

17-32692

Supplement No
ORIG**LONG BEACH POLICE DEPARTMENT**

400 WEST BROADWAY
LONG BEACH, CA 90802

Phone
562 570-7381 RECORDS
Fax
562 570-7080 FAX

Reported Date
06/03/2017
Primary Offense
647 (F) PC
Officer
HAZLEWOOD, CRAIG M

Administrative Information

Agency LONG BEACH POLICE DEPARTMENT		DR No 17-32692	Supplement No ORIG	Reported Date 06/03/2017	Reported Time 05:52
CAD Call No 171540282	Rpt Typ ARREST ONLY	Primary Offense DIS CONDUCT-UNDER INFL-INTOX ALC/DRUGS ETC			
Location E 4TH ST/JUNIPERO AV					City LONG BEACH
ZIP Code 90814	Rep Dist 441	Area 02	Beat 09	From Date 06/03/2017	From Time 05:52
Officer 10793/HAZLEWOOD, CRAIG M			Assignment PATROL/EAST/CFS/W1	Entered by 10793	
Assignment PATROL/EAST/CFS/W1		Confidential DOMESTIC VIOLENCE	R/S Transfer Successful	Prop Trans Stat Successful	
Approving Officer 10251		Approval Date 06/04/2017	Approval Time 11:04:47		
# Offenses 1	Offense 647 (F) PC	Description DIS CONDUCT - UNDER		Complaint Type	
Link ARR	Involvement ARR	Invl No 1	Name See Confidential Page		

Person Summary

Invl ARR	Invl No 1	Name See Confidential Page
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LONG BEACH POLICE DEPARTMENT

ARRESTEE 1: Confidential

Involvement	Invl No	Name
ARR	1	See Confidential Page

Narrative

On 06/03/17 at 0619 hours, I (Officer C. Hazlewood #10793) was working uniformed patrol as Unit 2A14. I assisted units on an unwelcome call. The call stated the following:415-UNWELC.?.. CP'S BOYF IS FOLLOWING HER... "DEVON COTTER" MW, WRG BLU SHIRT, GRY JACKET, KHAKI PANTS.... NO WEAPS... CP IN CIRCILING THE BLK... SUBJ IS ON FOOT (call #282).

Unit 2A71 (Officer B. Cobb #10761 and Officer J. Castro # 10763) located the subject on Junipero Avenue just south of 4th Street. They detained him for further investigation regarding the unwelcome call.

While they were speaking with Cotter, he advised he wanted to prosecute for a domestic violence incident, which occurred earlier in the night. For further see DR #170032687.

Upon my arrival, I contacted the subject (later identified as Devin Cotter) who was sitting on the west sidewalk of Junipero Avenue just south of 4th Street. While speaking with Cotter I could see obvious signs and symptoms of him being intoxicated in a public place. I could smell an odor alcoholic beverage emitting from his breath and he had slurred speech. While speaking with Cotter he seemed confused and repeated himself multiple times.

Cotter was making spontaneous statements regarding his night out and that it was his birthday weekend. He admitted to having a "few" alcoholic beverages at the House of Blues venue.

While on scene, I was contacted by Sergeant S. Benson #6205, who advised me to contact Unit 2A13 (Officer O. Deleon #10238) to take photographs of Cotter and to give him the Preliminary Alcohol Screen (PAS) test. Sgt. Benson stated her request was based on a previous contact, but did not elaborate.

Officer Deleon, responded to our location and asked Cotter if he would blow into a Preliminary Alcohol Screen device. Cotter agreed and blew into the PAS device twice. The first time he blew, his Blood Alcohol Content (BAC) read .16% and his second time was .16%. See Ofc. Deleon's supplemental report for further.

While Cotter was standing for the photographs and PAS test, I could see that he was swaying side to side, appeared unsteady on his feet, and I could still hear his slurred speech while he was speaking to us.

Using departmental resources it was determined that Cotter had an outstanding arrest warrant for driving under the influence. I contacted Sgt. Benson and advised her of the warrant and the PAS results. Sgt. Benson advised me to arrest Cotter on the outstanding warrant, and to add charge a public intoxication (647(f) PC).

I handcuffed Cotter; double locked and checked the handcuffs for fit before placing him into the back seat of my police vehicle. I seat belted him in and transported him to Long Beach men's Jail at 400 W. Broadway.

While in booking I asked Cotter if he would blow into the Intoxilyzer machine and he stated, "Sure no problem Sir, whatever you need." I used the Intoxilyzer 5000EN in booking to measure Cotter's BAC level. Both test results read .13% BAC at 0722 hours.

Cotter was booked as charged for public intoxication and for his warrant. Cotter was then taken to the 6th floor men's jail and released to the jail staff without incident.

Cotter inquired if the female was being arrested or what was happening. I advised Cotter his statements (report) were taken, but I did not know the status of the female.

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ORIG

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Confidential Section

Do not distribute

ARRESTEE 1: COTTER,DEVIN THOMAS

Involvement	Inv/ No	Type						
ARRESTEE	1	Individual						
Name		MNI	Race	Sex				
COTTER,DEVIN THOMAS		[REDACTED]	White	Male				
DOB	Age	Juvenile?	Height	Weight	Hair Color	Eye Color	Confidential	
Type		Address						
HOME		[REDACTED]						
City		State	ZIP Code	Date				
[REDACTED]		[REDACTED]	[REDACTED]	06/03/2017				
Type	ID No							
FBI number	[REDACTED]							
Type	ID No	OLS						
Operator License	[REDACTED]	California						
Type	ID No	OLS						
State Criminal Identification Number(CII)	[REDACTED]	California						
Type	ID No	OLS						
Social Security Number	[REDACTED]	United States						
Phone Type	Phone No	Date						
Home	[REDACTED]	06/03/2017						
Type	E Mail							
Business	[REDACTED]							
Mark Type	Mark Code							
EYEBROW, NONSPECIFIC	Scars							
Description								
ABRASION, RIGHT EYE								
Mark Type	Mark Code							
ANKLE, NONSPECIFIC	Tattoo							
Description								
TRIBAL								
Employer/School	Position/Grade							
SELF EMPLOYED	CONSULTANT							
Involvement	Arrest Type	Arrest Date	Arrest Time	Booking No	Book Date	Book Time	Status	
ARRESTED	ARRESTED	06/03/2017	06:40:00	5006173	06/03/2017	07:33:00	BOOKED	
Arrest Location							City	
E 4TH ST/JUNIPERO AV							LONG BEACH	
Rep Dist	Place of Birth	Best						
441	California	09						
Charge	Level	Charge Literal						
23152 (B) VC	M	DUI ALCOHOL/0.08 PER						
Warrant No	Warrant ORI							
LB4LT0100101	CA0190000							
Charge	Level	Charge Literal						
647 (F) PC	M	DISORD CONDUCT:ALCOH						

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0001**LONG BEACH POLICE DEPARTMENT****400 WEST BROADWAY
LONG BEACH, CA 90802**Phone
562 570-7381 RECORDS
Fax
562 570-7080 FAXReported Date
06/03/2017
Primary Offense
647 (F) PC
Officer
DELEON, OMAR**Administrative Information**

Agency LONG BEACH POLICE DEPARTMENT		DR No 17-32692	Supplement No 0001	Reported Date 06/03/2017	Reported Time 15:48
CAD Call No 171540282	Rpt Typ FOLLOW-UP REPORT	Primary Offense DIS CONDUCT-UNDER INFL-INTOX ALC/DRUGS ETC			
Location E 4TH ST/JUNIPERO AV					City LONG BEACH
ZIP Code 90814	Rep Dist 441	Area 02	Beat 09	From Date 06/03/2017	From Time 05:52
Officer 10238/DELEON, OMAR			Assignment PATROL/EAST/CFS/W1		Entered by 10238
Assignment PATROL/EAST/CFS/W1		Confidential DOMESTIC VIOLENCE	RMS Transfer Pending	Approving Officer 10251	
Approval Date 06/04/2017		Approval Time 11:05:28			

Narrative

On 06/03/2017 at approximately 0610 hours, I (Officer Deleon #10238) was working uniformed patrol in a marked black and white as unit 2A13. I assisted unit 2A14 (Officer Hazlewood #10793) at 4th Street and Junipero Avenue upon his requested of my camera and Preliminary Alcohol Screen (PAS) device (call #282).

Upon my arrival, I noticed a male subject (later identified as Defendant Devin Cotter) seated on the west sidewalk of Junipero Avenue just south of 4th Street. I immediately noticed Defendant Cotter had a laceration and swelling on his forehead (for further, refer to photographs). I contacted Officer Hazlewood and he advised me that upon contacting Defendant Cotter he could see obvious signs and symptoms of intoxication. Officer Hazlewood stated he could smell an odor of an alcoholic beverage emitting from Defendant Cotter's breath and he had very slurred speech.

I contacted Defendant Cotter while he was still seated on the sidewalk. I immediately noticed he had watery eyes. I further noticed he his speech was very slurred and he had a strong odor of an alcoholic beverage coming from his breath and person.

I informed Defendant Cotter that I was there to photograph his injures he alleged occurred during a domestic violence incident earlier this morning. I asked Defendant Cotter to stand to take the photographs. After I completed the photographs, and at the request of Sergeant Benson, I asked Defendant Cotter if he would provide a PAS breath sample. Defendant Cotter agreed. Defendant Cotter provided a PAS breath sample of .167% B.A.C. at 0620 hours. He agreed to provide a second breath sample and blew into the PAS a second time, resulting in a B.A.C. of .163%. Defendant Cotter did not inquire why I requested for him to provide a breath sample, nor did I tell him.

While Defendant Cotter was standing for the photographs and PAS test, I could see that he was swaying side-to-side two to three inches. He appeared unsteady on his feet and had a tough time keeping his balance. He had difficulty answering simple questions and would state that he was confused as to what was going on. Due to his level of intoxication, I asked Defendant Cotter to have a seat on the curb while we further investigated, which he willing complied.

Based on my training and experience as a Certified Drug Recognition Expert (IACP #26865) and an expert in DUI and alcohol investigation, I formed the opinion that Defendant Cotter was intoxicated to a level where he was unable to care for his own safety or the safety of others.

While at the scene, I observed Officer Hazlewood place handcuffs on Defendant Cotter (double locked) and he checked the handcuffs for fit before placing him into the back seat of his police vehicle (for further on arrest, refer

Report Officer 10238/DELEON, OMAR	Printed At 11/28/2017 13:10	Page 1 of 2
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17-32692

Supplement No
0001

LONG BEACH POLICE DEPARTMENT

Narrative

to main DR).

17-32692

Supplement No
0002

LONG BEACH POLICE DEPARTMENT



400 WEST BROADWAY
LONG BEACH, CA 90802

Phone
562 570-7381 RECORDS
Fax
562 570-7080 FAX

Reported Date
06/03/2017
Primary Offense
647 (F) PC
Officer
BENSON, SHALEANA R

Administrative Information

Agency LONG BEACH POLICE DEPARTMENT		DR No 17-32692	Supplement No 0002	Reported Date 06/03/2017	Reported Time 23:22
CAD Call No 171540282	Rpt Typ FOLLOW-UP REPORT	Primary Offense DIS CONDUCT-UNDER INFL-INTOX ALC/DRUGS ETC			
Location E 4TH ST/JUNIPERO AV					City LONG BEACH
ZIP Code 90814	Rep Dist 441	Area 02	Beat 09	From Date 06/03/2017	From Time 05:52
Officer 6205/BENSON, SHALEANA R			Assignment PATROL/EAST/CFS/W1	Entered by 6205	
Assignment PATROL/EAST/CFS/W1		Confidential DOMESTIC VIOLENCE	RMS Transfer Pending	Approving Officer 10251	
Approval Date 06/04/2017		Approval Time 11:06:21			

WITNESS 1: PEARCE, JEANNINE

Involvement WITNESS	Invt No 1	Type Individual	Name PEARCE, JEANNINE		
MINI	Race	Sex	DOB	Age	Apprentice?
[REDACTED]					
Type HOME	Address [REDACTED]				
City	State	ZIP Code	Date 06/03/2017		
Type Operator License	ID No	OLS California		[REDACTED]	
Phone Type Cell	Phone No	Date 06/03/2017			

Narrative

On 06/03/2017 at approximately 0555 hours, I (Sergeant S. Benson #6205) heard the Communications Center request a unit to clear for an unwelcome ex-boyfriend at the calling party's residence. The calling party stated her boyfriend, "Devon Cotter" was following her and she is in her vehicle driving around the block.

I immediately recognized the location and the description of the calling party's vehicle from a prior call (DR 17-32687). I advised the Communications Center I was en route and to notify the Watch Commander of the call. (Call #282)

Officer C. Hazlewood #10793 (2A14) and Officers J. Castro #10763 and B. Cobb #10761 (Unit 2A71) responded to the location, while I responded to meet the calling party, WITN Pearce, at the corner of 4th Street and Cherry Avenue.

As I neared the intersection of Cherry Avenue and 4th Street, I heard Officer Cobb advised they had one subject matching the description detained at 4th Street and Junipero Avenue. I then spotted WITN Pearce's vehicle in the parking lot and could see WITN Pearce was visibly upset and crying while sitting in the driver's seat of her vehicle.

WITN Pearce recognized me from the prior call and she told me that he (Cotter) was at her house when she got home. I asked WITN Pearce to explain what happened and told me the following:

WITN Pearce and her friends [REDACTED] had just arrived to her house on [REDACTED] and were standing outside of her vehicle. [REDACTED] was going to move her vehicle from within WITN Pearce's driveway when out of nowhere Cotter came across the yards yelling, "We need to fucking talk."

LONG BEACH POLICE DEPARTMENT**Narrative**

WITN Pearce stated she repeatedly told Cotter to leave and that they had nothing to talk about. WITN Pearce said [REDACTED] began yelling at Cotter to leave and "no one wanted him here." Cotter began yelling profanities at [REDACTED] telling him, "You fucking leave, no one wants YOU here," and then yelled "we ARE going to fucking talk."

WITN Pearce stated she got scared, jumped into her vehicle and started to drive away. She had remembered that I said to call 9-1-1 if he came to her house causing problems, so she dialed 9-1-1 and told the dispatcher her name and what was going on.

As she was talking to dispatch, she circled the block and was driving back toward her house when Cotter suddenly appeared in the middle of the street with his arms extended out yelling and blocking her path. She said she hit the brakes and grabbed the steering wheel with both hands to avoid hitting him.

WITN Pearce stated that Cotter, while standing in front of her vehicle in the middle of the street, began demanding that she talk to him. WITN Pearce said she yelled for him to leave. He refused, yelling even louder and began walking toward her driver's side door. WITN Pearce stated she is just learning all the buttons on this new vehicle (she's had it roughly 14 days) and she was trying to lock the doors as he approached. As he got to her window that was partially rolled down (approximately 4-inches per her visual demonstration), WITN Pearce calmly said, "My family is asleep, please just leave." Cotter placed both of his hands on the window and began forcing it downward. He continued to yell at her using the same profanity; giving orders and telling her she is going to talk to him. Cotter made references to her blocking his calls and that she was going to talk to him now. Cotter then began reaching in through the window and trying to open the door.

WITN Pearce said she was in fear of her safety, put the car in reverse and slowly started backing up while telling him to leave her alone. I asked WITN Pearce why she went in reverse; she said it was because Junipero was closer going backwards to get away from him than it would be to go forward. She stated as she slowly began driving backwards he continued holding onto the glass and walking with the vehicle as she backed up. WITN Pearce asked Cotter to "just leave," and told him she called the police. Cotter replied, "I am going to tell the police you did this to me (pointing at his eye)." WITN Pearce replied, "You know I didn't do that to you. You fell." Cotter replied, "It's over. You're ruined." Cotter then let go of the window. WITN Pearce finished backing out onto Junipero Avenue and drove to 4th Street and Cherry Avenue, when the police called her back asking where she was waiting.

While speaking with WITN Pearce, Officer Cobb called me to state Cotter was demanding prosecution for a domestic violence incident involving WITN Pearce. I told him to take all the statements regarding the incident. I contacted Officer Hazlewood and asked him to have Officer O. Deleon #10238 respond with a camera to take photographs of Cotter, and to see if Cotter would provide a breath sample on the PAS.

Officer Hazlewood called me a few minutes later to advise that Cotter voluntarily provided a PAS sample that resulted in a 0.16% BAC and also informed me that Cotter had an outstanding DUI warrant for \$50,000.

Based on WITN Pearce's statements of the incident in front of her residence and Cotter's current level of intoxication, I believed Cotter was impaired to such an extent that he was a danger to himself and others. I requested Officer Hazlewood arrest Cotter for the warrant and for 647(f) PC.

For additional information on the arrest, see Officer Hazlewood's report.

For additional information on the domestic violence allegation, see Officer Cobb's report under DR #170032687.

Officer Deleon uploaded the photographs into Mideo digital evidencing system under DR #170032687.

17-32692

Supplement No
0003**LONG BEACH POLICE DEPARTMENT**400 WEST BROADWAY
LONG BEACH, CA 90802Phone
562 570-7381 RECORDS
Fax
562 570-7080 FAXReported Date
10/06/2017
Primary Offense
647 (F) PC
Officer
CASTRO, RUBI**Administrative Information**

Agency LONG BEACH POLICE DEPARTMENT		DR No 17-32692	Supplement No 0003	Reported Date 10/06/2017	Reported Time 11:52
CAO Call No 171540282	Rpt Typ FOLLOW-UP REPORT	Primary Offense DIS CONDUCT-UNDER INFL-INTOX ALC/DRUGS ETC			
Location 400 W BROADWAY					City LONG BEACH
ZIP Code 90802	Rep Dist 092	Area 01	Beat 06	From Date 06/03/2017	From Time 05:52
Officer 6232/CASTRO, RUBI			Assignment INVEST/DET/SPEC VIC/DOM VIOL		
Entered by 6232	Assignment INVEST/DET/SPEC VIC/DOM VIOL		Confidential DOMESTIC VIOLENCE	RMS Transfer Pending	
Approving Officer 6232		Approval Date 10/06/2017	Approval Time 11:56:08		

Narrative

On 10/04/17, I (Detective R. Castro # 6232) recovered a video visitation call from LBPJ Jail. The visitation video/call was conducted between DEFT Cotter (Booking # 5006173) and his father [REDACTED] on 06/03/17.

SUMMARY OF CALL/ VISITATION

VISITOR: Hello? I can't see your face, can you?

DEFT: Sorry there's a weird sound

VISITOR: Ok tell me what happened

DEFT: Its complicated, Jeaninne and I got into a fight and then apparently it turns out there was a warrant outstanding for me because of the DUI from you know 3 years ago. Uh so I have no idea what's going on with that but I called the bail.

VISITOR: Did you complete, did you complete all the requirements?

DEFT: I thought so, I mean the only requirements I didn't do were the ones that were required to get your drivers license back and I've been trying to get my drivers license back. So.

VISITOR: Who hit you in the face?

DEFT: Ugh, I don't want to get into that here.

VISITOR: It's a little late not to get into things. Where did this happen?

DEFT: Ugh well its not exactly like you and I have privacy here. I don't want to say things.

VISITOR: Ok, alright. So um I guess mom is handling the bail.

DEFT: Well I called a bail bonds agent, did they call you or..

VISITOR: Yes so then we had to verify. I thought initially it could be a scam or it could be legitimate. So we confirmed by calling the PD here that you're here and now I'm here and moms at home I guess signing a contract for bail.

DEFT: Ok, I wasn't expecting that to have to happen. I was hoping to at least be able to pay for part of it myself.

VISITOR: Well I don't think you could do that.

Report Officer 6232/CASTRO, RUBI	Printed At 11/28/2017 13:10	Page 1 of 2
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LONG BEACH POLICE DEPARTMENT**Narrative**

DEFT: I guess not but

VISITOR: Well you're probably qualified for a public defender. Have you talked to anybody yet?

DEFT: No. I mean, it's a, it's a, basically its LA Sheriffs Department put a warrant out for me due to the DUI for some sort of something or other and I have to figure out you know if its just a whatever requirement I need to fix it.

VISITOR: OK . Alright I don't know what more I can say if we cant talk about what happened. So Im gonna be out back in the waiting room. I don't know. Have you cleared for your background check?

DEFT: No I'm still waiting on it. They said it could take 6 to 8 hours, I got booked at 8 in the morning so you know its almost 4 o'clock now so ugh we will see.

VISITOR: Ok well Ill be in the lobby waiting.

DEFT: All right thank you so much. I'm so sorry this happened. I know this is an imposition on you and mom.

VISITOR: Mostly you than for us. Ok son Ill be waiting.

DEFT: Alright, thanks Dad. Bye.

In the video, DEFT Cotter is observed with visible injury over his right eye. See attached video.

No other videos were located. Deputy City Prosecutor Stephanie Dowds was notified and provided with 2 copies. The video was uploaded on Mideo.