

Incident Report

OAKLAND POLICE DEPARTMENT
455 7TH STREET
OAKLAND, CALIFORNIA 94607
(510) 238-3021

Incident Number: 11-020148

Incident Summary

Incident Type: OTHER	Report Type: INCIDENT REPORT
Inc Occurred Address: 5401 COLISEUM WAY, OAKLAND, CALIFORNIA 94601	Sector/Beat: 3/26X
Inc Occurred Start: 04/24/2011 11:30	Inc Occurred End: 04/24/2011 11:30
Bias Motivation: NO	Gang Related: U
Contact Nature: NO	Reported Date/Time: 04/24/2011 14:21
Reporting Officer: TRENEV, MARIA	Primary Assigned Officer: BIDDLE, PHYLLIS
Case Status: CLOSED	Disposition: NONE
	Disposition Date: 06/01/2011 11:24

Offenses

Statute Code: PC653 W(A)	Enhancers:
Statute Desc: FAIL TO DISCLOSE ORIGIN OF RECORDING/ETC	
Counts: 1 Statute Severity: Felony	
Statute Code: PC350(A)(2)	Enhancers:
Statute Desc: MFG/SELL 1000+ COUNTRFT MK	
Counts: 1 Statute Severity: FELONY	

Officers

Event Association	Emp#	Badge#	Name	Squad#
PRIMARY REPORTING OFFICER	8604		TRENEV, MARIA	
REPORTING OFFICER'S SUPERVIS	8116		GLOVER, STEVE	
REVIEWER	7867		BRANDWOOD, RANDOLPH	
PRIMARY ASSIGNED OFFICER	4186		BIDDLE, PHYLLIS	

Persons Involved

Person#: 0001	MNI: 1592466	Can ID Suspect: [REDACTED]
Event Association: ARRESTEE	Contact Date/Time: 04/24/2011 14:28	
Name: [REDACTED]		
SSN: [REDACTED]	DOB: [REDACTED]	Age: [REDACTED] Sex: [REDACTED]
Height: [REDACTED]	Weight: [REDACTED]	Race: [REDACTED]
Address: [REDACTED]	Eye Color: [REDACTED]	Hair Color: [REDACTED]
		Sector/Beat: [REDACTED]
Phone Type 1:	Phone# 1:	Ext 1:
Phone Type 2:	Phone# 2:	Ext 2:
DL State:	DL#:	DL Exp. Date:
Occupation: [REDACTED]		Employer/School:

Characteristics

Characteristic Type:	Further Defined By:	Description:
HAIR LENGTH	LONG/COVER EAR	
HAIR STYLE	PONYTAIL	
COMPLEXION	LIGHT	
CLOTHING		PINK SHIRT, BLU JEANS

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Persons Involved

Person#: 0002 MNI: 1592467 Can ID Suspect: [REDACTED]
Event Association: CONTACT Contact Date/Time: 04/24/2011 11:30
Name: [REDACTED]
SSN: [REDACTED] DOB: [REDACTED] Age: [REDACTED] Sex: [REDACTED] Race: [REDACTED]
Height: [REDACTED] Weight: [REDACTED] Eye Color: [REDACTED] Hair Color: [REDACTED]
Address: [REDACTED] Sector/Beat: [REDACTED]
Phone Type 1: [REDACTED] Phone# 1: [REDACTED] Ext 1: [REDACTED]
Phone Type 2: [REDACTED] Phone# 2: [REDACTED] Ext 2: [REDACTED]
DL State: [REDACTED] DL#: [REDACTED] DL Exp. Date: [REDACTED]
Occupation: [REDACTED] Employer/School: [REDACTED]

Person#: 0003 MNI: 1851142 Can ID Suspect: [REDACTED]
Event Association: REPORTING PERSON Contact Date/Time: 04/24/2011 11:30
Name: [REDACTED]
SSN: [REDACTED] DOB: [REDACTED] Age: [REDACTED] Sex: [REDACTED] Race: [REDACTED]
Height: [REDACTED] Weight: [REDACTED] Eye Color: [REDACTED] Hair Color: [REDACTED]
Address: [REDACTED] Sector/Beat: 2/26X
Phone Type 1: [REDACTED] Phone# 1: [REDACTED] Ext 1: [REDACTED]
Phone Type 2: [REDACTED] Phone# 2: [REDACTED] Ext 2: [REDACTED]
DL State: [REDACTED] DL#: [REDACTED] DL Exp. Date: [REDACTED]
Occupation: [REDACTED] Employer/School: [REDACTED]

Person#: 0004 MNI: 1596938 Can ID Suspect: [REDACTED]
Event Association: SUSPECT Contact Date/Time: [REDACTED]
Name: [REDACTED]
SSN: [REDACTED] DOB: [REDACTED] Age: [REDACTED] Sex: [REDACTED] Race: [REDACTED]
Height: [REDACTED] Weight: [REDACTED] Eye Color: [REDACTED] Hair Color: [REDACTED]
Address: [REDACTED] Sector/Beat: [REDACTED]
Phone Type 1: [REDACTED] Phone# 1: [REDACTED] Ext 1: [REDACTED]
Phone Type 2: [REDACTED] Phone# 2: [REDACTED] Ext 2: [REDACTED]
DL State: [REDACTED] DL#: [REDACTED] DL Exp. Date: [REDACTED]
Occupation: [REDACTED] Employer/School: [REDACTED]

Characteristics

Characteristic Type:	Further Defined By:	Description:
HAIR LENGTH	LONG/COVER EAR	
HAIR STYLE	PONYTAIL	
COMPLEXION	LIGHT	
CLOTHING		PINK SHIRT, BLU JEANS

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Persons Involved

Person#: 0005 MNI: 1596939 Can ID Suspect: [REDACTED]
Event Association: CONTACT Contact Date/Time:
Name: [REDACTED]
SSN: [REDACTED] DOB: [REDACTED] Age: [REDACTED] Sex: [REDACTED] Race: [REDACTED]
Height: [REDACTED] Weight: [REDACTED] Eye Color: [REDACTED] Hair Color: [REDACTED]
Address: [REDACTED] Sector/Beat: [REDACTED]
Phone Type 1: [REDACTED] Phone# 1: [REDACTED] Ext 1: [REDACTED]
Phone Type 2: [REDACTED] Phone# 2: [REDACTED] Ext 2: [REDACTED]
DL State: [REDACTED] DL #: [REDACTED] DL Exp. Date: [REDACTED]
Occupation: [REDACTED] Employer/School: [REDACTED]

Person#: 0006 MNI: 1851142 Can ID Suspect: [REDACTED]
Event Association: REPORTING PERSON Contact Date/Time:
Name: [REDACTED]
SSN: [REDACTED] DOB: [REDACTED] Age: [REDACTED] Sex: [REDACTED] Race: [REDACTED]
Height: [REDACTED] Weight: [REDACTED] Eye Color: [REDACTED] Hair Color: [REDACTED]
Address: [REDACTED] Sector/Beat: 2/26X
Phone Type 1: [REDACTED] Phone# 1: [REDACTED] Ext 1: [REDACTED]
Phone Type 2: [REDACTED] Phone# 2: [REDACTED] Ext 2: [REDACTED]
DL State: [REDACTED] DL#: [REDACTED] DL Exp. Date: [REDACTED]
Occupation: [REDACTED] Employer/School: [REDACTED]

Vehicles Involved

Vehicle#: 0001
Event Assoc: USED IN CRIME Vehicle Status:
Vehicle Type: A Year: 1994 Make: FORD Model: F-150 XLT
VIN: 2FTEF15YXRCA58616 License#: 8H48012 State: CA Expires On:
Style: PICKUP Prim Color: RED Sec Color: RED Ter Color:
Status Dt/Tm: Status Value: Recovered Date: Recovered Value:
NCIC Date: NCIC Reported By:
NCIC#: NCIC Cancelled:

Registered Owner Name: [REDACTED]
Address: [REDACTED] Phone#: [REDACTED]

Businesses Involved

Business # 0002
Event Association: VICTIM
Business Name: MOTION PICTURE ASSOC. OF AMERICA Business Type: OTHER COMMERCIAL
Address: 2420 SAND CREEK RD., BRENTWOOD, CALIFORNIA 94513 Sector/Beat:
Phone Type 1: BUSINESS Phone# 1: (925) 783-0687 Ext 1:
Phone Type 2: Phone# 2: Ext 2:

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Modus Operandi

Against Persons:
Against Property:
Occupied:
General Premise 1:
General Premise 2:
Specific Premise:
Surrounding Area 1:
Surrounding Area 2:
Surrounding Area 3:
Relationship to Suspect 1:
Relationship to Suspect 2:
Weapon Type 1:
Automatic:
Weapon Type 2:
Automatic:
Weapon Type 3:
Automatic:



Crime Against Property

of Premises Entered:
Entry Point:
Exit Point:
Entry Loc 1:
Exit Loc 1:
Entry Loc 2:
Exit Loc 2:
Entry Method 1:
Exit Method 1:
Entry Method 2:
Exit Method 2:
Entry Tool 1:
Exit Tool 1:
Entry Tool 2:
Exit Tool 2:
Vehicle Entry:
Safe Entry:

Suspect Action 1:
Suspect Action 2:
Suspect Action 3:
Suspect Action 4:
Suspect Action 5:
Additional Factor 1:
Additional Factor 2:
Additional Factor 3:
Additional Factor 4:
Additional Factor 5:
Security Type:
Victim Location:
Electronic Locks:
Video Surveillance:
Maid:
Inspectress:



Crime Against Persons

Pre-incident Contact 1:
Pre-incident Contact 2:
Pre-incident Contact 3:
Victim Condition 1:
Victim Condition 2:
Victim Condition 3:
Victim Condition 4:
Victim Condition 5:
Suspect Solicited 1:
Suspect Solicited 2:
Suspect Pretended to Be:

Suspect Action 1:
Suspect Action 2:
Suspect Action 3:
Suspect Action 4:
Suspect Action 5:
Sex Crime 1:
Sex Crime 2:
Sex Crime 3:
Sex Crime 4:
Sex Crime 5:
Vehicle Involvement 1:
Vehicle Involvement 2:

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Narratives

ENTERED DATE/TIME: 4/24/2011 14:21:00

SUBJECT: SYNOPSIS

AUTHOR: TRENEV, MARIA

653 w PC

350 (a)(2) PC I/C

ENTERED DATE/TIME: 4/24/2011 14:21:00

SUBJECT: FBR NARRATIVE

AUTHOR: TRENEV, MARIA

Evidence:

1) (X 2,939) Misc. counterfeit DVD's. Recovered from the truck parked at space E 28. Inspector Short from Motion Picture Assoc. of America recovered the evidence.

2) Copy of rental receipt for space E 28. Ofc. Alvarez turned in to OPD Property Section.

Summary:

On 24 Apr 11, at approx. 1317 hrs I was working as OPD patrol unit 1L28. I was wearing full police BDU uniform and driving marked patrol vehicle #1795. I responded to the Flea market located at 5401 Coliseum Way to assist Ofc. R. Alvarez on a call of a individuals selling bootleg DVD's.

Upon arrival security guards working for the Coliseum Flea Market directed me to the rental stand at space E 28. Security guards had a female Hispanic detained in handcuffs. I placed the female (later id 'ed as [REDACTED] (S1)) in my patrol vehicle so that I could determine what was going on.

Ofc. M. Finnicum responded to our location and contacted the R/P. He took a statement from security officer [REDACTED] who told him the following:

Today at approx. 1130 hrs he was working as a security guard for the coliseum flea market. The property manager directed him to space E 28 for someone who was possibly selling stolen items. He observed S1 selling what appeared to be bootleg DVD's. S1 had these DVD's inside a red truck and also out of the truck. He called the police and directed police to S1. (Statement attached)

R/P called Inspector [REDACTED] from the Motion Picture Assoc. of America who responded to our location. He inspected the DVD's that [REDACTED] had in her possession. He confirmed that the DVD's were counterfeit. He counted the DVD and found that [REDACTED] had approx. 2,939 counterfeit DVD's (evidence 1) in her possession.

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Based on R/P's statement and [REDACTED] observations, I arrested [REDACTED] for 653 W PC- Failure to ID true name and address of Video Recording, and 350 (a) (2) PC - Trademark Infringement.

Short took possession of the DVD's.

I admonished [REDACTED] who waived her rights by responding "si." [REDACTED] only spoke Spanish. I translated her statement from Spanish to English. She told me the following:

Today at approx. 0600 hrs she arrived at the Coliseum Flea Market to work at the DVD stand. She sells DVD's at the flea market. [REDACTED] hired her to sell DVD's. She met [REDACTED] in Modesto and have known each other for approx. 3 months. She has been selling DVD's for approx. 1 month at this location. She charges \$10 for 4 DVD's. When she arrives at the flea market, [REDACTED] leaves his truck unlocked and full of DVD's for her to sell. At the end of the day, he returns to pick up the truck and to pay her \$50 for the day. Her friend [REDACTED] also sells DVD's at the flea market. She believes she shouldn't go to jail because she didn't know that what she was doing was illegal. (Statement attached)

R/P gave Ofc. Alvarez a copy of a rental receipt for space E 28. The renter is listed as [REDACTED] [REDACTED] and is dated 24 Apr 11. Ofc. Alvarez turned in this receipt as evidence (evidence 2).

Sgt. Glover responded to my location and approved the arrest.

Ofc. Alvarez was also directed to a separate stand at the flea market. He also arrested one female for 653 W PC- Failure to ID true name and address of Video Recording, and 350 (a) (2) PC - Trademark Infringement. See RD # 11-020146 for further details.

I transported S1 and Ofc. Alvarez's suspect [REDACTED] to NCJ.

Ofc. M. Finnicum towed the truck located in space E 28 for evidence. See tow tag for further details.

No additional witnesses were located.

On 24 Apr 11, S1 admitted to selling counterfeit DVD's to the public. S1 also possessed approx. 2,939 counterfeit DVD's which is a violation of 653 W PC- Failure to ID true name and address of Video Recording, and 350 (a) (2) PC - Trademark Infringement. She was arrested for these crimes and transported to NCJ.

STATEMENT

Oakland Police Department

536-200-1 (5/05)

Page 1 of 1

Inc# 452

1. Complainant <i>Motion Picture Assoc. of America</i>		Offense/Crime <i>653 WPC</i>		2. Report No. <i>11-020148</i>	
3. Name of Person Giving Statement [REDACTED]		Sex/Race/DOB [REDACTED]		<input type="checkbox"/> Complainant <input checked="" type="checkbox"/> Suspect <input type="checkbox"/> Reporting Person <input type="checkbox"/> Witness <input type="checkbox"/> Driver	
4. Residence Address [REDACTED]		City/Zip [REDACTED]		Contact Number [REDACTED]	
5. Employment (Name, Address, Phone, Occupation, Work Hours, Days On) or Supplemental Information if Unemployed or Transient					
6. Statement Taken By <i>M. Sanchez</i>		Serial No. <i>8604P</i>		Date <i>24 April</i>	
7. Location Where Statement Taken <i>5401 Coliseum Way</i>		Time Started - Completed <i>1430-1520</i>			
Names, Addresses of Persons Present During Statement					

FOR VEHICLE COLLISIONS ONLY

8. License No.	State	Veh Yr.	Make	Model	Type	Color(s)	Drivers License No.	State
9. Registered Owner		Address		City/Zip		Contact Number		

ADMONITION: You have the right to remain silent. Anything you say can be used against you in a court of law. You have the right to talk to a lawyer and have him present with you while you are being questioned. If you cannot afford a lawyer, one will be appointed to represent you before any questioning if you wish one.

WAIVER: Do you understand each of these rights I have explained to you? *nodded yes*
 Having these rights in mind, do you wish to talk to us now? *yes*

Subject's Initials

[REDACTED]

Statement

My name is [REDACTED]. Today is April 24, 2011. At about 6am today I arrived at the flea market. I work at a stand selling DVDs, until about 5pm. [REDACTED] a male Hispanic about 30 years old, 6'0", 180 lbs who only speaks Spanish hired me to work at the Coliseum flea market selling DVDs. I met him in Modesto about 3 months ago. I've been selling DVDs for about 1 month. [REDACTED] pays me \$50 a day to sell DVDs. I didn't know the DVDs are copies and that what I'm doing is illegal. Basically, [REDACTED] leaves a truck at the flea market with the DVDs. When I arrive, [REDACTED] is gone, then I have access to the truck and DVDs. I charge \$10 for 4 DVDs. At the end of the day, [REDACTED] shows up and pays me. Then I leave. This is how I work. I don't have any contact information for [REDACTED]. Right now I'm sleeping at my friend's house in Hayward. My friend [REDACTED] also sells DVDs at the flea market. We're friends from Modesto. I don't think I should be going to jail, because I didn't know what I was doing was illegal. This is a true statement.

[REDACTED]

CONSOLIDATED ARREST REPORT Oakland Police Department

1. Defendant's True Name (Leave Blank)				Arrest No.				4			
2. Defendant's Name <i>Ruelas, Aida</i>				PFN				Booking Agency 00109			
3. AKA or Nickname				Date Arrested <i>24 Apr 11</i>				Time <i>1428</i>			
4. DOB <i>9-15-58</i>		POB <i>MX</i>		Height <i>5'0"</i>		Weight <i>150</i>		Hair <i>Blk</i>		Eyes <i>Blk</i>	
Race <i>H</i>		Sex <i>F</i>		Age <i>51</i>		Crime Rpt: Detailed to				CP Beat <i>26X</i>	
5. Sallent Characteristics				Clothing <i>pink shirt, blue jeans</i>				Incident No. <i>452</i>			
6. Residence Address				City <input type="checkbox"/> Oakland State				Phone ()			
7. Business Address				School				Phone ()			
8. DL or ID Card No.				Social Security No.				Occupation <i>DVD stand vendor</i>			
9. Arresting Officer <i>M. Sanchez</i>				Serial No. <i>8604p</i>				Arresting Officer <i>R. Alvarez</i>			
10. Transporting Officer <i>M. Sanchez</i>				Serial No. <i>8604p</i>				Transporting Officer			
11a. Code Section <i>653 w PC</i>				M/F <i>F</i>				Court <i>CC</i>			
11b. <i>350(a)(2) PC</i>				Warrant No.				CEN			
11c.				Ball				12. Location of Arrest Approval - If Defendant Relocated			
11d.				Reason for Defendant Relocation				13. Reason for Defendant Relocation			
Felony Bail Enhancements											
14. Total Felony Non-Strike Convictions				Qty				X \$5,000			
15. <input type="checkbox"/> Felony Strike Conviction				1170:12(c)(1) P.C.				Enter Ball Enhancement \$100K			
16. <input type="checkbox"/> 2+ Felony Strike Convictions				1170:12(c)(2) P.C.				Enter Ball Enhancement \$500K			
17. Section and code number of prior strike conviction(s)				Ball				17. Section and code number of prior strike conviction(s)			
18. Signature of Person Making Arrest				Residence Address				City <input type="checkbox"/> Oakland Zip			
19. Arresting Person's Name				Sex-Race-Age				Business Address			
20. Complainant's Name <i>Motion Picture Assoc. of America</i>				Sex-Race-Age				Address <i>2420 Sand Creek Rd Brentwood CA</i>			
21. Co-Defendant				Sex-Race-Age				Co-Defendant			
22. <input type="checkbox"/> Probation				For: <i>SI</i>				Subject's Response: <i>SI</i>			
23. Instructions:				List charges by name and code section.				Reason Not Admonished:			
• If suspect is arrested WITHOUT A WARRANT for an offense which occurred in another jurisdiction, identify agency, investigator's name, and report number.				• If arrested pursuant to a warrant, document the specific circumstances of the initial contact/detention that led to the discovery of the warrant.				• Complete probable cause narrative.			
				• Enter reason for physical arrest (misdemeanor only).				• Describe injuries or known medical problems.			
<i>653 w PC Fail to Disclose Origin of Recording</i>											
<i>350(a)(2) PC Mfg/ Sell 1000+ DVDs/CDs with Counterfeit mark.</i>											
<i>Subject sold DVDs at flea market containing counterfeit mark.</i>											
<i>Subject had over 1000 DVDs in her possession. Subject provided a statement and admitted she was selling the DVDs. Investigator</i>											
<i>Station for MPAA responded to the scene & inspected DVDs. Investigator confirmed DVDs were counterfeit. Subject arrested for above charges and transported to N.C.T.</i>											
<i>RED KNOWN WITNESSES</i>											
536-252 (2/10)				Type of Report Made:				<input checked="" type="checkbox"/> Offense			
				<input type="checkbox"/> Additional Info / Supp				<input type="checkbox"/> None			