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MONTGOMERY COUNTY SHERIFF'S OFFICE  
INSPECTIONAL SERVICES INVESTIGATION

REPORT

#02-003

COPY

SUBJECT

Deputy Bryan Statzer                      PSN 222                      Operations Division

SYNOPSIS

On October 14, 2001, Deputy Bryan Statzer responded to 3356 Lodge Avenue regarding repeated 911 hang up calls from that location. Deputy Statzer eventually identified the caller as Cherie Martindale and attempted to arrest her for making false alarms. Deputy Statzer used oleo capsicum (O.C.) spray on Mrs. Martindale while attempting to take her into custody.

INVESTIGATION

Due to the unusual circumstances surrounding this arrest and use of O.C. spray, Chief Deputy Rankin requested an administrative investigation into the incident. Sergeant Shirley Doran investigated this complaint by obtaining a copy of the Incident and Use of Force reports and conducting an interview with Deputy Statzer. Please see the report submitted by Sergeant Doran. Sergeant found the administrative investigation to be without merit.

CONCLUSION OF FACT

On October 14, 2001, Deputy Statzer was dispatched to 3356 Lodge Avenue regarding repeated 911 hang up calls from that residence. Deputy Statzer learned that there was no emergency and the calls were being made by Cherie Martindale W/F/31, who was intoxicated.

Ms. Martindale made additional 911 calls after Deputy Statzer arrived at the residence. Deputy Statzer then informed Ms. Martindale that she was under arrest