

**BERKELEY POLICE DEPARTMENT**

2100 Martin Luther King, Jr. Way, Berkeley, CA 94704

TEL: (510) 981-5900, TDD: (510) 981-5799, FAX: (510) 981-5744

EMAIL: police@cityofberkeley.info

Case # 2018-00043315

INCIDENT REPORT

BPD-125 (rev. 03-29-2013)

DETAILS

INCIDENT TYPE	REPORTED DATE / TIME / DAY	LOCATION OF OCCURRENCE
DISTURBANCE	8/2/2018 12:02 THU	ALLSTON Way / BERKELEY

SUBJECTS

<small>(ROLE: MH - CIT / MH / IP - INVOLVED PARTY, OP - OTHER PARTY, WI - WITNESS, RP - REPORTING PARTY, RO - REGISTERED OWNER)</small>								
ROLE	LAST, FIRST, MIDDLE, SUFFIX (OR BUSINESS NAME)				RACE	SEX	DOB	AGE
RP	HUTNER, JOEL, REED				W	M		
ADDRESS	PHONE		LICENSE		STATE		PFN	
BUSINESS / OTHER ADDRESS		BUSINESS / OTHER PHONE		EMAIL ADDRESS				
ROLE	LAST, FIRST, MIDDLE, SUFFIX (OR BUSINESS NAME)				RACE	SEX	DOB	AGE
ADDRESS	PHONE		LICENSE		STATE		PFN	
BUSINESS / OTHER ADDRESS		BUSINESS / OTHER PHONE		EMAIL ADDRESS				

VEHICLES

<small>(ROLE: AB - ABANDONED, BO - BOLO (BE ON THE LOOKOUT), IM - IMPOUND TOW IN - INVOLVED VEHICLE, PA - PARKED, RE - REPOSSESSED)</small>							
ROLE	PLATE	STATE	YEAR	MAKE	MODEL	STYLE	VEHICLE TYPE
COLOR TOP	COLOR BOTTOM	VIN	DESCRIPTION				

RECOVERED VEHICLE

<small>(ROLE: S - STOLEN, R - RECOVERED, D - DAMAGED, E - EVIDENCE, SU - SUSPECT IN - INVOLVED, RO - REGISTERED OWNER, O - OTHER)</small>							
ROLE	PLATE	STATE	YEAR	MAKE	MODEL	STYLE	VEHICLE TYPE
COLOR TOP	COLOR BOTTOM	VIN	DESCRIPTION				

PROPERTY

<small>(CODE: D - DAMAGED, DE - DESTRUCTION, F - FOUND, R - RECOVERED, K - SAFEKEEPING)</small>						
CODE	QUANTITY	UNIT OF MEASURE	PROPERTY TYPE	SERIAL NUMBER	VALUE	
DESCRIPTION						
CODE	QUANTITY	UNIT OF MEASURE	PROPERTY TYPE	SERIAL NUMBER	VALUE	
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DESCRIPTION						
CODE	QUANTITY	UNIT OF MEASURE	PROPERTY TYPE	SERIAL NUMBER	VALUE	
DESCRIPTION						

NARRATIVE**Narrative:**

On 08/02/18, at about 1353 hours, I was dispatched to an advice call regarding a disturbance at the YMCA Hotel at Allston Way. I contacted RP-Joel Hutner via telephone. Hutner said he was assaulted by a maintenance worker at about 1100 hours. He said he was in a verbal dispute with the maintenance worker, "Antonio," and at one point he took a step closer to "Antonio" to see his name tag. He said "Antonio" raised his fists as if he was going to fight or hit him. He said the dispute was verbal and "Antonio" did not hit him or make contact with him.

I informed Hutner, "Antonio," had every right to raise his fist to defend himself if he had stepped toward him and perceived that action to be hostile. Hutner agreed, but still wanted the incident documented.

REPORTING OFFICER	DATE / TIME WRITTEN	REVIEWED BY SUPERVISOR	PAGE
Yee, Matt #136	08/04/2018 23:13	Rafferty, Darrin	1 of 3

Information redacted is protected
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California Government Code
6254 (f), (k).



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REPORT NARRATIVE

BPD-108 (rev. 03-29-2013)

NARRATIVE

I gave Hutner my email address and told him to email me a statement.

He emailed me the following statement:

I am writing this in response to your request to email you a statement about what happened a little while ago with Antonio. I think that is the Y employee's name.

As I said when you asked me to email you a statement... I do not like to complain about employees and indeed never have complained any Y employees. Unfortunately this situation requires documentation.

I dropped my toothbrush out my window a 3 days ago and Thurman said that only someone on the maintenance crew could retrieve it.

Yesterday, I politely asked Antonio if he could do me a favor and he abruptly responded "No!" Rose was with him and said that I should leave a note with Thurman.

Today, I saw Antonio accompanied by another maintenance crew guy on the elevator. I said to Antonio, "I will continue to be very nice to you no matter how you treat me."

"Antonio" said that I was the problem and that he had already complained about me to the director, i.e. to you Lance. He said that there was a video of me flipping him off behind his back in front of Thurman. He said that he requested and watched the video with you.

I responded that I had not flipped him off and would never do something like that. I said it was a mistake, and that I liked him and that we should look at the video together, if necessary. He responded "You are not a man!."

I asked him his name. He refused to give it to me. I came closer to look at his name tag and he threatened me pulling his fist, acting as if he would hit me.

I said, "Let's talk to the director." He responded, "Let's you and me go outside. Are you a man?" I said I do not care what you call me, I will not fight you. I asked for his name again and tried again to look at his name tag. He turned so I could not see it. I said that if he would not give me his name I would take a photo of him. He got in the elevator and said that he was going to see you, Lance.

I said, "Let's go together" and he responded "Leave us alone!" I held the elevator door and said, "Let's go and talk to Lance together. "Antonio" called you on the intercom and said "The guy in 401 is bothering us."

The event was captured on video. I would like to request a copy of the video. Also, please tell me Antonio's full name.

Thank you,

Reed Joel

I attached a copy of his email to this report.

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REPORTING OFFICER
Yee, Matt #136

DATE / TIME WRITTEN
08/04/2018 23:13

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Rafferty, Darrin

08/06/2018 09:28

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REPORT NARRATIVE

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NARRATIVE

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