

**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 # **2017-00069092****REPORT NARRATIVE**

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

NARRATIVE**SUMMARY:**

Tzimopoulos was trespassing out in front of (IFO) the David Brower Center, 2150 Allston Way, blocking the bike rack next to the front entrance. Goree is employed with the Downtown Berkeley Association (DBA) and serves as the manager of the Ambassador Staff. Goree asked Tzimopoulos to move from IFO the property. Tzimopoulos refused, got upset, and spat on Goree.

INVESTIGATION:

On 11/13/17 at 0751 hours, while working routine patrol in full uniform driving a marked vehicle (#1729), I was dispatched to 2150 Allston Way on the report of a Battery via Spit that just occurred a few minutes prior. I responded from 2255 Shattuck Avenue and arrived a few minutes later.

While enroute to 2150 Allston Way, Berkeley Dispatch provided me with a description of the responsible person. The responsible person had fled the scene and was seen walking westbound on Allston Way towards Shattuck Avenue. The responsible person was described as a WMA, 30-35 y/o, 5'11" med build, wearing a blk knit cap, a maroon sweater, blk pants, and with a beige blanket over his body.

I was proceeding northbound on Shattuck Avenue in the number one lane when I heard the updated description and the direction of flight of the responsible party. While approaching the intersection of Shattuck Avenue and Allston Way at the signal light, I observed an individual that matched the description of the responsible party that spat on the Victim. The individual was crossing Shattuck Avenue westbound in the south crosswalk.

I made a U-turn at Shattuck Avenue and Allston Way and conducted a pedestrian stop on the individual IFO Starbucks, 2224 Shattuck Avenue. The individual identified himself verbally as Tzimopoulos, William Bishop. Tzimopoulos stated that his birthday was on 5/19/94. Ofc. B. Kishiyama #57, Sgt. J. Coats #S-6, and Ofc. R. Jackson #37 arrived on scene to assist.

I went to contact the Victim, later identified verbally as Goree, at 2150 Allston Way. I got back into my patrol vehicle and drove to Goree's location. I continued southbound on Allston Way, I turned westbound on Kittredge Street, northbound on Harold Way, and eastbound on Allston Way. I stopped at the signal light of Allston Way and Shattuck Avenue.

Goree was crossing Shattuck Avenue westbound in the south crosswalk. I noticed that Goree was looking towards Starbucks Coffee where Tzimopoulos was being detained. Goree recognized me from prior contacts. I motioned for Goree to turn around and head back east so that I could speak with him. Goree complied.

I met with Goree on the Allston Way just east of Shattuck Avenue on the south sidewalk. Goree briefly told me what had occurred. I asked Goree if he wished to seek prosecution against Tzimopoulos for battering him via Spit. Goree told me that he did and signed a Berkeley Police Department (BPD) Citizens Arrest Form arresting Tzimopoulos for PC 242 Battery.

I summoned and Identification Technician to the scene to take photographs of Goree and of his clothing.

BERKELEY POLICE DEPARTMENT
Obtaining possession of this
information is a misdemeanor.
DO NOT DUPLICATE

REPORTING OFFICER	DATE / TIME WRITTEN	REVIEWED BY SUPERVISOR	PAGE
Wilson, Ethell #93	11/13/2017 15:31	Coats, Jennifer	3 of 5

**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 # **2017-00069092****REPORT NARRATIVE**

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

NARRATIVE

I obtained Goree's recorded audio statement. Goree stated the following in summary (See Goree's attached recorded audio statement for further details):

Goree was sent a text message from the David Brower Center, 2150 Allston Way, regarding a sleeping trespasser that they had been having problems with for the past two weeks. The trespasser was ignoring the Center's request for him to move. When Goree arrived he made contact with Sam Vargas, the facility manager at the Brower Center. Goree and Vargas made contact with the trespasser and asked him to move from off of the property. The individual told them that he did not have to move and that he wasn't trespassing.

Goree told the individual that he did have to move and that he was trespassing. Goree told him that he had to move his stuff as well. The trespasser grabbed Goree's right arm. The two became combative. Goree physically moved the trespasser on to the sidewalk and grabbed his belongings and moved them to the sidewalk as well. The trespasser turned and spat on Goree. Goree described the individual as a WMA, 5'9"-5'10", 25-30 yrs old, knit cap, maroon hooded sweatshirt, and black pants. The individual that was stopped by BPD IFO Starbuck on Shattuck was the individual that battered him.

End of Statement.

Goree declined medical attention. He informed me that he has had prior contacts with Tzimopoulos over the past two weeks about trespassing IFO doorways of businesses in the downtown area.

I radioed to Ofc. B. Kishiyama #57 and Ofc. R. Jackson #37 to arrest Tzimopoulos for PC 242 Battery.

CSO D. Lee #459 arrived on scene and took several photographs of Goree and of his clothing.

I provided Goree with one of my business cards with my name, badge number, and this incident's case number on it.

I conducted a records check on Tzimopoulos. The records check revealed that Tzimopoulos was clear wants and warrants but was known to Corpus (PFN BLM918). Tzimopoulos was on court probation out of Contra Costa County. Tzimopoulos had an outstanding non-extraditable warrant out of the state of New Hampshire for Burglary. Tzimopoulos had prior arrests for Robbery, Assault, Battery, False ID to Peace Officers, and Burglary. Tzimopoulos has prior convictions for Theft and Assault.

I contacted the Contra Costa County Probation Department to see if they wanted to send our department a retainer over to revoke Tzimopoulos' probation. I left a message for the Deputy of the Day.

I booked Goree's recorded audio statement in Veripic.

I forwarded a copy of this report to the Alameda County District Attorney's Office for further review and prosecution. I am recommending that Tzimopoulos be charged with PC 242 Battery and that he be issued a stay-away order from The David Brower Center, 2150 Allston Way, and the surrounding

Information is a misdemeanor

REPORTING OFFICER	DATE / TIME WRITTEN	REVIEWED BY SUPERVISOR	PAGE
Wilson, Ethell #93	11/13/2017 15:31	Coats, Jennifer	4 of 5



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 # **2017-00069092**

REPORT NARRATIVE

RPD-108 (rev. 01-29-2013)

NARRATIVE

downtown area. Nothing further.

BERKELEY POLICE DEPARTMENT
Unlawful dissemination of this
information is a misdemeanor.
DO NOT DUPLICATE

REPORTING OFFICER

Wilson, Ethell #93

DATE / TIME WRITTEN

11/13/2017 15:31

REVIEWED BY SUPERVISOR

Coats, Jennifer

11/13/2017 03:48

PAGE

5 of 5