

Lakewood Police

Report 07/02/2008 11:36

Report # 01-08-005447

PROP 2997 3550 5707

I N C I D E N T	Report #	Report	Occurred From	Occurred To	Report Type
	01-08-005447	07/02/2008 11:36	05/15/2008 12:00	07/02/2008 11:36	Original
	Dept. Classification	Case Status		Date Report Completed	Cleared Scene
	VANDALISM 2907	AR		07/02/2008	07/02/2008 13:54
	Common Name				
City Of Lakewood - 13736 MADISON AV LAKEWOOD, OH 44107 (CUYAHOGA County)					
Day of Week : Thursday					
Dispatched : 07/02/2008 11:37			Shift : Patrol Days 0700 - 1900		
Responded : 07/02/2008 11:38			Zone : BEAT 300		
Arrived : 07/02/2008 11:45			Alcohol/Drug Related : No		
Map Reference : RD25			Additional Officers : 83		
Zone : BEAT 300			Total Damaged Property Value : \$10000.00		
Shift : Patrol Days 0700 - 1900			Total Stolen Property Value : \$1000.00		
			Total Recovered Property Value : \$0.00		

O F F E N S E  1	State/ Dept. Classification		Attempted/ Committed	
	VANDALISM 2907		COMMITTED	
	Statute/Ordinance	Location Type	Disposition Date	
2909.05	Apartment Building	07/02/2008		
How Entry : WITH KEY		Photos : Yes		
Where Entry : Front Door		Latents : No		
Where Exit : Front Door		Scene Processed By : CRUMLEY, GARY K.		
Forced Entry : No		Evidence Collected : No		
Structure Occupancy : Uninhabited		# of People Arrested : 01		

O F F E N S E  2	State/ Dept. Classification		Attempted/ Committed	
	TRESPASSING 5702		COMMITTED	
	Statute/Ordinance	Location Type	Disposition Date	
541.05	Apartment Building	07/02/2008		
How Entry : WITH KEY		Photos : Yes		
Where Entry : Front Door		Latents : No		
Where Exit : Front Door		Scene Processed By : CRUMLEY, GARY K.		
Forced Entry : No		Evidence Collected : No		
Structure Occupancy : Uninhabited		# of People Arrested : 01		

O F F E N S E  3	State/ Dept. Classification		Attempted/ Committed	
	DRUG PARAPHERNALIA 3506		COMMITTED	
	Statute/Ordinance	Location Type	Disposition Date	
513.04	Apartment Building	07/02/2008		
Evidence Collected : Yes		# of People Arrested : 01		

P E R S O N  1	Person Type	Business/Person Name		Business Phone
	ARA - Arrested Adult	TERRENCE M BRENNAN		
	Home Phone	Person Address		Map Reference
		HOMELESS OH 44107, CUYAHOGA County		
	Other Phone	Employer Address		Map Reference
Race	Sex	SSN	DL Exp. Date	DL Number
White	Male	[REDACTED]		
Birth Date	Birth City			
Age : 59		Adult/Juvenile : ADULT		
Occupation : GENERAL CONTRACTOR		Booking Number : Ik-08-005447-5472		
Min. Height : 6'00"		Employer : SELF EMPLOYED		
Min. Weight : 165 lbs				

Reporting Officer	Department	Report Status:
PTL DANIEL WADE HILFIKER (1077)	LAKEWOOD POLICE DEPARTMENT	Signed
Supervising Officer		Date/Time
Supervising Officer	Department	Date / Time
[Signature]		7-2-08

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2	Person Type VIC - Victim	Business/Person Name TRACY H BROWN			Business Phone
	Home Phone (216) 577-7578	Person Address 6834 GLENDALE RD North Ridgeville, OH 44039			Map Reference
	Other Phone	Employer Address 14021 Madison AV Lakewood, OH 44107, CUYAHOGA County			Map Reference
	Race White	Sex Male	SSN [REDACTED]	DL Exp. Date	DL Number
	Birth Date	Birth City			
	Age : 60 Occupation : BUSINESS OWNER Adult/Juvenile : ADULT Employer : COMPUTER ROOM DESIGN			Victim Type : Individual - Adult Will File Charges : Yes Can Identify Offender : Yes Sobriety of Victim : SOBER	

3	Person Type VIC - Victim	Business/Person Name City Of Lakewood			Business Phone
	Home Phone	Person Address			Map Reference
	Other Phone	Employer Address			Map Reference
	Race	Sex	SSN	DL Exp. Date	DL Number
	Birth Date	Birth City			
	Victim Type : Government Will File Charges : Yes			Can Identify Offender : Yes	

4	Person Type OIV - Others Involved	Business/Person Name CHARLES CALANNI			Business Phone (216) 228-6979
	Home Phone (440) 808-9813	Person Address 28538 LAUGHLIN AV Westlake, OH 44145, CUYAHOGA County			Map Reference
	Other Phone	Employer Address 13720 Madison AV Lakewood, OH 44107, CUYAHOGA County			Map Reference
	Race White	Sex Male	SSN [REDACTED]	DL Exp. Date	DL Number
	Birth Date	Birth City			
	Age : 51 Occupation : MECHANIC/OWNER			Adult/Juvenile : ADULT Employer : CALANNI'S AUTO SERVICE	

1	Category EVIDENCE	Property Type Paraphernalia	Make HOMEMADE	Model
	Serial #	Color	Description MARIJUANA PIPE -CARDBOARD/FOIL	Condition
	Associations : Owner is TERRENCE BRENNAN Quantity/Weight : 1		Value : \$ , 0.00 Rec. Officer : HILFIKER, DANIEL W.	

Reporting Officer PTL DANIEL WADE HILFIKER (1077)	Department LAKEWOOD POLICE DEPARTMENT	Report Status: Signed
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<b>P R O P E R T Y</b>  <b>2</b>	Category EVIDENCE	Property Type Drugs	Make MARIJUANA	Model
	Serial #	Color GREEN	Description 1.29G OF LOOSE MARIJUANA IN	Condition IN PILL BOTTLE
	Associations : Owner is TERRENCE BRENNAN Quantity/Weight : 1 BOTTLE		Value : \$ , 0.00 Rec. Officer : HILFIKER, DANIEL W.	

<b>P R O P E R T Y</b>  <b>3</b>	Category STOLEN	Property Type COPPER PIPE	Make	Model
	Serial #	Color COPPER	Description UNKNOWN LENGTH OF COPPER PIPE	Condition STOLEN
	Associations : Owner is TRACY BROWN		Value : \$ , 1,000.00	

<b>P R O P E R T Y</b>  <b>4</b>	Category DESTROYED/VANDALIZED	Property Type WALLS/FLOORS/CEILINGS	Make	Model
	Serial #	Color	Description NUMEROUS WALLS/CEILINGS/FLOORS	Condition DEMOLISHED
	Associations : Owner is TRACY BROWN Value : \$ , 10,000.00		Damage Code : Criminal	

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Topic Original Report

MO1: By trespassing on a rental property and causing damage by demolishing the walls/ceiling/floors of the building.

MO2: By entering onto the property of the owner and remaining there for approximately six weeks without the knowledge or consent of the owner.

MO3: By being in possession of a small quantity of marijuana and a homemade smoking device used to inhale marijuana smoke.

SGT. WYNALEK SIR:

Detailed to 13736 Madison Ave. on a report of a vacant apartment building being damaged and someone living inside. On arrival, I spoke with the complainant, VIC/TRACY H. BROWN, who advised the following.

BROWN advised that he purchased the property approximately five years ago and has been in the process of rehabilitating the property. He stated that some of the apartments were in very poor shape and needed to be completely gutted while others were in fairly good condition. He stated that he has put some of the rehabilitation efforts on hold because some people had approached him about selling the property. He has been thinking these offers over so he stopped work on the building. The last time he was actually on the property was approximately six weeks ago.

He arrived at the building on this date and was shocked to find that someone had moved their personal property inside and appeared to be living in numerous apartments inside the building. He also noticed that all of the copper piping in the building was gone and many of the walls/ceilings/floors have been torn down. He said that the copper pipe was intact when he was last on the property. He has no idea exactly how many feet of copper pipe has been removed from the building.

BROWN escorted me into the building and showed me the damage to the building. BROWN stated that some of the apartments were in various states of repair but most all of the walls and floors were still intact. In looking at all of the apartments in the building, all of the units had most of the walls, ceilings, and/or floors removed. Much of the demolition debris was swept aside in each apartment and cleared out of the way. There were numerous apartments in the building that appeared to be occupied by someone.

There were many pieces of personal property throughout the building. In one apartment, believed to be apartment two, there were many tools, including a table saw and many smaller hand tools. In a third floor apartment, unknown which number, there was a set of golf clubs, an electric guitar, a desk, chair, and other personal items. In a second floor apartment, believed to be apartment four, was a couch, bookshelf, books, shoes, clothes, and many other personal items.

I was able to locate a high school diploma from St. Edward's High School for ARA/TERRANCE M. BRENNAN. There were many other personal papers and medical documents that belonged to BRENNAN. BROWN advised that he had no idea who BRENNAN was and why he was living in his apartment building. He advised that he did not want this male to reside in his building and would be willing to prosecute BRENNAN.

While I was speaking with BROWN, the voice of a male was heard yelling "Hello!" from the area of the front door. This male walked upstairs where we were speaking and introduced himself as BRENNAN. He apologized for moving his property into the building and admitted to conducting some demolition work in the building. He went on to say the following.

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BRENNAN appeared to know BROWN and reminded him that he had asked him (BROWN) if he could look at the property with the intent of making an offer to purchase it. BROWN'S memory was now refreshed and he did remember speaking with BRENNAN approximately six weeks ago. At that time he provided BRENNAN with a key for the front door to the building and told him he could inspect the property and return the key later that day. As time went on, he forgot about the key and that he had given it to BRENNAN.

BRENNAN stated that he has been homeless since approximately February or March 2007. He has lived with his sister in Mansfield, Ohio as well as with his parents in Westlake, Ohio at times. He advised that he also lived in the garage at his old apartment building at 1354 West Clifton Blvd. for a while. When he learned the building at 13736 Madison Ave. was potentially for sale, he decided to look inside to see the condition of the property. He said that he genuinely did want to purchase the building and try to convert it into luxury condominiums. He is a contractor by trade and felt he could do much of the work himself. He felt that living there beat living on the streets so he decided to move his personal belongings inside. He felt that since the property was vacant, there would not be any harm in him living there. He never returned the key to the front door to BROWN and has been residing on the property for the past six weeks.

BRENNAN did admit to conducting some demolition on the building but denied doing the vast majority of the damage. He took myself and BROWN to the bathroom area of apartment four and showed the area to BROWN. He admitted to tearing down one wall, the ceiling, and removing the floor. He said that he did not do any of the other demolition to any other apartments throughout the building. He advised that most of the damage was because of a leaky roof.

In looking at the apartments, it was apparent that most all of the walls in every apartment had been manually torn down. Some of the ceilings and floors were torn out as well. It did not appear as though a leaky roof would cause the extensive damage that was apparent in the property. Many of the kitchen and bathroom cabinets were removed from the walls as well. These also appeared to have been taken down by hand. Little of the debris was wet or stained from rainwater. I also did not notice much water damage to the internal framework of the building.

INV. CRUMLEY arrived for ET at this time. He was able to photograph the damage in the apartments. He also was able to photograph all of the personal possessions that were left inside the apartment by BRENNAN. Due to the extensive amount of dust/dirt inside the building, no latent fingerprints were attempted.

I advised BRENNAN that he was under arrest for Vandalism and Criminal Trespass. I advised him of his Miranda rights. BRENNAN advised that he understood his rights and that he would freely speak with officers about this incident. He went on to say that he has fallen on hard times in the last few years because of various medical diagnoses including Bi-Polar Disorder, Kidney Cancer, and Prostate Cancer. These issues have caused him to lose his home, cars, motorcycle, etc. I asked BRENNAN if he had anything in the building that he was not supposed to have or that was illegal. BRENNAN admitted that he had a small amount of marijuana inside an aspirin bottle in the third floor apartment he was staying in, believed to be apartment seven. Inside a black case there was a small Bayer Aspirin bottle that contained a small amount of loose marijuana. There also was a homemade smoking device resembling a pipe in the black case. This "pipe" consisted of a cardboard toilet paper tube and aluminum foil. There was burnt marijuana residue inside the bowl area of the "pipe."

BRENNAN was secured in handcuffs (double-locked), searched, and secured in the rear of car 214. He was transported to the Lakewood Jail in car 214 where he was booked in by CO BUNNER for Vandalism, Criminal Trespass, and Drug Paraphernalia.

The "pipe", and marijuana were both confiscated, tagged, and secured in the chute of the Property Room. The marijuana weighed 1.29 grams. The key to the front door of the building was taken from

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BRENNAN and returned to BROWN. This key was tagged as well. BROWN signed the reverse side of the property tag.

I was also able to speak with OIV/CHARLES CALANNI regarding this incident. CALANNI advised that he has seen BRENNAN coming and going over the past few weeks. He advised that it was apparent that BRENNAN was living in the building. He advised that he approached BRENNAN and asked him if he was allowed to be living in the building. BRENNAN told him that he did have the permission of BROWN to reside in the building because he was demolishing some of the apartments and rehabbing the building. He also advised that BRENNAN told him that the cupboards and appliances were for sale if he was interested. CALANNI advised that he was very skeptical and refused to purchase these items. He felt that BRENNAN might have mental problems and tried to keep his distance from him. BRENNAN always made it sound as though he was allowed to be on the property to do demolition work for BROWN when he spoke with CALANNI. He did advise that he has been in contact with the building department regarding BRENNAN living in the building.

In running BRENNAN through the computer, it was learned that he does have a CCH. His FBI number is 736235NA3. There is one entry for a federal charge of Laundering of Monetary Instrument. BRENNAN advised that he spent eight years in a Federal Penitentiary due to that arrest, which was initially a drug charge.

BRENNAN denied ever stealing any of the copper pipe from the building. He stated that most of the copper pipe was missing when he moved into the building. There was approximately thirty feet of copper pipe that had been removed from the framework of the building and was leaning against a wall in a ground floor apartment. Most of this pipe was cut into approximately eight foot lengths. BRENNAN denied removing this from the building.

RECORD ROOM NOTE: List City of Lakewood as Victim of Drug Paraphernalia charge.  
List BROWN as Victim of Vandalism and Criminal Trespass charges.

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