkbox"/> Pump <input type="checkbox"/> Revolver <input type="checkbox"/> Semi Auto <input type="checkbox"/> Over / Under <input type="checkbox"/> Other _____	CALIBER: BARREL LENGTH:	
12 PREMISE / AREA / ROOM TAKEN FROM <b>Pockets</b>		13 SOURCE: <b>S</b>	14 CURRENT LOCATION <b>L# 22</b>	15 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM

ITEM NO.	16 TYPE	17 QTY	18 ARTICLE	19 BRAND	20 MODEL	21 SERIAL NO./OAN	22 VALUE
23 COLOR(S)			24 DESCRIPTION				

<b>GUN</b>	TYPE <input type="checkbox"/> Pistol <input type="checkbox"/> Shotgun <input type="checkbox"/> Other _____ <input type="checkbox"/> Rifle <input type="checkbox"/> Combo	CATEGORY <input type="checkbox"/> Auto <input type="checkbox"/> Pump <input type="checkbox"/> Revolver <input type="checkbox"/> Semi Auto <input type="checkbox"/> Over / Under <input type="checkbox"/> Other _____	CALIBER: BARREL LENGTH:	
25 PREMISE / AREA / ROOM TAKEN FROM		26 SOURCE:	27 CURRENT LOCATION	28 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM

ITEM NO.	29 TYPE	30 QTY	31 ARTICLE	32 BRAND	33 MODEL	34 SERIAL NO./OAN	35 VALUE
36 COLOR(S)			37 DESCRIPTION				

<b>GUN</b>	TYPE <input type="checkbox"/> Pistol <input type="checkbox"/> Shotgun <input type="checkbox"/> Other _____ <input type="checkbox"/> Rifle <input type="checkbox"/> Combo	CATEGORY <input type="checkbox"/> Auto <input type="checkbox"/> Pump <input type="checkbox"/> Revolver <input type="checkbox"/> Semi Auto <input type="checkbox"/> Over / Under <input type="checkbox"/> Other _____	CALIBER: BARREL LENGTH:	
38 PREMISE / AREA / ROOM TAKEN FROM		39 SOURCE:	40 CURRENT LOCATION	41 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM

ITEM NO.	42 TYPE	43 QTY	44 ARTICLE	45 BRAND	46 MODEL	47 SERIAL NO./OAN	48 VALUE
49 COLOR(S)			50 DESCRIPTION				

<b>GUN</b>	TYPE <input type="checkbox"/> Pistol <input type="checkbox"/> Shotgun <input type="checkbox"/> Other _____ <input type="checkbox"/> Rifle <input type="checkbox"/> Combo	CATEGORY <input type="checkbox"/> Auto <input type="checkbox"/> Pump <input type="checkbox"/> Revolver <input type="checkbox"/> Semi Auto <input type="checkbox"/> Over / Under <input type="checkbox"/> Other _____	CALIBER: BARREL LENGTH:	
51 PREMISE / AREA / ROOM TAKEN FROM		52 SOURCE:	53 CURRENT LOCATION	54 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM

ITEM NO.	55 TYPE	56 QTY	57 ARTICLE	58 BRAND	59 MODEL	60 SERIAL NO./OAN	61 VALUE
62 COLOR(S)			63 DESCRIPTION				

<b>GUN</b>	TYPE <input type="checkbox"/> Pistol <input type="checkbox"/> Shotgun <input type="checkbox"/> Other _____ <input type="checkbox"/> Rifle <input type="checkbox"/> Combo	CATEGORY <input type="checkbox"/> Auto <input type="checkbox"/> Pump <input type="checkbox"/> Revolver <input type="checkbox"/> Semi Auto <input type="checkbox"/> Over / Under <input type="checkbox"/> Other _____	CALIBER: BARREL LENGTH:	
64 PREMISE / AREA / ROOM TAKEN FROM		65 SOURCE:	66 CURRENT LOCATION	67 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM

**ALL SERIALIZED ITEMS (WITH THE EXCEPTION OF ITEMS FOR IMMEDIATE DESTRUCTION) MUST BE ENTERED INTO DOJ**

COMMENTS

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PROPERTY RELEASED BY APPOINTMENT ONLY: Please refer to the back of your property receipt for property release information and instructions.

OFFICER'S NAME <b>DEL MERARI</b>	ID NUMBER <b>1227</b>	DATE <b>04 27 15</b>	SIGNATURE FOR RECEIPT	<input type="checkbox"/> RECEIPT MAILED	<input type="checkbox"/> REFUSED	PG OF <b>1 1</b>
-------------------------------------	--------------------------	-------------------------	-----------------------	---	----------------------------------	---------------------

Msg: 43936858 For: 1257 Time: 150427 01:48:54 ,\*,03740231,,CHOPIN,JUAN,DAVID,TUS,1054,

\*\*\*\*\* ORANGE COUNTY AUTOMATED WARRANT \*\*\*\*\*  
\* NAM..CHOPIN JUAN DAVID KEY NO.. 03090662 \*  
\* ADR. [REDACTED] \*  
\* DOB.. [REDACTED] SEX..M RACE..O AGE.. / HGT..507 WGT..124 HAIR..BRO EYES..BRO\*  
\* OLN. [REDACTED] CA WPS.. ODDITY.. DESC.. \*  
\* SSN. [REDACTED] OCN.. CII..A25721456 FBI..44373FC5 POB.. \*  
\* WRNT FILE NO..03740231 COUNTY..ORAN COI..HOC WRNT TYPE..BW DEGREE..M \*  
\* COURT WAR NO.15HM02164 TRACKING NO.2979206 CASE/CITE# \*  
\* CHARGES 1. VC 14601.1(A) SUSPENDED LICENSE \*  
\* 2. VC 22349(A) MAXIMUM SPEED LIMIT \*  
\* 3. VC 16028(A) EVID OF FINANCIAL RESP \*\*\*\*\*  
\* \* MESSAGE..NO \*\*  
\* \*\*\*\*\*  
\* \*  
\* \*  
\* \*  
\* JUDGE..LONDON B RELEASE CONDITIONS..MAND NIGHT.. \*  
\* BAIL AMT. \$2500.00 ISSUE DATE.032315 WRNT REASON.VIOL/CRT-ORD EXP.\*  
\* PSA.OCS ORIG AGY.CH ASSIGN DATE.032415 ASSIGNED TO.UMAIL DR. \*  
\* REVIEW DATE.. REASON..CWR MAILER DA \*  
\* SERVICE D/T..042715/0148 AGENCY..TUS BY..1054 DISPO..BOOK \*  
\* >>USE THIS WARRANT TO ACCEPT BAIL OR TO BOOK IN AN ORANGE COUNTY JAIL<< \*  
\* RETURN THIS WARRANT WITH THE BAIL OR THE SUBJECT TO THE COURT OF ISSUE \*  
\*\*\*\*\*  
\*\*\*\*\*

CR 15-2524  
23:47  
AR 15-1131  
00:11

Medical Temp. No: 1164154

ORANGE COUNTY JAIL  
Santa Ana, California

- EXPEDITE BOOKING
- MEDICAL BOOKING
- NORMAL BOOKING
- PRE-BOOKING RECORD**

FOR JAIL USE ONLY

PLEASE PRINT, OR TYPE

BOOKING NUMBER <u>2880506</u>	RECEIVING OFFICER <u>9.3</u>	DATE <u>4.27.15/0517</u>	SUPPLEMENTAL WARRANTS <u>YES</u>	HOW MANY <u>1</u>
<input checked="" type="checkbox"/> STREET BOOKING <u>M</u>	<input type="checkbox"/> WARRANT	<input type="checkbox"/> COURT ORDER	<input type="checkbox"/> OTHER (SPECIFY)	
<input type="checkbox"/> COMMITMENT				

TO BE COMPLETED BY ARRESTING OR TRANSPORTING OFFICER

PLEASE FILL IN ALL OF THE BOXES BELOW THIS LINE PRIOR TO SUBMITTING TO THE RECEIVING GUARD STATION

ARRESTING AGENCY <u>TUSTIN PD</u>	OCSD AREA OR CONTRACT CITY <u>---</u>	AGENCY CASE <u>15-2524</u>	DATE & TIME ARRESTED <u>04 27 15 / 0011</u>
NAME: LAST <u>CHOPIN</u>	FIRST <u>JUAN</u>	MIDDLE <u>DAVID</u>	
BIRTHDATE [REDACTED]	SEX <u>M</u>	RACE <u>H</u>	HEIGHT <u>5-7</u>
WEIGHT <u>140</u>	HAIR <u>BLK</u>	EYES <u>BRN</u>	STATE & COUNTRY OF BIRTH <u>CA / USA</u>
CITIZENSHIP <u>US</u>	AKA	DRIVER'S LICENSE NO & STATE [REDACTED] / <u>CA</u>	

JURISDICTION <u>Coc</u>	WARRANT OR CASE NUMBER	BAIL <u>\$ 500.00</u>
CHARGE 1 <u>PC 148(a)(1)</u>	CHARGE 4	
CHARGE 2	CHARGE 5	
CHARGE 3	CHARGE 6	

DNA

DNA COLLECTED BY OFFICER \_\_\_\_\_  PREVIOUSLY COLLECTED  NOT COLLECTED (EXPLAIN BELOW)

EXPLAIN WHY DNA WAS NOT COLLECTED

OCCUPATION <u>LABORER</u>	MARITAL STATUS <u>S</u>	SOCIAL SECURITY NUMBER <u>619 18 2943</u>	TELEPHONE NO. <u>NONE</u>
------------------------------	----------------------------	--	------------------------------

SCARS, MARKS, TATTOOS, AMPS  
ABDOMEN - "MY WORLD MY PRIDE"

ADDRESS [REDACTED]	CITY [REDACTED]	STATE [REDACTED]	ZIP [REDACTED]
-----------------------	--------------------	---------------------	-------------------

NEXT OF KIN: NAME <u>REFUSED</u>	RELATIONSHIP	TELEPHONE NO.
-------------------------------------	--------------	---------------

ADDRESS	CITY	STATE	ZIP
---------	------	-------	-----

ARRESTEE EMPLOYER NAME <u>NONE</u>	BUSINESS ADDRESS
---------------------------------------	------------------

OFFICER'S ADDITIONAL INFORMATION - CHECK BOS IF YOU BELIEVE THE ARRESTEE WILL REQUIRE MEDICAL ATTENTION OR SPECIAL MANAGEMENT.

MEDICAL (ILL OR INJURED)  MENTAL  INTOXICATED  PROTECTIVE CUSTODY  HIGH SECURITY

EXPLAIN

ARRESTING OFFICER <u>DEL MERARI</u>	ID # <u>1227</u>	MANDATORY FOREIGN CONSULAR NOTIFICATION MADE PER CPC 834c <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
--	------------------	---

**PERMISSION TO USE TELEPHONE AFTER ARREST** (Pursuant to Penal code Section 851.5)  
I have been given the opportunity to make three (3) FREE telephone calls within the LOCAL DIALING area, or at MY OWN EXPENSE IF OUTSIDE the Local dialing area. If I am a custodial parent with responsibility for a minor child, I have been given the opportunity to make two (2) additional FREE telephone calls within the local dialing area, or at MY OWN EXPENSE IF OUTSIDE the local dialing area, for the purpose of arranging for the care of my minor child(ren) in my absence.

**RECORD OF TELEPHONE CALLS:**

Telephone calls DESIRED 2 Telephone calls COMPLETED 0

CUSTODIAL PARENT Telephone calls DESIRED 0 CUSTODIAL PARENT Telephone calls COMPLETED 0

Location TUSTIN PD Date 04 27 15 Time 0240

Witnessing Officer DEL MERARI ID # 1227 Agency TUSTIN PD

SIGNATURE H/C



**CRIME SUMMARY INFORMATION,  
PROBABLE CAUSE DECLARATION AND BAIL SETTING INFORMATION**

STATUS: **APPROVED**

TRACKING NO.: 48945

IRC BOOKING NO.: 2880506

ARRESTEE (LAST, FIRST, MIDDLE) <b>CHOPIN, JUAN, DAVID</b>		AGENCY BOOKING NO. <b>15-1131</b>	DR NO. <b>15-2524</b>
ADDRESS (RESIDENCE) [REDACTED]		D.O.B [REDACTED]	AGE <b>26</b>
			SEX <b>M</b>
BOOKING CHARGE(S) <b>PC 148(A)</b>		SUPPLEMENTARY HOLDS <input type="checkbox"/> PAROLE HOLD <input type="checkbox"/> PROBATION HOLD <input checked="" type="checkbox"/> OUTSTANDING WARRANT <input type="checkbox"/> INS HOLD <input type="checkbox"/> OTHER	
DATE/TIME OF ARREST <b>2015-04-27 00:11:00</b>	EXPIRY <b>48 HR-EXP</b>	EXPIRY DATE/TIME <b>2015-04-29 00:11:00</b>	
ARRESTING AGENCY <b>TUPD</b>	STATION <b>34</b>	ARRESTING OFFICER(S) <b>DEL MERARI, R., 1227</b>	
<p>FACTS ESTABLISHING ELEMENTS OF CRIME AND IDENTIFICATION OF ARRESTEE          SERGEANT VAN CLEVE AND I WERE WORKING A PLAIN CLOTHES ASSIGNMENT IN AN UNMARKED VEHICLE. AT APPROXIMATELY 2348 HOURS, SERGEANT VAN CLEVE AND I CONDUCTED AN OCCUPIED VEHICLE CHECK TO THE REAR OF THE TUSTIN MOTOR LODGE. AS WE WERE SPEAKING TO THE TWO OCCUPANTS IN THE VEHICLE, A MALE SUBJECT, LATER IDENTIFIED AS JUAN CHOPIN, WHISTLED TOWARD OUR DIRECTION AS HE WAS STANDING AT THE TOP OF THE STAIR WELL OF THE MOTEL. HE THEN WALKED TOWARD US AND AS IF HE WAS COMING TO SPEAK WITH THE SUBJECTS IN THE VEHICLE. CHOPIN ASKED WE HAD A CIGARETTE AND SERGEATN VAN CLEVE AND I IDENTIFIED OURSELVES AS POLICE OFFICERS. HE LOOKED STARTLED AND NERVOUS ABOUT OUR PRESENCE AND IMMEDIATELY BEGAN TO WALK AWAY. I SUSPECTED HE WAS INVOLVED IN ILLEGAL DRUG ACTIVITY BASED ON THE LATE HOUR, THE MOTEL BEING KNOWN FOR ILLEGAL DRUG USE AND SALES, AND HIM APPROACHING A VEHICLE OCCUPIED BY TWO KNOWN DRUG USERS. I TOLD CHOPIN TO HAVE A SEAT ON THE REAR BUMPER OF THE VEHICLE AND HE STARTED TO WALK TOWARD EL CAMINO WAY. I AGAIN TOLD HIM TO HAVE A SEAT AND HE SUDDENLY RAN N/B TOWARD EL CAMINO REAL. I CHASED AFTER CHOPIN IDENTIFYING MYSELF AS A POLICE OFFICER AND GIVING HIM COMMANDS TO STOP. OFFICER BARRAZA RESPONDED TO THE AREA UPON HEARING MY RADIO TRAFFIC AND TACKLED CHOPIN ON THE N/W SIDEWALK OF NEWPORT AND EL CAMINO REAL. CHOPIN CONTINUED TO ATTEMPT TO ESCAPE AND RESIST OFFICER BARRAZA'S ATTEMPTS TO DETAIN HIM. I ARRIVED AND ATTEMPTED TO HELP OFFICER BARRAZA RESTRAIN CHOPIN, BUT HE CONTINUED TO PULL HIS HANDS AND ARMS UNDER HIS CHEST TO AVOID BEING PLACED IN HANDCUFFS. AFTER A FEW MINUTES OF UNSUCCESSFUL ATTEMPTS TO REMOVE CHOPIN'S HANDS FROM UNDER HIS BODY, OFFICER BARRAZA PLACED HIM IN A CAROTID RESTRAINT FEARING CHOPIN COULD BE REACHING FOR A WEAPON. CHOPIN WENT LIMP AND UNCONSCIOUS FOR APPROXIMATELY 2 SECONDS ALLOWING US ENOUGH TIME TO PLACE HIS HANDS BEHIND HIS BACK AND INTO HANDCUFFS. CHOPIN STATED HE RAN BECAUSE HE HAS A WARRANT AND HE WAS SCARED TO GO TO JAIL.</p>			
<input type="checkbox"/> PAS/BREATH SCREEN	1) WEAPON DESCRIPTION		
2) VICTIM'S AGE	VICTIM'S INJURIES		
3) VALUE OF PROPERTY LOSS \$	TYPE OF PROPERTY		
4) NARCOTIC TYPE AND QUANTITY	5) NARCOTIC WHOLESALE VALUE	NARCOTIC STREET VALUE	
6) PRESUMPTIVE TEST FOR: (POSITIVE Y/N)			
I DECLARE UNDER PENALTY OF PERJURY, UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY INFORMATION AND BELIEF.			
EXECUTED ON DATE/TIME <b>2015-04-27 04:29:57</b>	AT ORANGE COUNTY, CALIFORNIA BY <b>DEL MERARI, R</b>	BADGE # <b>1227</b>	
ON THE BASIS OF <input checked="" type="checkbox"/> THE OFFICER'S DECLARATION <input type="checkbox"/> REPORTS REVIEWED, I HEREBY DETERMINE THAT THERE <input checked="" type="checkbox"/> IS <input type="checkbox"/> IS NOT PROBABLE CAUSE TO BELIEVE THIS ARRESTEE HAS COMITTED A CRIME			
DATE/TIME <b>2015-04-27 10:57:14</b>	SIGNATURE OF HEARING OFFICER <b>FLYNN, JOHN, L</b>		

# PROPERTY INVENTORY RECEIPT

THIS FORM MUST BE COMPLETED ON ALL ORANGE COUNTY JAIL BOOKINGS.

SHADED AREAS ARE FOR I.R.C. USE ONLY

I.R.C. BOOKING NUMBER: 30506

DATE/TIME: 4/27/05 11

NAME: CHOPIN JUAN DAVID DOB.: [REDACTED]  
LAST FIRST MIDDLE

ARRESTING AGENCY: TUSTIN PD COURT: COC ARRESTING OFFICER: Det McManis 1227

MONEY: \$ 0 RECEIVED: \$ 0 RECEIVED BY: [REDACTED]

This form is to be completed in the presence of the arrestee. List all items by amount and color. If property is not removed, indicate RETAINED in the appropriate box. List jewelry by either yellow or white metal, indicate color of stones only. Complete even if NO PROPERTY is received.

	VERIFIED/IRC	YELLOW METAL	WHITE METAL	VERIFIED/IRC
BELT	<input checked="" type="checkbox"/>			
KNIFE				
CHECKBOOK				
BILLFOLD				
GLASSES				
KEYS				
WATCH				
EARRINGS				
CHARMS				
CHECKS				
BRACELET				
RINGS				
NECK CHAIN				
LIGHTER				

MISCELLANEOUS PROPERTY (Bulk property will NOT be accepted):  
[REDACTED]

PROPERTY RELEASED: \_\_\_\_\_  
RELEASED TO: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_  
PRINT NAME/SIGNATURE

ITEMS RETAINED BY ARRESTING AGENCY, (EVIDENCE OR SAFEKEEPING):  
\_\_\_\_\_  
\_\_\_\_\_

INVENTORY OFFICER: Det McManis AGENCY: TUSTIN PD COURT: COC  
SIGNATURE & BADGE #: [REDACTED] DATE/TIME: 04/27/05 11:00  
PRINT NAME

I HAVE REVIEWED THIS INVENTORY AND IT ACCURATELY REFLECTS THE PROPERTY IN MY POSSESSION AT THIS TIME.  
ARRESTEE'S SIGNATURE: \_\_\_\_\_ VERIFIED BY: [REDACTED]

## MONEY/PROPERTY TRANSFER RECORD

TO BE COMPLETED ON ALL AGENCY-TO-AGENCY TRANSFERS/SIGNATURE INDICATES RECEIPT OF PROPERTY

RECEIVED BY: \_\_\_\_\_ AGENCY: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_  
PRINT NAME/SIGNATURE

DISCREPANCIES (IF ANY): \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ AGENCY: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_  
PRINT NAME/SIGNATURE

DISCREPANCIES (IF ANY): \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ AGENCY: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_  
PRINT NAME/SIGNATURE

DISCREPANCIES (IF ANY): \_\_\_\_\_

## TO BE COMPLETED AT TIME OF RELEASE

I HAVE REVIEWED MY PROPERTY AND I ACKNOWLEDGE RECEIPT OF ALL MONEY AND ARTICLES LISTED ABOVE EXCEPT THAT PORTION THEREOF PREVIOUSLY RELEASED BY ORDER.

SIGNATURE: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_

RELEASED BY: \_\_\_\_\_ AGENCY/COURT: \_\_\_\_\_  
PRINT NAME/SIGNATURE

COMMENTS: \_\_\_\_\_

Original - File      Yellow - Property      Pink - Inmate      Gold - Agency

INCHES

1

Part #6-3892

70





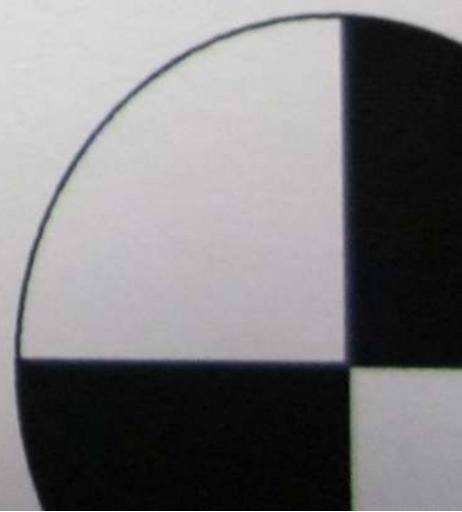
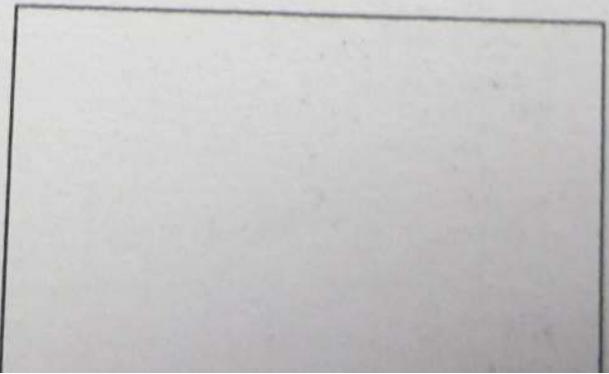


INCHES

1

Part #6-3892

54170









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DATE: MAY 6, 2015

Inter-Com

TO: RENE BARRAZA, POLICE OFFICER *RB*

FROM: CHARLES F. CELANO, JR., CHIEF OF POLICE *C*

SUBJECT: **ADMINISTRATIVE REVIEW – USE OF FORCE (UOF2015-006)**

---

An Administrative Review has been completed concerning the use of force that you were involved with on April 26, 2015. After a preliminary review of this incident, it is the opinion of this Department that your actions were **within policy** and there will be no further action taken at this time.

**Use of force**      **IA No: UOF2015-006**      **Received: Apr 26, 2015**

Case No: 15-2524

Type of service being performed at time of incident: Ped Check

Reason for use-of-force: Attempted Escape

Officer assessment of citizen condition: Unknown Drugs

Citizen was injured: Yes

Citizen was taken to hospital: Yes

Citizen was charged/arrested in relation to the incident: Yes Employee was injured: No

Employee was taken to hospital: No

Distance employee was from Involved citizen: <1 foot

Involved citizen: Small

Involved citizen Height: 5'7" to 5'9"

**Involved citizen:**

**Juan David Chopin**

**Resistance(s):**

Aggressive Conduct  
Resisting Arrest  
Combative

**Injuries/conditions:**

Complaint of Injury  
Minor Visible Injury

**Charges against citizen in relation to the incident:**

148(a)(1) CPC

**Linked address(s):**

Home Address: [REDACTED]

**Employees involved:**

**Police Officer Rene Barraza [1170]**

**Employee current info:**

Bureau: Community Policing  
Division: South Area Patrol  
Unit: K9

**Snapshot - Employee information at time of incident:**

Log-In ID TUPD\ : 1266  
Bureau: Community Policing  
Division: South Area Patrol  
Unit: K9  
Squad: Squad Three  
Rank/title: Police Officer  
█ Years of employment: 8 Years with unit:  
Off duty: Off duty employed:

**Use(s) Of Force:**

Carotid Restraint: Effective

**Injuries/conditions:**

No injuries noted or visible

**Employee witnesses:**

**Police Sergeant Michael William Van Cleve [1054]**

**Employee current info:**

Bureau: Community Policing  
Division: South Area Patrol  
Unit: SED

**Police Officer Royce Del Merari [1227]**

**Employee current info:**

Bureau: Community Policing  
Division: South Area Patrol  
Unit: SED

**Summary:**

On 4-26-15, Officer Del Merari and I were working a plain clothes assignment in an unmarked vehicle. At approximately 2348 hours, Officer Del Merari and I conducted an occupied vehicle check to the rear of the Tustin Motor Lodge. As we were speaking to the two occupants in the vehicle, a male subject, later identified as Juan Chopin, whistled toward our direction as he was standing at the top of the stair well of the motel. He then walked toward us and as if he was coming to speak with the subjects in the vehicle. Chopin asked we had a cigarette and Officer Del Merari and I identified ourselves as police officers. He looked startled and nervous about our presence and immediately began to walk away. I suspected he was involved in illegal drug activity based on the late hour, the motel being known for illegal drug use and sales and him approaching a vehicle occupied by two known drug users. I told Chopin to have a seat on the rear bumper of the vehicle and he started to walk toward El Camino Way. I again told him to have a seat and he suddenly ran N/B toward El Camino Real. Officer Del Merari and I chased after Chopin identifying ourselves as police officers and giving him commands to stop. Officer Barraza responded to the area upon hearing my radio traffic and tackled Chopin on the N/W sidewalk of Newport and El Camino Real. Chopin continued to attempt to escape and resist Officer Barraza's attempts to detain him. Officer Del Merari and I arrived and attempted to help Officer Barraza restrain Chopin, but he continued to pull his hands and arms under his chest to avoid being placed in handcuffs. After a few minutes of unsuccessful attempts to remove Chopin's hands from under his body, Officer Barraza placed him in a carotid restraint fearing Chopin could be reaching for a weapon. Chopin went limp and unconscious for approximately 2 seconds allowing us enough time to place his hands behind his back and into handcuffs. Chopin was treated at the scene by OCFA Paramedics and then transported to WMSA ER. Chopin complained of pain to his neck, back and lower left leg, but x-rays and CT scan showed no apparent injuries. Inter interviewed Chopin at WMSA and stated he knew we were the police and ran from us

because he had a warrant and was scared. Chopin was booked at OCJ for resisting arrest and the warrant.

**Investigative tasks:**

Due dt	Done dt	Type
< N/A >	Apr 29, 2015	Use of Force Tactics Review

Assigned To: Police Sergeant Michael VanCleve  
45 minutes By:

< N/A >	May 5, 2015	Lieutenant Review
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Assigned To: Police Sergeant Michael VanCleve  
minutes 1 hours. By:

< N/A >	May 5, 2015	Captain Review
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Assigned To: Police Sergeant Michael VanCleve  
30 minutes By:

< N/A >	May 5, 2015	Chief Review
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Assigned To: Police Sergeant Michael VanCleve  
30 minutes By:

< N/A >	Apr 26, 2015	Scene Investigation
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Assigned To: Police Sergeant Michael VanCleve

Investigation and Interviews

minutes 2 hours. By:

< N/A >	Apr 28, 2015	Report Writing
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Assigned To: Police Sergeant Michael VanCleve  
minutes 2 hours. By:

Total tasks time: 6 hours 45 minutes

**When/where:**

Date/time occurred: Apr 26 2015 23:50

Incident location: 13891 Newport Avenue Tustin CA 92780

Home Address: [REDACTED]

County: Orange County

**Linked files:**

Attachment#1 Chopin's visible injury on face (JPG)

Attachment #2 Chopin's visible injury on forehead (JPG)

Attachment #3 closeup of scrape on Chopin's forehead (JPG)

Attachment #4 scrape on Chopin's chin (JPG)  
Attachment #5 Audio of interview with Chopin at WMSA (wma)  
attachment #6 Arrest report 15-2524 (pdf)  
Attachment #7 Time Log (doc)  
Barraza Dispo Letter (pdf)

**Status/assignment information:**

Status: Completed Priority: Medium

Opened: 04/26/2015 Assigned: 04/26/2015 Due: Completed: 05/05/2015

Disposition: Within Policy

Unit assigned: South Area Patrol

Handled at field/unit level: Yes

Outside/file investigator: Van Cleve, Michael William Police Sergeant [1054]

Investigator assign: Police Sergeant Michael VanCleve

Supervisor assign: Un-assigned

Source of information: Blue Team

**Organizational component(s):**

Bureau: Community Policing

Division: South Area Patrol

Unit: K9

Squad: Squad Three

**BlueTeam chain routings**

**Apr 28, 2015 21:48: Sent from Police Sergeant Michael William Van Cleve [1054] to Quinn, Sean Richard Police Sergeant [1021]**

Instructions:

Please review UOF

Reviewed by Police Sergeant Sean Richard Quinn [1021] on Jul 30, 2015 at 21:19

**Decision: Approved**

Reviewer comment:

The TPD Use of Force Policy 300.2.5 states the carotid restraint "may only be used when the officer reasonably believes that the application of the hold appears necessary to prevent serious injury or death to an officer or other person(s)."

Statements in the arrest report describe Chopin was actively resisting and would not comply with repeated orders to lay on his stomach and put his hands behind his back. This, coupled with Chopin wearing a baggy sweater covering his waistband and repeated attempts to reach into this area, placed the officers in reasonable fear for their safety.

Officer Barraza, fearing Chopin was reaching for a weapon, appropriately applied the carotid restraint to prevent him and other officers from possibly being seriously injured or killed.

CC(s) of this routing were sent to the following:

**Apr 29, 2015 21:19: Sent from Police Sergeant Sean Richard Quinn [1021] to Blair, Jeffrey L Deputy Chief [716]**

Instructions:

My review and comments are attached.

Sean

Reviewed by Deputy Chief Jeffrey L Blair [716] on Jul 30, 2015 at 09:31

Decision: Approved

Reviewer comment:

[Forwarded by Police Lieutenant Jeffrey Blair]

**May 05, 2015 09:31: Sent from Deputy Chief Jeffrey L Blair [716] to Garaven, Paul Deputy Chief [704]**

Instructions:

I reviewed all the attachments related to this incident and I find the actions of the involved officers were reasonable and IN POLICY.

Initial detention: Del Merari and Van Cleve were in plain clothes and patrolling a local motel known for narcotics activity. They were speaking to some suspicious subjects in a parked vehicle who had prior arrests for narcotic related crimes. Chopin approached them on foot and asked to purchase a cigarette. Van Cleve believed Chopin was possibly involved in a narcotic transaction with the subjects in the vehicle so he identified himself as a police officer and told Chopin to have a seat. Chopin looked startled and fled on foot. Considering all the totality of the factors; high crime area, Chopin approaching a vehicle with suspicious subjects (prior arrests for narcotic violations), the officers believing those involved were possibly involved in narcotic activity, and Chopin's headlong flight after Van Cleve identified himself as a police officer was basis to detain Chopin for further investigation.

Use of Force application: Del Merari was chasing the suspect, but it was Barraza who was able to first engage him. The suspect did not comply with verbal commands, and since Barraza was in full uniform it was evident he was a police officer. (Note: Chopin later admitted he knew Van Cleve and Del Merari were police officers and he fled because he did not want to be arrested for a warrant). Barraza tackled Chopin causing Chopin's head to strike the concrete. Chopin resisted Barraza by refusing to be handcuffed and not rolling onto his stomach as directed. Barraza indicated that Chopin had not been searched and he believed he could have been armed so Barraza struck him with his elbow which was reasonable considering Chopin's actions. The strike caused Chopin to roll onto his stomach but he still continued to resist as Barraza lost control of Chopin's hands. Chopin clinched his hands together and pulled them underneath his body toward his waistband. Barraza feared Chopin was reaching for a weapon, so at that point he applied the carotid restraint

which was effective and Chopin was taken into custody. These actions seem reasonable and necessary to overcome the resistance by Chopin.

Force Science review: I concur with Sgt. Quinn's comments about the carotid restraint and I do not feel there are any training considerations.

Recommendation: No further action.

Reviewed by Deputy Chief Paul Garaven [704] on Jul 30, 2015 at 12:33

Decision: Approved

Reviewer comment:

I have reviewed this incident and concur with Lt. Blair and Sgt. Quinn. No further action recommended.

Time: 30 minutes

**May 05, 2015 12:33: Sent from Deputy Chief Paul Garaven [704] to Celano, Charles F Police Chief [935]**

Instructions:

For your review

Reviewed by Police Chief Charles F Celano [935] on Jul 30, 2015 at 14:02

Decision: Approved

Reviewer comment:

Concur with findings. No further action.

Please prepare dispo memo for Officer Barraza

**May 06, 2015 13:49: Sent from Police Lieutenant Andrew L Birozy [914] to Van Cleve, Michael William Police Sergeant [1054]**

Instructions:

Mike, please attach a time log and send directly to me.

Thanks.

Reviewed by Police Sergeant Michael William Van Cleve [1054] on Jul 30, 2015 at 18:04

Decision: Approved

Reviewer comment:

Completion notes: Time log is now attached. Thanks.

**May 06, 2015 18:04: Sent from Police Sergeant Michael William Van Cleve [1054] to Birozy, Andrew L Police Lieutenant [914]**

Instructions:

Time log attached.

Reviewed by Police Lieutenant Andrew L Birozy [914] on Jul 30, 2015 at 00:00

Decision:

Reviewer comment:

[Open routing]

**Entered via BlueTeam by: Police Sergeant Michael William Van Cleve  
[1054] on Apr 28, 2015 at 19:58**