

13.43 - Personnel Data said he did not see any other officers assisting officer Appledorn with any arrests, but he thought he saw the booking van there.

When I asked 13.43 - Personnel Data if he remembered what the suspect looked like, that Officer Appledorn was dealing with he said; "I think it was a guy. I think he was African American".

13.43 - Personnel Data did remember 13.43 discussing Officer Appledorn's report with him. He said; "the only thing I can remember is just the force reporting part of it. We talked about that briefly". 13.43 - Personnel Data said basically that 13.43 and he talked about Officer Appledorn not doing a force report or that they thought she needed to do a force report.

Statement of Officer Sherry Appledorn

On June 03, 2010 at 1000 hrs, I interviewed Officer Appledorn at the Internal Affairs office. Also in attendance was Officer Appledorn's Federation Representative, Dan Ungurian. I read Officer Appledorn Garrity and Tennesen Warnings and she said she understood both.

Officer Appledorn said on the morning of 04/25/10, she was outside Karma Night club doing surveillance. She said she was wearing jeans, but she had on a MPD jacket, with her duty belt on. She said it was obvious that she was a MPD police officer. She said she was standing outside the night club, when she saw a man, (AP Ross) going directly for one of the bouncers "and then just punched the bouncer". Officer Appledorn said once she saw that happen, she ran up to AP Ross and grabbed him from behind.

Officer Appledorn said the man was over six foot tall, with a heavy muscular build, so it was hard for her when she was trying to pull him back. She said she couldn't pull the

AP back so "luckily another bouncer, who was a huge big guy, helped me pull him back out of the crowd".

Officer Appledorn said when she got the AP back near the trunk of her car, with the help of the bouncer; she tried to put handcuffs on AP Ross. She said Ross kept moving and was not listening to her give him orders. She said with the bouncer helping her, she was finally able to get AP1's hands behind his back and handcuffed. Officer Appledorn said once AP Ross was handcuffed, "The bouncer kind of just disappears on me and so now I'm standing here left with this guy who's pissed mad and I'm asking him like three or four times just to please just sit on the ground, you're under arrest, you're going to jail, we have to wait for the booking van".

Officer Appledorn said she was trying to get Ross down to the ground by the squad, because her vehicle was an unmarked and another squad near by had an arrested female in the back seat, so she didn't want to put a male with a female. Officer Appledorn said she tried to get Ross "down just so nothing else happens with any other fights going on, so he doesn't get injured. And I'm trying to move his feet to get him just to sit down and he's not and he's pushing off the squad backing up into me at the same time I'm trying to push him, bend him over".

Officer Appledorn said AP Ross was pushing off the squad with his body, at the same time he was backing his feet up and backing Officer Appledorn. Officer Appledorn said she believed that the AP was trying to head butt, so at that time, "I open hand, gave him just like an attention slap at the same time then I was able to get his, move his feet and get him on the ground".

Officer Appledorn said she believed she slapped AP1 on the side of his cheek. She said she did it from behind so there was “no full swing or anything it was just enough to kind of hey, you know, you need to sit”. Officer Appledorn said once she slapped AP1 she was able to get him to the ground.

When I asked Officer Appledorn if any other MPD officers helped her with AP Ross besides the bouncer, she said; “Yeah, eventually when I got him on the ground then he started, he started kicking and screaming and yelling on the ground and two other cops came over and I don’t know who they were and then 13.43 - Personnel Data came over and 13.43 - Personnel Data was talking to him and then one cop was by his waist and one was on his feet, holding his feet cause now he was kicking and kicking his, thrashing his feet all about and kicking and at that time 13.43 was like go, go talk to the, I told him what happened and then he was like go and so I went and talked to the victim, the bouncer”.

Officer Appledorn said she believed 13.43 was also at her call, but she didn’t know. She said 13.43 - Personnel Data and the other officers, who she couldn’t remember, waited with AP Ross until the booking van came.

Officer Appledorn said she is no longer assigned to the 13.43 - Personnel Data Unit. She said the day that she received her notification of allegation of misconduct from Internal Affairs; she was transferred to 13.43 - Personnel Data .

When I asked Officer Appledorn about her CAPRS supplement, (page 1 of 1), specifically the part where she said, “he was already secured and handcuffed at this point” and he pushed off the squad but that he wouldn’t sit down so she slapped AP1 in the face as a distraction measure.

I asked if he sat down when she slapped AP1. She said; "Yeah I was able to give him the, I mean I had to physically get him to sit down at the same time. It was, I couldn't get his, I couldn't kick his feet out in order to take him down so I had to kind a, with distracting him and then I had to kind of physically get him to sit in order to take him down on the ground so he would sit there".

When I asked Officer Appledorn when she slapped AP1 in the face if she perceived that as force. Officer Appledorn said she did not perceive a slap in the face as force. She said it was a distraction technique and a way to get AP1 attention and get him to sit on the ground. Officer Appledorn said she didn't do a force report because her actions were not force.

When I asked Officer Appledorn if she still believed that she didn't use force, she responded, "Correct, yes". When I showed Officer Appledorn the Use of Force policy and showed her where it stated, "any physical strike to any part of the body of another" and that a slap to the face would still be force, she replied; "Well I'm taking it as part of a take down technique".

I then asked Officer Appledorn if she had ever had any defensive tactics training that included slapping the face as a take down measure or distraction measure. Officer Appledorn replied, "They talk about using open hand slaps as a way for distraction when we do use of force, so".

Officer Appledorn remembered **13.43** speaking to her about her report. She remembered **13.43** expressing concern that she did not do a use of force report, for slapping AP Ross after he was handcuffed. Officer Appledorn said she told **13.43**