

**CHESTERFIELD POLICE DEPARTMENT
INVESTIGATIVE REPORT
12 - 391 - ORIGINAL**

INVESTIGATIVE INFORMATION

Offense	ASSAULT 3RD ON LAW ENFORCEMENT/DOMESTIC DISTURBANC		
UCR Crime Code	ASSAULT, SIMPLE/OTHER, DISORDERLY CONDUCT		
Juris Reporting	CHESTERFIELD	Call Received	RADIO
For Jurisdiction	CHESTERFIELD	Reporting Officer	5263 - FRIEMEL
Case Status	CLEARED BY ARREST	Reporting Dept.	CHESTERFIELD POLICE
Date/Time Received	01/25/2012 18:10 WEDNESDAY	Nature	DISTURBANCE
Date/Time Dispatch	01/25/2012 18:10 WEDNESDAY	Date/Time Arrival	01/25/2012 18:15 WEDNESDAY
Unit Num.	5C21	COGIS	5172
PCT/Dist	DISTRICT 4	Sector	
Street Address	[REDACTED] OAKTREE ESTATES DRIVE, CHESTERFIELD, MISSOURI		
Apt/Suite/Rm #	Location Desc		
Caller Name	CARMEN CERVANTES		
Street Address			
Apt/Suite/Rm #	Location Desc		
Area Code	Phone #		
Date/Time From	01/25/2012 17:00 WEDNESDAY	Date/Time To	
Premise	RESIDENCE		
Street Address	[REDACTED] OAKTREE ESTATES DRIVE, CHESTERFIELD, MISSOURI, 63017		
Apt/Suite/Rm #	Location Desc		
Entry Point	Exit Point		
Entry Method	Tools Used		
<input type="checkbox"/> Visible Point of Entry?			
Weapon/Object Used			
Agency/Personnel			
DSN	5256	Jurisdiction	CHESTERFIELD
Name	LANTZ, TODD	Unit Assignment	CHESTERFIELD
DSN	5253	Jurisdiction	CHESTERFIELD
Name	MURPHY, GRAHAM C	Unit Assignment	CHESTERFIELD POLICE
DSN	5119	Jurisdiction	CHESTERFIELD
Name	CASWELL, MARK	Unit Assignment	CHESTERFIELD POLICE
DSN	5112	Jurisdiction	CHESTERFIELD
Name	WICKENHAUSER, ROBERT	Unit Assignment	CHESTERFIELD POLICE
DSN	5194	Jurisdiction	CHESTERFIELD
Name	BRUEGENHEMKE, MARK	Unit Assignment	CHESTERFIELD
Date/Time Entered	01/26/2012 00:04 THURSDAY	Entered By	ANTHONY ASCHOFF
FINAL APPROVAL	BRITTANY HARDING	DSN 5951	01/28/2012 21:49 SATURDAY

VICTIM #1 INFORMATION

Victim Role(s)	WITNESS, POLICE OFFICER		
	<input type="checkbox"/> Medical Assistance	<input type="checkbox"/> Domestic Abuse	<input checked="" type="checkbox"/> Will Prosecute
Last Name	FRIEMEL	Middle Name	
First Name	DSN 5263	Suffix Name	
SSN		Ethnicity	
License Number		License State	
Race		Sex	
DOB		Marital Status	
Age		Resident Status	
Person Code	ADULT	Birth Place	
Additional Info			
Email Address			
Physical State			
Emotions			
Emotions Comments			

VICTIM #2 INFORMATION

Victim Role(s)	REPORTING PARTY, WITNESS		
	<input type="checkbox"/> Medical Assistance	<input type="checkbox"/> Domestic Abuse	<input checked="" type="checkbox"/> Will Prosecute
Last Name	CERVANTES	Middle Name	DAVIS
First Name	CARMEN	Suffix Name	
SSN		Ethnicity	NOT OF HISPANIC ORIGIN
License Number		License State	MISSOURI
Race	WHITE	Sex	FEMALE
DOB	04/10/1924	Marital Status	WIDOWED
Age	87	Resident Status	RESIDENT
Person Code	ADULT	Birth Place	
Additional Info			
Employer	Occupation	RETIRED	
Street Address	OAKTREE ESTATES DRIVE, CHESTERFIELD, MISSOURI, 63017		
Apt/Suite/Rm #	Location Desc		
Area Code	Contact Name		
Phone #	Ext.		
Area Code	Contact Name		
Phone #	Ext.		
Email Address			
Physical State			
Emotions			
Emotions Comments			

VICTIM BUSINESS INFORMATION

	<input checked="" type="checkbox"/> Will Prosecute
Business Name	CITY OF CHESTERFIELD
Business Type	GOVERNMENT
Additional Info	

ADDITIONAL PARTY INFORMATION

Person Role(s)	WITNESS		
Last Name	KAMMAN	Middle Name	K

First Name	SUSAN	Suffix Name	
SSN	[REDACTED]	Ethnicity	NOT OF HISPANIC ORIGIN
License Number	[REDACTED]	License State	MISSOURI
Race	WHITE	Sex	FEMALE
DOB	11/25/1957	Age	54
Resident Status	NON-RESIDENT		

Additional Info			
Employer	UNKNOWN	Occupation	REAL ESTATE AGENT

Street Address	[REDACTED] MISSOURI, 63368
Apt/Suite/Rm #	Location Desc
Email Address	

SUSPECT INFORMATION

Role	ARRESTED-BOOKED AT POLICE STATION
Numeric Identifier(s)	
Charge(s)	DOMESTIC PEACE DISTURBANCE, RESISTING ARREST, ASSAULT 3RD ON LAW ENFORCEMENT OFFICER
Caution Code(s)	ASSAULTS POLICE OFFICER, VIOLENT TENDENCIES, ALCOHOLIC
	<input checked="" type="checkbox"/> Medical Assistance
	<input checked="" type="checkbox"/> Miranda Given
	<input type="checkbox"/> Released
	<input type="checkbox"/> Send A Teletype
	<input type="checkbox"/> Using Computer Equipment
	<input type="checkbox"/> Warrant To Be Applied For By Reporting Officer

Last Name	CERVANTES	Middle Name	DOUGLAS
First Name	BRETT	Sur Name	
Alias		Ethnicity	NOT OF HISPANIC ORIGIN
SSN	[REDACTED]	<input type="checkbox"/> Employed	
License Number	[REDACTED]	License State	MISSOURI
Race	WHITE	Sex	MALE
DOB	12/30/1957	Marital Status	DIVORCED
Age	54	Resident Status	RESIDENT
Person Code	ADULT	Birth Place	,
School District			
Additional Info			

Height	5 ft 8 in.	Weight	180.0 lb.
Eye Color	BROWN	Hair Color	BROWN
How Worn	SHORT		
Physical Desc.			
Clothing Desc.			
Scars/Marks/Tattoos			

Street Address	[REDACTED] OAKTREE ESTATES DRIVE, CHESTERFIELD, MISSOURI, 63017
Apt/Suite/Rm #	Location Desc

Area Code	[REDACTED]	Contact Name	
Phone #	[REDACTED]	Ext.	

Email Address

Physical State
Emotions
Emotions Comments

☐ Next of Kin Notified
☒ Paramedics On Scene
EVIDENT, NOT DISABLING

Notified By

Injury Class

Injury Description	BLEEDING NOSE		
Treatment Disposition	CONVEYED TO HOSPITAL	Conveyed To	ST. LUKES HOSPITAL
Hospital Disposition	TREATED/RELEASED	Conveyed By	MONARCH AMBULANCE
Physicians Name	DR. M. WALSMAN		
Diagnosis			

Released Consent
Signed

DM Number	Ambulance	MONARCH AMBULANCE #2217
Last Name	First Name	

1. CERVANTES, BRETT, DOUGLAS IS THE STRANGER OF FRIEMEL, DSN 5263
2. CERVANTES, BRETT, DOUGLAS IS THE CHILD OF CERVANTES, CARMEN DAVIS

PROCEDURE INFORMATION

☐ Neighborhood Canvassed ☐ Send A Teletype ☒ Was Any Evidence Seized

Teletype Message

Teletype/Reference #

Entered By

NARRATIVE

On the above date and time, I responded to [REDACTED] Oaktree Estates Drive regards to a disturbance with the only notes of, "The caller's son is becoming violent."

Upon arrival, I approached the front door and could hear a male yelling inside the residence. I knocked on the door and rang the doorbell several times while continuing to hear the same male continuing to yell.

After knocking on the door once more, I observed an adult male begin walking to the front door. The adult male that opened the door would later be identified as Brett Cervantes. Cervantes asked me to follow him into a sitting room to the right of the main entrance. I asked him what was going on and he stated his mom was getting upset.

From Cervantes, I could detect a strong odor of an intoxicating beverage emanating from his breath. He also slurred his words while he spoke.

Cervantes stated his mom got upset when he questioned her about hitting a black man with a cane the day prior. At that time, I heard an elderly voice calling for Cervantes from the kitchen. I asked him to stay seated on the couch while I went to his mother, Carmen Cervantes.

I met Carmen near the front door and she stated her son, Brett Cervantes, was out of control and threatening her. I asked Carmen if there was anyone else inside the house and she stated her assistant, Susan Kamman, was in the kitchen. At that time I again asked Cervantes to stay seated on the couch and asked Carmen to follow me so I could check on Kamman.

I located Kamman standing by the garage door in the kitchen. Kamman appeared frightened and was visibly shaking. I asked Kamman to follow me into the living room so I could watch Cervantes sitting on the couch and Carmen who was now sitting at the dining room table. I asked Kamman

what happened and she stated Carmen's son, Brett Cervantes, was extremely intoxicated and had been yelling at both of them for the last hour. It started with him shouting from the basement that she needed to leave the house. Kamman stated Cervantes came up into the living room and sat on the couch and would yell at his mother and her while they were conducting his mother's business. Kamman stated Cervantes eventually came over to the table and sat down, where he continued to yell, demanding she leave the house. Kamman said he continued to yell for her to leave and at one point he attempted to close her laptop computer, to which his mom yelled at him not to touch it. He then stood up and told his mom to stay out of it, turning back to Kamman, pointing at her and telling her to leave.

Kamman stated when he stood up to yell at his mom he knocked several items off the table and chair next to her.

While speaking with Kamman, Cervantes got up from the couch and attempted to go downstairs before I stopped him and ordered him back to the couch.

Officer Lantz arrived on scene and stood with Cervantes in the sitting room.

I then began speaking with Carmen about what occurred. She stated her son had been staying there for a little over a year and a half. He is an alcoholic and has gone into treatment several times. This evening, he was extremely intoxicated and began to confront her about an incident he believed happened the day before. Carmen stated he yelled at her, saying, "You cannot raise your cane towards a nigger." Carmen said the African American gentleman, Mars Howard, who is an old friend, was in her house helping her move some of her son's items into storage. She stated Cervantes has been getting drunk every night for the last three months and this is the worst. Carmen stated when he starts yelling and getting in her face, she is frightened he may do something more. She stated in the past, he has thrown his cell phone at her, which was unreported.

I asked Carmen what she would like done and she stated she would like him arrested and taken to the police station so he could sober up. Carmen also stated if he would just go downstairs and go to sleep, everything would be ok in the morning because he is a completely different person when not intoxicated. Carmen stated she would press charges if he will not calm down. Carmen stated this is abuse what he is doing to me.

I advised her I would try to speak to Cervantes and see if he would comply by going to the basement and staying there for tonight, so not to cause any further disturbance.

I asked Cervantes if we could go downstairs so I could speak to him in private and he stated that was fine. While in the basement, I advised Cervantes he would need to stay down there for the remainder of the night

so not to continue disturbing his mother and her assistant, Kamman. Cervantes began to argue with me, stating this was his house and he did not have to stay down there if he did not want to. He also said Kamman is his assistant and he wants her out of his house right now. I advised Cervantes that Kamman was there working for his mother at that time and his mother did not want her to go. Cervantes began yelling up the stairs for Kamman and his mother. I advised Cervantes if he would stay down there, we could go as long as he left his mother and Kamman alone, to which he replied, "I want her out of here and I'm not going to do anything until she's gone." I asked him to calm down and he yelled, "I want her gone."

At that time, I advised Cervantes he was under arrest for Peace Disturbance/Domestic Assault, and to turn around and placed his hands behind his back. Cervantes complied and as I placed the handcuff onto his left wrist, Cervantes immediately flexed his arms and tried to spin out of mine and Officer Lantz's control. Officer Lantz and I gave Cervantes several orders to stop fighting and to relax so we could get the handcuff on. Cervantes continued trying to pull away and to spin around to face us. I ordered Cervantes to go to the ground several times, to which he did not comply.

In front of us was a large oak desk and to my left side was a column from floor to ceiling preventing us from going that way. I took control of both Cervantes' arms, allowing Officer Lantz to reposition so we could take Cervantes down to the ground to the right. With his right arm under my control, I released his left arm with the handcuff attached and performed an arm bar to take him to the ground. While turning to the right, Cervantes fell forward with all his weight pulling away, striking his face onto the ground. I followed him to the ground, taking control of both arms and attempting to continue the handcuffing. Cervantes continued resisting by kicking his legs, flexing his arms, and attempting to roll to the right and left. I then noticed a large amount of blood on the carpet underneath his face, which was coming from his nose.

Let it be noted, during this process, he continued to yell for Kamman and his mom.

After securing his left and right arms in the handcuffs, he was pat down for any weapons while on the ground, which was negative.

I asked Officer Lantz to get on the radio and ask for an ambulance and a supervisor to respond.

I then stood Cervantes up and asked him to put on his shoes that were on the floor near us. Cervantes continued to be argumentative and trying to pull away from my control. Cervantes kept stating that now he wants

to talk. After Cervantes refused several times to put his shoes on, I told him to go up the stairs, to which he did not comply. I ordered him to walk up the stairs again and began pushing him from behind while Officer Lantz was in front of him, pulling on him. Halfway up the stairs, Cervantes laid down and refused to go any further. He stated he wasn't going to do anything else until he could speak to Kamman and his mother. At that time, myself and Officer Lantz forcibly lifting him up, getting his feet back under him and ordered him up the stairs, to which he complied.

At the top of the stairs, he tried to force his way to the right so he could go to the kitchen where his mother and Kamman were at. Myself and Officer Lantz were able to get him out the front door and escort him to my patrol car. While walking, he continued to yell and try to pull away from us. As we left the driveway, he forcibly stopped himself and turned to the right and blew the blood from his nose and spit the blood from his mouth onto me. We continued escorting Cervantes to my patrol car, where we leaned him up against it, stating an ambulance was on the way and he needed to calm down. Officer Lantz and I had to maintain constant control because he would attempt to pull away and turn on us.

Cervantes continued to struggle with us. Officer Lantz and I escorted Cervantes to the side of the road, where we were able to lay him onto his side, under control to better control him in his extremely agitated state. Cervantes yelled at a car that was driving by and continued to yell for his mother and Kamman to come out there. While Cervantes was on the ground, he continued kicking, rolling and tried to get away. Cervantes stated he wanted to get up off the wet ground. I told him we were not going to let you because you spit your blood at me. Cervantes said he was sorry for spitting at me and would not do it again. This went on for several minutes until he began to calm down. I advised Cervantes if he would remain calm for a minute, I would sit him up and if he was calm there for another minute, I would stand him up again to get us off the wet ground.

At that time, Monarch Fire Protection District Ambulance #2217 arrived on scene with Sgt. Bruegenhemke, DSN 5194, right behind.

We stood Cervantes up and escorted him to the back of the ambulance, where he was evaluated by paramedics.

Officer Lantz and Sgt. Bruegenhemke remained outside while I returned inside to collect further information from his mom and Kamman. While inside, I advised Carmen of the situation, told her he was going to be charged for Domestic Disturbance, Resisting Arrest and Assault on Law Enforcement Officer. Carmen immediately apologized for her son's behavior. Carmen stated when he is intoxicated, he becomes very violent

and argumentative and it continues to get worse until he stops drinking. Carmen stated he was extremely intoxicated tonight and had already fallen down the stairs a couple of times.

While speaking to Kamman again, she recalled while he was yelling at her he yelled at her that he had called her husband, Dennis, and he wanted her to go home. Kamman stated she called her husband, Dennis, and he told her Cervantes had not spoken to him that night. Again, both Carmen and Kamman stated they were very fearful of Cervantes and he was out of control. Kamman added she had been his friend for 14 years and has never seen him like this.

Officer Murphy, DSN 5253, who arrived on scene, escorted Monarch Fire Protection District to St. Luke's Hospital with Cervantes. A fit for confinement was obtained from Dr. M. Walsma. The doctor's findings were that his nose was not broken but was bleeding from trauma to his nose. There was no report of teeth, head, neck or back injury.

After obtaining the fit for confinement, Officer Murphy transported Cervantes to the Chesterfield Police Department, where he was booked on the charges of Domestic Disturbance, Resisting Arrest and Assault on Law Enforcement Officer.

Officer Caswell, DSN 5119, responded to the station to photograph the blood that was spit onto my uniform shirt for evidentiary purposes. See his supplemental report for further.

Cervantes was issued summonses for these charges and was available for bond after he had sobered up.

Nothing further.

**CHESTERFIELD POLICE DEPARTMENT
INVESTIGATIVE REPORT
12 - 391 - SUPPLEMENT #1**

INVESTIGATIVE INFORMATION

Current Case Status **CLEARED BY ARREST**
Date/Time Investigation **01/27/2012 10:16 FRIDAY**
Reclassified Description

Orig. Offense	ASSAULT 3RD ON LAW ENFORCEMENT/DOMESTIC DISTURBANC		
Orig. UCR Code	ASSAULT, SIMPLE/OTHER, DISORDERLY CONDUCT		
Juris Reporting	CHESTERFIELD	Call Received	RADIO
For Jurisdiction	CHESTERFIELD	Reporting Officer	5119 - CASWELL
		Reporting Dept.	CHESTERFIELD POLICE

Date/Time Received	01/25/2012 18:10 WEDNESDAY	Nature	DISTURBANCE
Date/Time Dispatch		Date/Time Arrival	
Unit Num.		COGIS	5172
PCT/Dist	DISTRICT 4	Sector	

Street Address **OAKTREE ESTATES DRIVE, CHESTERFIELD, MISSOURI**
Apt/Suite/Rm # **Location Desc**

Caller Name **CARMEN CERVANTES**
Street Address
Apt/Suite/Rm # **Location Desc**
Area Code **Phone #**

Date/Time From	01/25/2012 17:00 WEDNESDAY	Date/Time To	
Premise	RESIDENCE		
Street Address	OAKTREE ESTATES DRIVE, CHESTERFIELD, MISSOURI, 63017		
Apt/Suite/Rm #	Location Desc		

Entry Point	Exit Point
Entry Method	Tools Used
<input type="checkbox"/> Visible Point of Entry?	

Weapon/Object Used

Agency/Personnel

Date/Time Entered	01/27/2012 10:16 FRIDAY	Entered By	SUZANNE MILLER
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FINAL APPROVAL	SUZANNE MILLER	DSN 5905	02/01/2012 09:23 WEDNESDAY
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NARRATIVE

In reference to Chesterfield Police Report Number 12-391, I wish to state the following. At approximately 2110 hours, on Wednesday, 01/25/2012, I responded to the Chesterfield Police Station to photograph Officer Friemel's uniform shirt.

The following photographs were taken at the scene utilizing a department issued Nikon D50 Digital SLR camera. The photographs were later downloaded into the Chesterfield Police Department's Crime Scene computer file.

Photo 1 Overall of Officer Friemel's shirt

Photo 2-5 Close-ups of bloody spots on Officer Friemel's shirt

Photo 6 Scene I.D. sheet

Suspect Cervantes spat blood and saliva on Officer Friemel while being arrested. Officer Friemel's shirt was photographed.

Nothing further.

**CHESTERFIELD POLICE DEPARTMENT
INVESTIGATIVE REPORT
12 - 391 - SUPPLEMENT #2**

INVESTIGATIVE INFORMATION

Current Case Status	CLEARED BY ARREST		
Date/Time Investigation	07/26/2012 13:10 THURSDAY		
Reclassified Description			
Orig. Offense	ASSAULT 3RD ON LAW ENFORCEMENT/DOMESTIC DISTURBANC		
Orig. UCR Code	ASSAULT, SIMPLE/OTHER, DISORDERLY CONDUCT		
Juris Reporting	CHESTERFIELD	Call Received	RADIO
For Jurisdiction	CHESTERFIELD	Reporting Officer	5262 - CERNA
		Reporting Dept.	CHESTERFIELD POLICE
Date/Time Received	01/25/2012 18:10 WEDNESDAY	Nature	DISTURBANCE
Date/Time Dispatch		Date/Time Arrival	
Unit Num.		COGIS	5172
PCT/Dist	DISTRICT 4	Sector	
Street Address	OAKTREE ESTATES DRIVE, CHESTERFIELD, MISSOURI		
Apt/Suite/Rm #		Location Desc	
Caller Name	CARMEN CERVANTES		
Street Address			
Apt/Suite/Rm #		Location Desc	
Area Code		Phone #	
Date/Time From	01/25/2012 17:00 WEDNESDAY	Date/Time To	
Premise	RESIDENCE		
Street Address	OAKTREE ESTATES DRIVE, CHESTERFIELD, MISSOURI, 63017		
Apt/Suite/Rm #		Location Desc	
Entry Point		Exit Point	
Entry Method		Tools Used	
<input type="checkbox"/> Visible Point of Entry?			
Weapon/Object Used			
Agency/Personnel			
Date/Time Entered	07/26/2012 13:06 THURSDAY	Entered By	EMILY PROCHKO
FINAL APPROVAL	TAMMY WEGMAN	DSN 5946	07/27/2012 23:47 FRIDAY

NARRATIVE

In reference to the above listed case, I wish to add the following:

On the above date and time, while on routine patrol, I conducted a traffic stop with a vehicle on Schoettler Road near Schoettler Spur. It should be noted that the driver of the vehicle was a subject I was familiar with and a records check approximately 20 minutes prior to the stop revealed him to be a fugitive from our agency for Failing to Appear on the original charges.

I made contact with the driver, identified as Brett Douglas Cervantes (white male, DOB 12/30/1957). I asked Cervantes to exit the vehicle and upon doing so, I affixed him into double locked handcuffs, placing him under arrest for his active warrant. At Cervantes' request, he contacted his mother, who responded to the scene and took possession of his vehicle.

I conveyed Cervantes to the station, where upon arrival, he was booked per 12-829 for Failing to Appear on a summons. Cervantes was placed into holding cell #1, pending a posting of his \$1,150.00 bond.

I contacted St. Louis County Warrants division and cancelled Cervantes' warrant W98489665 per DSN 3073.

Nothing further at this time.