

Re Details

Reporting Officer:	000997: Peter Carlson	Approval Status:	Approved
Assisting Officer:	006762: Peter Stanton	Approval Date:	Oct 26, 2014
Supervising Officer:	002110: Tomma Freundschuh	Date Returned:	
Approving Supervisor:	002110: Tomma A Freundschuh	Return Count:	0
Call/Sqd:	410f	Date Printed:	Jan 13, 2015
Precinct:	04	Last Uploaded:	Dec 4, 2014
Related CCN :	-	Solvability:	170
Reported Date:	Oct 26, 2014 10:15	Primary Routed Unit:	4072 - Arson
Entered By:	000997	Assigned Investigators:	001097: Christensen, Erika

Incident Details

Offense1:	ARSON	Desc:	Arson	Statute:	609.561	Attempted:	
Offense2:	POVIOL	Desc:	Viol Of Protect Ord	Statute:	518.01s14	Attempted:	
Offense3:	DAMP RP	Desc:	Damage To Property	Statute:	609.595	Attempted:	
Offense4:	PCPKUP	Desc:	P.c. Pickup Arrest	Statute:		Attempted:	
Address:	13.82						
Occurred From:	10/26/2014 00:00			Dispatched:	09:52:00		
Occurred To:	10/26/2014 10:00			Arrived:	09:58:00		
Location:	12 Av N/oak Park Av N			Cleared:	11:00:00		
Minor Involved:	No						

Public Data

Officers responded to the listed address for a report of damage to property. V1 and S1 were GOA. Officers spoke with 10-50 on scene regarding the damage to property.

REC: Further Investigation

Officers dispatched to 350 S 5 St. Room 33 lobby, on the report of one with a warrant. The suspicious person identified as A-1. Officers believed they had authority to arrest A-1 based on the authority of Sgt. E. Christensen #0197 of the Minneapolis Police Arson Unit.

MFD CAR 50 REPORTED ON A FIRE AT [REDACTED] ON 10/26/2014. RIGS RESPONDED AT 0837 HOURS, CLEARED 0846 HOURS. 10-50 RESPONDED 0844 HOURS, CLEARED 1011 HOURS.  
JUDICIAL PROBABLE CAUSE: THE COMPLAINANT, BEING DULY SWORN, SWEARS THE BELOW FACTS ARE TRUE AND CORRECT TO THE BEST OF COMPLAINANT'S KNOWLEDGE AND BELIEF AND CONSTITUTE PROBABLE CAUSE TO BELIEVE THAT THE BELOW-NAMED ARRESTEE COMMITTED THE OFFENSE (S) DESCRIBED HEREIN.

COMPLAINANT'S SIGNATURE \_\_\_\_\_

NOTARY SIGNATURE AND STAMP \_\_\_\_\_

SUBMITTED UNDER OATH BY \_\_\_\_\_

COMPLAINANT'S SIGNATURE \_\_\_\_\_

NO \_\_\_\_\_ Y SIGNATURE AND STAMP \_\_\_\_\_

SUBMITTED UNDER OATH BY \_\_\_\_\_

SIGNATURE OF NOTARY \_\_\_\_\_

A.B., Peace Officer License Number \_\_\_\_\_, Hennepin County, Minnesota.  
My license expires on June 30, \_\_\_\_\_.

JUDICIAL PROBABLE CAUSE: THE COMPLAINANT, BEING DULY SWORN, SWEARS THE BELOW FACTS ARE TRUE AND CORRECT TO THE BEST OF COMPLAINANT'S KNOWLEDGE AND BELIEF AND CONSTITUTE PROBABLE CAUSE TO BELIEVE THAT THE BELOW-NAMED ARRESTEE COMMITTED THE OFFENSE (S) DESCRIBED HEREIN.

COMPLAINANT'S SIGNATURE \_\_\_\_\_

NOTARY SIGNATURE AND STAMP \_\_\_\_\_

SUBMITTED UNDER OATH BY \_\_\_\_\_

SIGNATURE OF NOTARY \_\_\_\_\_

A.B., Peace Officer License Number \_\_\_\_\_, Hennepin County, Minnesota.  
My license expires on June 30, \_\_\_\_\_.

Role / Role #:	A001	MPD#:	0020140837
Name:	Penn, Marvin George		
Residence:	1010 Currie AV Minneapolis, MN		
Telephone:	C:339-336-3119		
Date of Birth:	07/26/1963	Event Age: 51	Est. Age: 51 - 51
Race:	Black	Medical Treatment:	No
Sex:	Male		
Height:	506 - 506	City of Origin:	Chicago
Build:	LI	St. of Origin:	IL

**Arrest Information**

Arrest Address:	1010 Currie	Precinct:	01
Arrest Date:	Nov 28, 2014 01:20		
Arrest Location:			
Disposition:	Booked County		
Arresting Officer:	001090: Chaput, Benjamin	Call/Sqd:	
Arresting Officer:	001780: Englund, Nicholas Ryan	Call/Sqd:	

**Charges**

<u>Status</u>	<u>Type</u>	<u>Charge Code</u>	<u>Statute</u>	<u>Citation</u>	<u>Related CCN</u>
PC Pickup	Felony	arson - Arson	609.561		

**Employment Information**

<u>Employer/School</u>	<u>Address</u>	<u>Telephone</u>	<u>Occupation</u>
Salvation Army			Bell Ringer
Availability:			

**Personal Description**

<u>Category</u>	<u>Description</u>	<u>Related Offense</u>	<u>Comments</u>
Employment Status	Employed		

**Victim**

Role / Role #:	V001
Name:	13.82
Residence:	
Telephone:	
Drv Lic #:	
Date of Birth:	
Race:	
Sex:	
Height:	
Build:	
Victim of:	

**Personal Description**

<u>Category</u>
Employment Status

Telephone:

Date of Birth:

Rac

Sex:

Height:

Build:

13.82

### Personal Description

<u>Category</u>	<u>Description</u>	<u>Related Offense</u>	<u>Comments</u>
Employment Status	Unknown		
Force Used	No		

### Relationships

<u>Subject</u>		<u>Relationship Type</u>	<u>Object</u>
S001	Penn, Marvin	13.82	

### Modus Operandi

<u>Category</u>	<u>Description</u>	<u>Related Offense</u>	<u>Comments</u>
Crime Elements	Circumstances Unique		
Crime Location	Single Family		

### Non-Inventoried Property

#### Burned Property

Property Type:	Structure		
Officer's Description:	Rear metal door, door framing, and siding burnt		
Structure Type:	SIN		
Quantity:	1		
Owner Role:	V001	Owner Name:	MS 299C.46
Est. Value:	200.00		

### Property and Evidence

PI#	Item #	Description	Owner	Qty	Make/Mod/Ser #	Auth ID	Dsp Dt	Dsp Mnr
2014-39019	1	IMAGE DISC, SCENE IMAGES		1		001097		Hold For Adjudication
2014-39019	2	AUDIO DISC, INTERVIEW W		1		001097		Hold For Adjudication
2014-39020	1	VIDEO DISC, FROM 13.82 FACING		1		001097		Hold For Adjudication
2014-42592	1	AUDIO DISC, SCALES INTERVIEW		1		001097		Hold For Adjudication
2014-42593	1	VIDEO DISC, SURVEILLANCE VIDEO		1		001097		Hold For Adjudication
2014-44335	1	DATA DISC, TECHNICAL REPORT, PHONE DATA,		1				

On 10/26/2014 I was working patrol in Squad 410 with my partner Officer Stanton. At approximately 0952 hours we were dispatched to 13.82 for a report of damage to property. We were requested by 10-50 to the scene in regards to a three person accompanying a fire.

Upon our arrival we spoke with Capt. Mike Terry from MFD 10-50. He stated MFD responded to a small fire on the back step of the residence. He stated there was a trash bag full of leaves on the rear concrete step that was set on fire. There was minor damage to the rear door and the siding surrounding the door.

Capt. Terry said the victim who resides in the residence had left the scene before officers arrived. She was ID'd by 10-50 as V1/13.82. The suspect had fled the scene prior to MFD arrival. 10-50 said V1/13.82 believed that S1/Marvin Penn set the fire. S1 is the ex-boyfriend of V1 and has an active OFP against him involving V1. The OFP number is MS 299C.46. V1 also believed that S1 now resides at 1010 Currie Av N.

S1/Penn was queried in CAPRS and was found to have been involved in 3 recent reports, including 2 Protection Order Violations and 1 Domestic Assault report.

On the rear door there was writing etched into the door. It stated "cant live here". 10-50 said that S1 had resided at this residence at some point but had been arrested recently.

10-50 also stated that there are exterior cameras on the apartment building at [REDACTED] that may be facing the rear of [REDACTED]. There was no management around but a male resident of the building said that there may be a "Ms. Queen" at the building later this afternoon. He did not provide a number for her but there was a phone number on the building. PPL Housing. 612-455-5100

A blue card was left at the residence for V1/ [REDACTED]

**END of Supplement 1**

V1 [REDACTED] came to the 4th Pct and met with me regarding the arson. She said that she knows that S1, her ex-boyfriend, did this, because he told her on 10/10/2014 that he was going to burn the house down so that she would get kicked out.

V1 told me that she is very afraid of S1, and is moving out of the incident address today, because she does not feel safe. She also wanted me to note that she is missing all of her gold jewelry, and believes that S1 took these items from her. She is working on getting a list together, and finding receipts. She was given a blue card.

**END of Supplement 2**

Note: Employee #4631 is being used to enter this report because Capt. Terry is not in the CAPRS system.

The first arriving company, Engine 4, determined that the fire was out and that there was no extension. Engine 4 left the scene prior to 10-50's arrival.

The dimensions of the home were 30x30 ft., single family home converted to a boarding style with a shared kitchen and bath, two stories, occupied by four residents. The smoke detectors did alert the residents.

The fire was on the rear door outside with some extension to the bottom of the door inside. There were leaves put on the back porch and set on fire. There was damage to the siding outside the rear door to the left and to the right. The bottom of the door, inside and out, was burned. No damage anywhere else inside the home, however.

The cause of the fire, although suspicious, given the circumstances, however could be due to careless smoking. There should be video evidence to say exactly what happened here, as the building next door had surveillance cameras.

The approximate dollar loss is estimated at \$1500.

Photos were taken. There was no evidence collected.

I left the residence in the care of the caretaker. The owner was on scene, but he left prior to me leaving and I left the residence in the care of the caretaker.

On arrival I was met by the owner of the building, JAMAL ZAIDI. His number is 612-382-9999.

The first floor apartment resident, #1, is KAREEM MUHAMMAD. His number is 612-281-7857. He stated that he heard someone in the common kitchen area of the boarding style home at approximately 7:30 a.m. and then 5-10 minutes later the smoke alarms were sounding. He exited his apartment to find the fire on the rear door that he and two other residents extinguished. He then called the owner and the owner called the fire department at this time. MUHAMMAD stated he knew of another resident who had been having issues with an ex-boyfriend and directed 10-50 to a note on the back door that said "13.82 [REDACTED]". He stated he knew of numerous police calls to the residence for issues with the ex-boyfriend of the resident. This was confirmed by other residents and police.

[REDACTED] stated that she had not seen the ex-boyfriend that night and that he was taken from the apartment Thursday, [REDACTED] by police. He was found in her closet with a butcher knife. This was confirmed by another resident, SHERROD COLBERT (phonetic) of #4. [REDACTED] stated there was a restraining order against her ex-boyfriend as of 10/15/2014. 13.82 [REDACTED] stated that her ex-boyfriend had broken into her van and was waiting for her with a screwdriver and duct tape on Friday, 10/24/2014.

The ex-boyfriend's name is MARVIN GEORGE PENN (phonetic), birthday 7-26-1963, and he resides at the 1010 Currie shelter in downtown Minneapolis.

Police were called by MFD because of the possible threat and to gain access to the video cameras on the building to the north. The address of the building to the north is 13.82 [REDACTED] It is a PPL property and the phone number for them is 612-455-5100.

End of report.



I was assigned this case for investigation. I have reviewed the attached supplements.

On today's date I spoke with the building manager for the address of [REDACTED] BRAD HACKL (612-282-1489). HACKL informed me that he had been able to view the security video footage for cameras that face [REDACTED]. He told me that he observes a black male wearing a black hat, black jacket approach the back door of [REDACTED] with a bag or yard debris and then set it on fire, he then runs. HACKL says you also see him prior to the fire hanging in the alley way. HACKL did not immediately know how to download the footage for me and will get back to me when he has it. If he is not able to I will submit a request to our crime lab.

I then called the listed victim, [REDACTED]. The conversation was recorded and downloaded for transcription. The following is a brief, non verbatim recap of the conversation:

[REDACTED] told me that she met the suspect, MARVIN PENN, in January of this year at the catholic Charities on Chicago Av & 17th St. She further told me that she obtained an OFP against PENN in April of this year as he was and has continued to be upset about her not wanting anything to do with him.

I asked [REDACTED] why she thought MARVIN was responsible for setting the fire on Sunday morning. She said that she believes he did it because he has warned her repeatedly to get the, "Fuck out of Minnesota". She also stated that he had written, [REDACTED] can't live here." on the back door a day or so before the fire.

I asked [REDACTED] when the last time was that she saw MARVIN and she stated it was Friday night (24th) when he broke into her van and was hiding in the back with a screw driver and duct tape. (CCN 14-378912) I asked her to describe what MARVIN was wearing. She stated he was wearing a black hat, black shirt or jacket and black shoes and beige pants. This fits the clothing description as described by HACKL from what he viewed on the video footage.

BROWN stated she moved into [REDACTED] in August of this year. She stated she had been homeless for a period of time since the death of her husband. 13.82 [REDACTED]

This concludes the brief non-verbatim recap.

The following CCN's are associated with [REDACTED] and PENN in a timeline setting:

January 2014 [REDACTED] meets PENN

April 6, 2014 - CCN 14-110030 - DASLT5. PENN threatens [REDACTED] when she won't give him .75 cents.

April 7, 2014 [REDACTED] obtains OFP against PENN

August 2014 [REDACTED] moves into 1023 Morgan N

October 13, 2014 - CCN 14-368268: POVIO - PENN forces way into [REDACTED] residence and steals her purse - report should have been titled Burglary - domestic related

October 15, 2014 - CCN 14-366268 - DASLT 5 - refer to report

October 24, 2014 - CCN 14-378912 - POVIO - PENN hides in back of [REDACTED] vehicle with a screw driver and duct tape - when she sees him she screams and he runs -

October 26, 2014 - 14-380774 - Arson - Attempted Arson 1 - this is a multi-person/unit dwelling

The above timeline and documented incidents show a continual pattern of harrasment, intimidation, threats and stalking.



Probable Case Statement: MARVIN GEORGE PENN 07/26/1963:

On October 26, 2014 MARVIN GEORGE PENN used a bag of yard debris set up against the back door of 13.82 and set it on fire. Prior to that he wrote on the back door, "13.82 can't live here". Video footage of PENN setting the fire was captured from cameras located to the north on the building of 13.82

13.82 is a multi-unit, multi-person dwelling.

Sgt. Erika Christensen  
Arson Unit

**END of Supplement 5**

A. This is me.

Q. OK. [REDACTED] I'm calling about the fire that happened the other day up at, where you live.

A. Yes, OK. I (indecipherable)

Q. OK. Why do you think Marvin did it?

A. I have an order of protection on him and he had (indecipherable) told me several times that, ah, ah, I, I got to get out of Minnesota ..... and on Saturday, on Friday night he, ah, broke into my van, ah, pried off the, um, ah, the dome, the light, the lights, and he was sitting up in there with a screwdriver and, ah, duct tape. But I had (indecipherable)..... and I also had, ah, had some people (indecipherable) and they (indecipherable) left, he was (indecipherable) there watching them, as soon as they left, he ran right back to my van and tried to get into it to get me. I (indecipherable).... Um, he also had written on the back of the duplex that set on fire, [REDACTED] can't live here. Now,.....

Q. He, he wrote [REDACTED] can't live here on the back door of your, of where you live?

A. Yeah, I was living there. Yeah, I'm not there anymore. I'm not there.

Q. When did, when did he write that?

A. Um, it had to be last week (indecipherable)...

Q. Last week before the fire?

A. Before the fire. He (indecipherable) on Thursday. The fire was Sunday (indecipherable)...

Q. Right.

A. And, and he tried to, ah, kill me on, ah, Friday evening. And then that, that Sunday morning we all woke up to a fire.

Q. Uh-huh.

A. Now, I was told that on the building next to us there's a camera.

Q. Uh-huh. Yeah, I've already talked to them and I'm working with them on that right now, so....

A. OK, yeah, so that's why I think it was him.

Q. OK.

A. Because he told me I, I got to get the F out of Minnesota and (indecipherable)..... But he's trying to kill me, ah, because I don't want to be with him anymore.

Q. How, how did you meet him?

A. I met him, I was homeless after my husband passed away. I was homeless for 18 months. I've been here since January (indecipherable).... Of this year....

Q. Outlets Chamber 104, right? Or Chicago there, yes?

A. Yes. He, ah, he came from Chicago in January, I think January or December. He came and, um, ah, he was homeless, and, and, you know, he's homeless now. I, I (indecipherable), I have like six (indecipherable) of those little blue cards?

Q. Yes.

A. I've been telling them that he's at 1010 Currie.

Q. OK.

A. He's at 1010 Currie at the Salvation Army Harbor Lights.

Q. OK. And where, where are you staying, now that you're not on [REDACTED] anymore?

A. 13.82

Q.

A.

Q.

A.

Q.

A.

Q.

A.

Q.

A.

Q.

A.

Q.

A.

Q. [REDACTED] OK. OK. Well, so have, and he does not know where you're living right now?

A. No, he does not.

Q. OK. Has he tried to contact you?

A. Not since, ah, ah, Sunday, not since Saturday night, when he told me I better get the F out of Minnesota. Not since then.

(indecipherable) order of protection, ah, and that I got (indecipherable) Harriet Tubman and when I was walking down the street (indecipherable).... Ah, ah, Our, Our Savior church, to get out of there at 7 o'clock in the morning, and wanting to go home, he was there.

Q. OK, so he's standing outside of Our Savior at 7 in the morning when they make everybody leave?

A. Yes.

Q. OK.

A. Yes. And I, I took him back, unfortunately, ah, (indecipherable), I, I didn't have, 'cause me and my sister (indecipherable), so I didn't have nobody (indecipherable), but once I, I got into the rooming house, I started feeling strong, I started (indecipherable) I don't need him, and I don't, I don't want him to (indecipherable), 'cause he uses (indecipherable)... and, and we're not supposed to, ah, (indecipherable).... We supposed to follow (indecipherable) and I'm supposed to forgive him, forgive him seven times seven and, and, um...

Q. You're supposed to forgive him seven times seventy?

A. Yes.

Q. OK.

A. It's in the Bible. How many times you're supposed to forgive him. (indecipherable) And he felt like if he say sorry, sorry, sorry, ah, and each time I said OK, OK, because this was not the first time, he actually had me a prisoner in the (indecipherable) rooming house that he set on fire. I was, I couldn't go to the bathroom by myself, I couldn't...

Q. When, when did that happen?

A. August up until (indecipherable), 'cause he jumped out of the closet with a butcher knife, um, and, and the police was called, but the police, instead of the police honoring the, ah, order of protection, they let him go, and not only did they let him go, they messed up, I, I got computers all over, they, I like computers, I buy a lot of them, I have (indecipherable) of them, they (indecipherable) my best computer, the officer (indecipherable) that found my computer and gave it to him, let him put the computer in his bag, still talking and making threats to me... The police called me a liar. Um, he went and talked to my landlord. Um, I'm trying to verify.... They didn't know, I got state funded, ah, computer. And then he called the landlord, he is not supposed to be here (indecipherable) said there's (indecipherable).... I, I (indecipherable)... And so he was able to....

Q. Well, let me, let me ask you, **13.82** when the officers were there that day, did you feel, ah, they were asking you questions about Marvin, with Marvin standing there. Is that correct?

A. Yes.

Q. So, did you feel reluctant to answer honestly when they were asking you questions about Marvin? So if you, if they said, why are, why are you letting him live here? And you said, 'cause I love him, were you gonna say something different with Marvin standing there?

A. No, I, I, what I told them (indecipherable).... 'cause he denied jumping out of the closet with a butcher knife. He said, look at my clothes. I, I live here. I said, I have been a prisoner. He is not on the lease. I just called the landlord. The officer didn't talk to no landlord. And then, when I say, he got my key, they went in his pocket, got the keys, and, and the landlord called me back and, 'cause I was trying to tell them and say, I, I will pay to have the locks changed, because I don't know if he made duplicates of these keys, and then, ah, he got on the phone (indecipherable) ... he was, like, well, you got your keys back, what you need to change your locks for? So I was, like, because he might have made keys to my room.... So, um, they got on the phone and they

A. He had on a black hoodie, I'm, a black like, ah, hat, a black shirt.... Was his pants beige, Dee, or did he have on all black, De' you remember? (Indecipherable) He might have had, ah, like beige pants on, ah, because I have all his clothes.

Q. OK. So he was wearing a black hat, black shirt, and beige pants.

A. And black shoes.

Q. And black shoes. OK.

A. Yeah. 'Cause I, I remember, because when he ran back to the car as the police left, he had on, he had on, ah, ah, he had took his hat off, but he still had on a black jacket, I mean a black, like, shirt or jacket. I know it was black. The top part was black. The pants was beige. And shoes were black.

Q. OK. Alright. Alright. Um, I tell you what, 13.82 I'll probably call you back in a day or so, but I'm gonna put a pick-up out for Marvin right now for the arson..

A. And, and I am still (Indecipherable) I said I wanted him to go, and when they was treating me like they treated me, and they came back up (Indecipherable) .... He never got the clothes, he just got my computer and... what was (Indecipherable) so what I did was (Indecipherable).... no reason to come back (Indecipherable) clothes, and (Indecipherable)....

Q. OK. When did you move into [REDACTED] before I...? When did you move there, to the [REDACTED] address?

A. I moved in there August, ah, officially it was August the 9th, but I (Indecipherable) the landlord on the 8th of this year.

Q. OK. Alright. I will give you a call in a few days, OK?

A. Alright.

Q. Oh, hey, do you have something to write with? I'm gonna give you my phone number.

A. Let me just run and get it. Hold on. Hold on.

Q. Sure.

A. OK, I'm ready.

Q. OK. My name is Sgt. Erika Christensen. Spell it however you need to, as long as you know what it says.

A. OK. Sgt....

Q. Erika Christensen.

A. Erika Christensen.

Q. Yep. And my phone number is 612.

A. 612.

Q. 673.

A. 673.

Q. Alright. Thank you very much.

A. Thank you. Bye bye.

This is a tape recorded phone conversation with the victim from case number 14-380774. Today's date is October 28, 2014. The time now is approximately 9:51 a.m. The victim's name is 13.82

End of tape.

kj

**END of Supplement 6**



On 10/26/2014 I issued a PC Pick Up for MARVIN GEORGE PENN, 07/20/1955. The  
debris was picked up.

On 10/30/2014 I submitted a work order for the MPD Crime Lab to try and retrieve the video on the CD I received from property manager HACKL. He had provided me the CD on 10/29/2014 and when I tried to play it I was unable to retrieve the images. On 10/30/2014 I spoke with personnel from the crime lab and learned that the files on the CD were placed there using an older system that could not play on the updated version on my computer. They were able to prepare a data disc for viewing only which shows the suspect in the alley, collecting the yard debris and then setting the fire. The images are on 3 separate transcoded video files. The following is a break down of each file:

File #1: Date 10/26/2014. Time is 07:06:47. What looks to be a black male appears in camera view walking northbound in the alley behind 13.82. This camera over looks the rear parking area for this address and faces slightly northbound. The male is dressed in all dark clothing. Dark jacket, dark pants and a light colored hat.

This male slows down and very briefly looks at what seems to be paper bags used for yard debris. He then continues walking northbound.

File #2: Date 10/26/2014. Time is 7:13:33. Same camera view as file 1. The same male is seen walking back southbound in the alley. He goes up to the bags of apparent yard debris he had looked at earlier and takes one of the bags and walks southbound out of camera view.

File #3: Date 10/26/2014. Time is 7:14:40. This camera is on the south side of [REDACTED] N and picks up the rear door of [REDACTED]

The same male that picks up the bag of yard debris is seen walking up to the rear door of [REDACTED] and dumps out the debris onto the stoop directly in front of the back door as though to block any exit residents might have. He then places the paper bag on top of the debris and you see him bend over and start the bag and debris on fire. The flame is clearly visible. This male stands there for just over one minute lighting the debris and then making sure it is burning by what seems to be blowing on it. Once the fire is going the male runs out of camera view at 7:15:48.

Based on the above and the interview with [REDACTED] as well as the documentation [REDACTED] has done since April of this year I believe there is enough PC to have PENN charged with Attempted Arson in the 1st Degree. This case will be submitted to the County Attorney for review.

Case Open  
Sgt. Erika Christensen  
Arson Unit  
**END of Supplement 7**

On 10/30/14 I signed out of the Property Room one disc inventoried under Property Inventory (PI) # 14-39020 line item 1. This disc was inside an envelope sealed with evidence tape marked with illegible initials. Sgt. Erika Christensen of the Arson Unit requested that I make the video viewable on a City network computer.

The disc was found to contain one proprietary video file and a shortcut to a player, but no actual player. I located an appropriate player held in the Video Section of the Crime Lab Unit. The proprietary video file contained two different camera views. A total of three video segments from the original video were transcoded for viewing purposes only on City network computers. The three transcoded video files were copied to a data disc, and the data disc was labeled. The three transcoded video files will also be retained on a computer within the Video Section of the Crime Lab Unit.

Sgt. Christensen was notified this data disc was available for pick up from the Crime Lab.

The original disc was then resealed with evidence tape in the original envelope, signed and returned to the Property Room.

**END of Supplement 8**

On this date I learned that the suspect, MARVIN GEORGE PENN - 07/26/1963, had been arrested on my PC pickup. He was picked up at the Salvation Army, commonly referred to as 1010 Currie on November 28th at 0120am. He was booked under CCN 14-418113 for the CP arrest. I have entered an arrest screen under this CCN as this case will be handled entirely under this CCN.

At approximately 0915am I went to HCJ and conducted an in-custody mirandized interview. The interview was recorded and downloaded. It will be placed on a CD and inventoried. The following is a brief non-verbatim recap of the interview with PENN:

During my entire interview with PENN he was very calm, quiet and fairly open in mannerisms when speaking with me.

Upon meeting with PENN I introduced myself and explained that by law our conversation had to be recorded. I then asked PENN for his biographical information in terms of his name, date of birth, phone number, employment. He provided these willingly. I then explained that he was under arrest for arson, for a fire set on October 26, 2014 at [REDACTED]. I read PENN his rights, per Miranda, reading one line at a time and asking him after each line if he understood what I had just read. He answered in the affirmative to each line. Upon completing Miranda I asked if he wished to continue speaking to me about why he was under arrest. He stated he would.

I asked PENN who [REDACTED] 13.82 [REDACTED] was to him. He replied she was his fiancée. I asked when the last time was that he saw her. He told me about a week ago today (Monday November 24th). He stated she picked him up and they went to HCMC to the cafeteria and had lunch.

I asked how long they had known each other and he told me since February of this year and that they met at Catholic Charities on 17th & Chicago.

I then asked PENN about previous domestic situations that he and [REDACTED] had, that she had made reports about.

PENN began to talk about [REDACTED] saying that he lived there with [REDACTED] but that other residents at this building did not like him so they would make things up about him and try to get him into trouble.

I asked about the OFP that [REDACTED] had on him and PENN told me that [REDACTED] had taken that off and that he was there when this happened. He stated this happened recently.

I then talked about the fire and outlined the time line as caught by the surveillance camera on [REDACTED]. PENN denied that he set the fire. I then asked about the writing on the building that said, "[REDACTED] can't live here" and he claimed that residents of the building did that to get him into trouble.

PENN admitted that at the time of the fire he and [REDACTED] weren't on the best of terms. I asked what he meant but he did not really elaborate.

He then told me that [REDACTED] wasn't at the house at the time of the fire. I asked how he knew that. He said he knew because he had been trying to call her and call her but she didn't pick up. I asked what time this was and he stated about 10-1030 at night. I told him the fire had occurred between 0700-0730 in the morning.

I then confronted PENN about his attitude toward women and that they should be subservient to men. He said that he and [REDACTED] tried to live the bible and the bible says women should be submissive to men. I told him there was a difference between subservience and compromise.

I also went through the list of domestic reports made by [REDACTED] since April of this year. I confronted him about hiding in the back of her vehicle on October 24th. He neither confirmed nor denied this.

I then told PENN I believed he felt women should be in their "place" and follow what men say and that if [REDACTED] didn't do

bunch of names plus my own".

The interview was terminated.

Upon coming back to the office I called 13.82 [REDACTED] She told me that she saw PENN about two weeks ago when she went to 1010 Currie to catch the bus that the Salvation Army provides for the bell ringers. [REDACTED]

[REDACTED] told me that she has been able to get some of her stuff back from PENN but that it cost her some hair because he became angry and pulled her hair/braids out. She did not file a report.

I asked about the issue around the OFP. [REDACTED] told me that one day she did call Sgt. Sharon Carpenter, with PENN standing by her [REDACTED] in Domestic Assaults and left a message saying she wanted to pull the OFP. Once PENN left she called Sgt. Carpenter back and left another message saying she didn't mean that and wanted to pursue the OFP against PENN.

Prior to hanging up with [REDACTED] she told me that she is scared to death of PENN and believes he will harm her or her sister and she fears for her life.

CASE OPEN  
Sgt. Erika Christensen  
Arson Unit

**END of Supplement 9**

On this date ACA Justin Wesley issued a complaint charging MARVIN GEORGE PENN, 07/26/1968, with 1st Degree in the 1st Degree and one count of Felon Stalking. I reviewed the complaint and found it to be accurate.

The electronic signature was done by Officer Brian Illgen of the traffic unit as I am not yet enrolled in the esigning. I was with Off. Illgen when he signed it to verify that the complaint was true and accurate.

The complaint was issued in a form of a warrant as PENN was released before charging was completed.

CASE CLOSED BY COMPLAINT

Sgt. Erika Christensen

**END of Supplement 10**



On September 15th 2014, the Minneapolis Digital Forensics Lab received a work request from Sergeant Erika Christensen to examine a cellular phone. The specific stipulation of the request was to retrieve or document voice mail messages stored on the cellular phone. The examiner began the examination process on December 15th, 2014.

LOCATION OF EXAMINATION:

Minneapolis Police Crime Lab  
350 5th Street South, Room 102  
Minneapolis, MN 55415

EVIDENCE ASSESSMENT:

1. Documentation was retrieved from the Minneapolis Police Departments records management system and reviewed. Sergeant Christensen hand delivered the evidence item and Digital Forensic Lab employees took custody of the evidence item. Legal authority was established by owner consent specifically for the examination of the evidence item[s] in a laboratory setting. The examiner received a copy of the consent to search form. The document was scanned and produced as a PDF (Portable Document Format). The resulting PDF file was added to the digital case file.
2. The evidence media was photographed and entered into the Forensic Computer Laboratory Case Management System (FCLCMS). The resulting images were added to the case file. Upon completion of the examination the original evidence was returned to the owner. An evidence transfer form (Chain of Custody) was completed. The document was scanned and produced as a PDF (Portable Document Format). The resulting PDF file was added to the digital case file.

GENERAL PROCEDURES:

1. The Minneapolis Police Digital Forensics Unit strives to provide service in a timely manner. Due to the complexity and the required attention to detail it may take up to 24 hours to complete a standard cell phone examination. Often the owner of the phone is unable to relinquish the evidence long enough for a full examination to be completed. In situations like this the Digital Forensics Lab will perform a limited examination using automated software referred to as a, "Technical Report". The case agent and owner will be advised of the differences between this methodology and a standard examination. In this situation the examiner was unable to retain the evidence for more than a two hour period so the above mentioned techniques were utilized.
2. Details about the evidence media such as the make, model, and serial number were entered in the forensic laboratory management database. Each evidence item is given a unique number in the database software. The assigned media numbers and corresponding information are included in the Lab Media Reports included in the case file.

DIGITAL MEDIA EXAMINED:

- Kyocera Cellular Phone
- a. Model: C6730
  - b. MEID: 13.37
  - c. MSID:
  - d. Phone Number
  - e. MPD PI: N/A
  - f. FCLCMS: 2014-288-1



rec. of Focus

Voice Mail

**CONCLUSIONS:**

Based on the information revealed by the forensic examination, as well as the examiners experience and training, the following findings have been reported:

The examiner isolated each evidence item from the cellular network at the beginning of the examination. Using the menu system the examiner then manually attempted to deactivate the transmitters for each evidence item (for example airplane mode). Once the transmission mode for the evidence item was deactivated it was no longer necessary to employ cellular network disruption devices or techniques.

1. Due to various incompatibilities with the cell phone examination software, the examiner had to use a digital camera to document the requested information stored on the Kyocera cellular phone (media item 2014-288-1). The examiner recorded the display screen of the media item while manually navigating the menu system of the phone to the desired location. The resulting photos were added to the case examination disc and can be found under the file path 13.82 [REDACTED]  
[REDACTED]

2. The examiner used an Olympus digital recorder to record the requested voice mail messages. The examiner attached an Olympus digital recorder to media item 2014-288-1 via 3.5 mm cable and recorded the voicemail messages in order from most current to oldest in a .wma file format. The examiner then attached the digital recorder to a lab computer using Windows 7 via a USB port, copied the created file and added it to the case examination disc. The files can be accessed under the file path, "Lab Rp Voice Mail (with corresponding phone number)".

The examiner's role is to extract or document requested information contained on the evidence item. Questions related to context and pertinence should be directed to the investigator who requested the examination. Any questions regarding the above procedures or additional information can be provided upon request. One copy of the case examination CD was created and given to Sergeant Christensen. A second copy of the case examination CD was created and property inventoried in the Minneapolis Police Property Room.

**END of Supplement 11**

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End of report for case MP-14-380774. Print ID: aee7637b-aa72-4e60-9dbc-c04971535fb6

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**Re Details**

Reporting Officer:	001780: Nicholas Englund	Approval Status:	Approved
Assisting Officer:	001090: Benjamin Chaput	Approval Date:	Nov 28, 2014
Supervising Officer:	006483: Richard Sheldon	Date Returned:	
Approving Supervisor:	006483: Richard Orlen Sheldon	Return Count:	0
Call/Sqd:	223	Date Printed:	May 4, 2015
Precinct:	01	Last Uploaded:	Nov 29, 2014
Related CCN :	MP-14-380774	Solvability:	100
Reported Date:	Nov 28, 2014 02:00	Primary Routed Unit:	4072 - Arson
Entered By:	001780	Assigned Investigators:	001097: Christensen, Erika

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**Incident Details**

Offense1: PCPKUP	Desc: P.c. Pickup Arrest	Statute:	Attempted:
Address:	1010 Currie AV Minneapolis, MN 55403		
Occurred From:	11/28/2014 01:14	Dispatched:	01:14:00
Occurred To:	11/28/2014 01:30	Arrived:	01:14:00
Location:	11TH ST N/BUSWAY	Cleared:	02:00:00
Minor Involved:	No		

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**Public Data**

Off. s attempted an attempt pickup at the listed address. A1 was found inside the listed address. A1 was booked HCJ for his PC Pickup, original CCN (14380774). A1's clothes and miscellaneous belongings were property inventoried at the MPLS Property and Evidence Unit.

REC: FURTHER INVESTIGATION

JUDICIAL PROBABLE CAUSE: THE COMPLAINANT, BEING DULY SWORN, SWEARS THE BELOW FACTS ARE TRUE AND CORRECT TO THE BEST OF COMPLAINANT'S KNOWLEDGE AND BELIEF AND CONSTITUTE PROBABLE CAUSE TO BELIEVE THAT THE BELOW-NAMED ARRESTEE COMMITTED THE OFFENSE (S) DESCRIBED HEREIN.

COMPLAINANT'S SIGNATURE \_\_\_\_\_

NOTARY SIGNATURE AND STAMP \_\_\_\_\_

SUBMITTED UNDER OATH BY \_\_\_\_\_

SIGNATURE OF NOTARY \_\_\_\_\_

A.B., Peace Officer License Number \_\_\_\_\_, Hennepin County, Minnesota.  
My license expires on June 30, \_\_\_\_.

I BELIEVE I HAD THE AUTHORITY TO ARREST A1 BASED ON THE PROBABLE CAUSE ESTABLISHED BY SGT. CHRISTENSON OF THE MPD ARSON UNIT.

Driver License #:	A001	MPD#:	0020140837
Arrest Location:	Penn, Marvin George		
Residence:	740 17 ST E Minneapolis, MN 55404		
Telephone:	N:		
Driver License #:	18 U.S.C.		
Date of Birth:	07/26/1963	Event Age: 51	Est. Age: 51 - 51
Race:	Black	Medical Treatment:	No
Sex:	Male	Prior Injury:	No
Height:	506	City of Origin:	Chicago
Build:	ME	St. of Origin:	IL

### Arrest Information

Arrest Address:	1010 Currie AV MINNEAPOLIS, MN	Precinct:	01
Arrest Date:	Nov 28, 2014 01:20		
Arrest Location:			
Disposition:	Booked County		
Arresting Officer:	001090: Chaput, Benjamin	Call/Sqd:	223
Arresting Officer:	001780: Englund, Nicholas Ryan	Call/Sqd:	223

### Charges

Status	Type	Charge Code	Statute	Citation	Related CCN
PC Pickup	Felony	ARSON - Arson	609.561		

### Personal Description

Category	Description	Related Offense	Comments
Appearance	Friendly/Gentle	PCPKUP	
Employment Status	Unemployed		
Force Used	No		13.02 (12), 13.87
Identification	FBI Number		
Identification	MN SID	PCPKUP	

### Alias

Role / Role #:	AL001	MPD#:	
Name:	PENN, MARVIN GEORGE		
Residence:	819 2 AV S Apt. 40 MINNEAPOLIS, MN 55404		
Telephone:	N:		
Driver License #:			
Date of Birth:	07/26/1963	Event Age: 51	Est. Age: 51 - 51
Race:	Black	Medical Treatment:	No
Sex:	Male	Prior Injury:	No
Height:	506 - 506		
Build:	ME		

### Arrest Information

<u>Category</u>	<u>Description</u>	<u>Related Offense</u>	<u>Comments</u>
Crime Elements	Arrest(s) Made	PCPKUP	

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**Non-Inventoried Property**

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**Property and Evidence**

PI#	Item #	Description	Owner	Qty	Make/Mod/Ser #	Auth ID	Dsp Dt	Dsp Mnr
2014-42103	1	BLACK & RED JACKET	A001	1		001097		Hold For Adjudication
2014-42103	2	BLACK JACKET	A001	1		001097		Hold For Adjudication
2014-42103	3	BLUE ZIP UP HOODED SWEASTHIRT	A001	1		001097		Hold For Adjudication
2014-42103	4	BLACK SWEATSHIRT	A001	1		001097		Hold For Adjudication
2014-42103	5	BLACK SWEATER	A001	1		001097		Hold For Adjudication
2014-42103	6	BLUE PLAID PULL OVER SHIRT	A001	1		001097		Hold For Adjudication
2014-42103	7	PAIR OF BLACK PANTS	A001	2		001097		Hold For Adjudication
201 03	8	PAIR OF GREEN PANTS	A001	1		001097		Hold For Adjudication
2014-42103	9	PAIR OF BROWN SHOES	A001	1		001097		Hold For Adjudication
2014-42104	1	BLACK ALCATEL CAMERA CELL PHONE	A001	1		001097		Hold For Adjudication
2014-42104	2	WHITE NOKIA CAMERA CELL PHONE W/ EAR BUDS	A001	1		001097		Hold For Adjudication
2014-42104	3	PAIR OF BLACK GLOVES	A001	1		001097		Hold For Adjudication
2014-42104	4	MN ID, VISA CARD & EBT CARD MARVIN PENN	A001	1		001097	Dec 3, 2014	Release
2014-42104	5	QUANTITY OF MISC PAPERS	A001	1		001097	Dec 3, 2014	Release
2014-42105	1	BLACK DUFFEL BAG CNTG PERSONAL ITEMS & CLOTHING	A001	1		001097	Dec 3, 2014	Release
2015-2944	1	MN ID, VISA CARD & EBT CARD- MARVIN PENN	A001	1				
2015-2944	2	QTY OF MISC. PAPERS	A001	1				

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**Case Supplements**

3 supplements begin on the following page.

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A1 was on the DIB for an attempt pick up for arson. It was discovered A1 frequents 1010 Currie. I and my Partner Oric England  
ve the listed address to attempt pickup.

Upon arrival, I spoke with staff who stated he was inside the building sleeping in the safe bay. A1 was arrested without incident  
and was booked HCJ.

A1's clothes and miscellaneous property were property inventoried at the MPLS Property and Evidence Unit.

**END of Supplement 1**

to re-assign.

Original Queued Time for this case was 11/28/2014 7:20:33 AM.

END of Supplement 2



