



Toms River Police Department

Officer Report for Case 19-59956

Nature: Agg Assault

Address: 101 WASHINGTON ST; OC
LIBRARY

Location: L31

TOMS RIVER NJ 08753

Offense Codes: APHF, RIPO, TRLO, OBST

Received By: Rotundo, C.

How Received: O

Agency: TRPD

Responding Officers: Sayegh, R., 157, Talty, D., 142, Marsicano, J., 161, Weg, M., 169, Pestalozzi, W., 164, Scamporino, E., 231

Responsible Officer: Pestalozzi, W.

Disposition: CAA 10/25/19

When Reported: 01:32:31 10/25/19

Occurred Between: 01:32:29 10/25/19 and 01:32:29 10/25/19

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported:

Observed: APHF ASSAULT ON POLICE
HANDS/FEET

Additional Offense: APHF ASSAULT ON POLICE
HANDS/FEET

Additional Offense: RIPO RESIST OR INTERFERE W/
POLICE

Additional Offense: TRLO TOMS RIVER LOCAL
ORDINANCE

Additional Offense: OBST OBSTRUCTING JUSTICE

Circumstances

LT11 Government or Public Building

Responding Officers:

Unit :

Sayegh, R.

5M

157

5M

Talty, D.

1M

142

1M

Marsicano, J.	22M
161	22M
Weg, M.	21M
169	21M
Pestallozzi, W.	3M
164	3M
Scamporino, E.	6M
231	6M

Responsible Officer: Pestallozzi, W.**Received By:** Rotundo, C.**How Received:** O Ofcr Initiated**When Reported:** 01:32:31 10/25/19**Judicial Status:****Misc Entry:****Agency:** TRPD**Last Radio Log:** 03:42:28 10/25/19 COMP**Clearance:** 6 Report**Disposition:** CAA **Date:** 10/25/19**Occurred between:** 01:32:29 10/25/19**and:** 01:32:29 10/25/19**Modus Operandi:****Description :****Method :**

Involvements

Date	Type	Description	Relationship
10/25/19	Cad Call	01:32:31 10/25/19 Susp Person	Initiating Call

Narrative

Toms River Police Department
Investigation Narrative

LO / OBSTRUCTING / ASSAULT ON POLICE / RESISTING ARREST

Arrested: Shepperd R. Erbe

Narrative:

On October 25, 2019 at approximately 0132hrs, Ptl. R. Sayegh #422 and I conducted an area check of 101 Washington Street; OC Library and I observed the arrested party, Shepperd R. Erbe in violation of TR LO 388-4C (Lodging in Open Air). I recognized Mr. Shepperd from previous interactions and was aware of his hazards for previous assault on police, so I requested Mr. Erbe stand up and place his arms behind his back so I could conduct a frisk for officer safety. Mr. Erbe immediately began flailing his arms in a tumultuous manner, speaking incoherently, and refusing to comply with officer commands to place his arms behind his back. During the altercation, I made several attempts to secure Mr. Erbe's left arm and he ultimately struck me in the face with an open hand, causing a sign of injury (laceration) to my right temple. I advised Mr. Erbe he was under arrest and to get on the ground to which he physically resisted despite multiple orders from police officers to relax his arms and stop resisting officer control.

Mr. Erbe was ultimately brought to the ground and restrained utilizing compliance holds. He was subsequently transported to D1 by Ptl. J. Marsicano #405 without further incident. Mr. Erbe was uninjured as a result of the altercation and ultimately charged with:

TR LO: 388-4C - Lodging in Open Air
2C:29-1 - Obstructing
2C:29-2 - Resisting Arrest
2C:12-1(B)(5)(A) - Assault on Police Officer

MED11 responded to D1 where I ultimately declined further medical attention. My injury was photographed by Ptl. E. Scamporino #388 (see Ptl. Scamporino's supplemental report for further details). No further police action needed at this time.

Ptl. William Pestalozzi #408
Toms River Police Department
October 25, 2019