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**NOTICE OF INJURY OR CIRCUMSTANCES**  
**Pursuant to Wisconsin Statute Section 893.80(1d)(a)**

This Notice must be served upon the local governmental body and upon the body's officers, officials, agents or employees within 120 days after the happening of the event giving rise to the claim. Service is to be accomplished as set forth in Wisconsin Statute Section 801.11.

Claimant Name(s): Jon-Paul A. Fernandez

Claimant Address: 13805 West Prospect Drive  
New Berlin, WI 53151

Claimant Phone Number: 414-722-9247 or 414-840-4059

Date and Time of Event Giving Rise to the Claim: November 17, 2015 - 3:04am incident report # 15-050993

Location of Event Giving Rise to the Claim: 1020 South 56th Street, West Allis, WI 53214

Statement of the Circumstances of the Event Giving Rise to the Claim, including the names of all persons involved, the identification of all witnesses, if any, and the names and job titles of the local governmental body's employees or agents involved (use additional sheets if necessary):

\*  
See Attached Detail of Circumstances.

Officers involved in inflicting my injuries were Clint Corwin #1831 and Lance Meyer #1m2621

- Witnesses: #1 - Leonard D. Jones - phone 414-745-0757  
4134 S. 10th St.  
Milwaukee, WI 53221

#2 Arthur Johnson  
1020 S. 56th St.  
West Allis, WI 53214  
phone - 414-627-6900

Signature(s) of claimant or claimant's agent:

J.P. Fernandez  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: 3-11-16

Date: \_\_\_\_\_

Date: \_\_\_\_\_

This incident occurred when my friend and roommate (Leonard Jones) and I (Jon-Paul Fernandez) had just finished making repairs on a car behind the house of the car owner, Arthur Johnson. We had started the repair work around 10:30 pm but didn't finish until around 3:00 am the next morning. We were trying to go back home in the car we had come in, but couldn't get it started because it was parked on too much of an incline and gas was not being taken up. It needed to be pushed, so Lenny got in the driver's seat and I went to the rear of the car to push it. After pushing the car off the incline, Lenny was able to get it started.

I had just stood up and was going to get into the passenger side of the car, but was grabbed from behind by a then unidentified individual who, as best I could tell, seemed to be bigger than me and rather strong. A couple of thoughts quickly came to mind. One was that I was about to be beaten and robbed. The other was that maybe Lenny had had a problem with someone and that's who was attacking me. Since I did not know who was attacking me or why, my immediate instinct was to try to pull myself free, so I tried, but couldn't. No matter how hard I tried, the grip was too tight.

Up to that point, I never heard the words "police" or "officer" or anyone identifying themselves as a police officer. I was paying attention to what was happening to me physically. Had I known that it was a police officer instead of some random person, I would not have tried to pull away. Within seconds, the person slammed me face down to the ground with so much force that my forehead split open on the concrete. I was cold (mid-40's temperature), in pain, wet from the rain, and lying on my stomach, and tried putting my arms underneath me to lift myself up. At the same time, I heard a crash of glass coming from the driver side of the car. It was at this point that the person first identified himself as a police officer, and that was the only time he did so. The officer then forcefully pulled my arms out from under me and forced them behind my back and cuffed me. I was lifted to a standing position and was asked why we were trying to steal a car. I explained that we weren't stealing it but that we were heading back home after fixing a different car for a man named Arthur Johnson who lived there. The owner of the car we had repaired had just been outside with us literally moments earlier, so I started shouting out his name, hoping he would come over and explain everything to the officers.

I was standing there shivering in the wet cold with half my face covered in blood, unable to tend to it because my hands were cuffed behind my back. I was grateful that one of the officers agreed to pull

my hood up over my head for some degree of warmth and protection from the rain. Eventually Art was able to clear everything up, and I was told that I was free to go and that I could drive the car home since Lenny was going to be taken into custody. (That was when they thought I was "Jamison Fernandez.") One of the officers was returning my belongings to me and he took the opportunity to open up my wallet and discovered that I was Jon-Paul Fernandez, not Jamison Fernandez like I had told them. They ran my name to check for any warrants. I knew there was a warrant from Waukesha due to a missed a court appearance and that's why I had lied to the officers.

I missed the court appearance because I hadn't had a chance to pick up my mail until AFTER the court date had come and gone. Just the week before this incident in West Allis, Lenny was going to drive me to Waukesha to see the judge about the warrant, but by the time he finished with an appointment he had in Milwaukee, it was too late and the Waukesha courthouse was closed.

Had the police officers approached us in a more civil manner and taken the time to ask us what we were doing instead of jumping to conclusions and pouncing on us, none of us would be here and I would have had the opportunity to get out to take care of the Waukesha warrant and all would be good now.

The injuries I sustained due to the officer's excessive use of force and unnecessary use of force, especially since I was not doing anything illegal at the time, were as follows:

- 2 cuts to the forehead requiring stitches by hospital personnel
  - 1 to the left eyebrow area
  - 1 to left temple
- cuts and bruises to face & chin
- cuts and bruises to shoulder

The officer also broke my eyeglasses which they (officers) left at the scene and never returned to me.