Troy Police Department

124 E Main St., Troy, OH 45373

Offense / Incident Report

Report Date	Type of Incident	Complaint No.	Case Status
03/12/2007 2247	WEAPON DISABILITY	07-06093	CBA

Street Address	City	State	Zip Code
1530 HAWK CIRCLE	TROY	OH	45373

Sector	Precinct	Geo	Ward	Latitude	Primary Location
		I-9		Longitude	Secondary Location

Received Date / Time	Call Received Via	Dispatched Date / Time	Call Dispatched As	
03/12/2007 2048	911	03/12/2007 2102		TeleType Operator
Arrived Date / Time	**Departed Date / Time**	**Offense Category**	**TTY Ref.#**	
03/12/2007 2107	03/12/2007 2219	2923.13		

ID	Name	Role	Primary	Arrived Scene	Departed Scene
442	Bronsord, Drew	REPORTING	☑		
442	Bronsord, Drew	ARRESTING	☐		

Charge	Cause Number	Local Code	Jurisdiction	State Statute Type/Class	State Charge Code	Category
WEAPON DISABILITY			TROY PD	2923.13 F		2923.13
CCW			TROY PD	2923.12 M		2923.12

On 03-12-2007 I was dispatched to 1530 Hawk Cir., Apt. D on a found property complaint. Dispatch advised that Anthony Welker found a loaded handgun in a minivan that he was storing behind his residence. Dispatch further advised that the owner of the vehicle was incarcerated on a warrant by the Miami Co. Sheriff's Office earlier that day.

Ptl. Baker responded to assist and upon arriving Anthony told me where the handgun was located in the vehicle. A loaded Smith and Wesson .38 revolver was found in the console next to the driver seat along with two "speed loaders" full of ammunition. After checking further we found a New England Firearms .32 mag revolver next to the back seat on the passenger side, also loaded. The weapons were checked through LEADS at the scene and secured in Ptl. Baker's trunk. Anthony said that Jerry Kane was the owner of the vehicle and Jerry, his wife, and son were all arrested earlier that day at China Garden in Troy. Anthony said that Jerry's daughter, Jessica Gutierrez,

Reporting Officer	442 Bronsord, Drew	Approving Officer (I) (Cover Pages Only)	401 Kunkleman, Jeff
Approving Officer (II) (Cover Pages Only)	409 Phelps, Charles		

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drove the vehicle to his residence after the incident. Anthony went out to roll up the windows when he found the gun. I asked them if anybody else had access to the van after the incident and he said no. I asked him if Jessica could respond to the scene and he said yes.

Jessica arrived and told me that she was with her family when they were arrested at China Garden. She told me she would not be able to identify the guns but she knew that her father carried them on his person and in the vehicle. Jessica also said that her brother Joseph was asking his mother for permission to go out to the van and get the gun while the sheriff's deputies were arresting her father. I asked her if anyone else had possession of the van since her father drove it to the restaurant and she said no. She told me that the vehicle was probably registered in Jerry's wife's name but he is the only one who drives it.

After Ptl. Baker spoke to a county prosecutor we conducted a more thorough search of the vehicle. Jessica and Anthony filled out written statements. After conducting our search of the vehicle it was turned back over to Jessica.

The two handguns and the ammunition were transported to the TPD. Jerry will be charged with two counts of carrying a concealed weapon and weapons under disability, since he had at least two active warrants for his arrest at the time of the CCW violation. The firearms were submitted to the property room, to be sent to the Miami Regional Crime Lab to be test fired.

Ptl. A. J. Bronsord #442

[redacted]

Quantity	Description	Make	Model	S/N	Ref. No.	Disposition	Value	Recovered ID/Date
1.00	.38 SPEC REVOLVER	SMITH & WESSON	15-3	1K67285			100.00	
1.00	.32 MAG REVOLVER	NEW ENG FIREARMS	R73	NE003857			50.00	
2.00	"SPEED LOADERS" (6 SHOT), LOADED	H.K.S.					5.00	
2.00	"SPEED LOADERS" (6 SHOT) IN NYLON CASE, LOADED	H.K.S.					7.00	
12.00	6 BULLETS(.38 SPEC), 6 BULLETS (.32 MAG)	WINCHESTER					1.00	
Number of Line Items	5					Total Value	163.00	

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Number of Recov. Items: 0 — Total Recov. Value: 0.00

Name (Last, First Middle Suffix) WELKER, ANTHONY L | Race W | Sex M | DOB 02/28/1985 | Age 22 | Juvenile N | SSN | Moniker

Type	Street Address	City	State	Zip Code	Country
	1530 HAWK CIRCLE #D	TROY	OH	45373	USA

Type	Phone	Ext/PIN
HOME	(937) 335-0828	

Type	Email Address

Drivers License: RY708974 | Type: D/OPERATOR | State: OH | Expires: 02/28/2010 | Restrictions | Marital Status: S | Resident Status: RESIDENT | Ethnicity | Language

Name (Last, First Middle Suffix) SOCIETY | Race | Sex | DOB | Age | Juvenile | SSN | Moniker

☐ Injured | Medical Care Sought | Treatment Disposition | ☐ Willing to Prosecute | Relation to Suspect

Name (Last, First Middle Suffix) GUTIERREZ, JESSICA L | Race W | Sex F | DOB 04/29/1986 | Age 20 | Juvenile N | SSN | Moniker

Type	Street Address	City	State	Zip Code	Country
	3500 REDBUD DR	TROY	OH	45373	

Type	Phone	Ext/PIN
CELL	(937) 451-0077	

Type	Email Address

Drivers License: SM219048 | Type | State: OH | Expires: 04/29/2007 | Restrictions | Marital Status | Resident Status: NON-RESIDENT | Ethnicity | Language

Name (Last, First Middle Suffix) KANE, JERRY R | Race W | Sex M | DOB 12/04/1964 | Age 42 | Juvenile N | SSN | Moniker

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05/26/2010 WED 12:53 [TX/RX NO 6000] 004

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03/13/2007 2247	WEAPON DISABILITY	07-06093	CBA

Address

Type	Street Address	City	State	Zip Code	Country
	AT LARGE				

Drivers License	Type	State	Expires	Restrictions	Marital Status	Resident Status	Ethnicity	Language
RP777531		OH						

Physical Description

Height	Weight	Build	Skin Color	Complexion	Eyes	Type of Eyewear
602	230				BRO	

Hair	Hair Length	Hair Style	Beard	Mustache	Side Burns	Mannerisms
BRO						

Birthplace

City	State

Country

Charges

Charge	Type Class	Jurisdiction
WEAPON DISABILITY	F	TROY PD
CCW	M	TROY PD

Arrest Information

Arrest No.	Arrest Date / Time	Arresting Officer ID - Name	Booking Date / Time	Booking Officer ID - Name
	03/13/2007 2219	442 - Bronsord, Drew		-

Agency Held For	Department	Arrest Classification	Reference Number
	TROY POLICE DEP	FEL	07-06093

CCH Record	Hold Order
N	☐

Caution

Caution	Under Watch	Reason for Watch	Under Medication	Type of Medication
	☐		☐	

Incident Location

Street	City	State	Zip Code	County
124 E MAIN ST	TROY	OH	45373	

Sector	Precinct	Geo	Ward	Primary Location	Secondary Location
		O-2		TPD	

Miranda

	Date / Time	Officer ID - Name	Location
1st Miranda		-	
2nd Miranda		-	

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[redacted]/2007 2247	WEAPON DISABILITY	07-06093	CBA

State / NCIC Search	Fingerprint Class	Transported By	Transported To
☐		-	

Public Defender	Name	Address	Phone No.
☐			

Released	Date / Time	Releasing Officer ID - Name	Released To	How Released	Surety Name
☐		-			,

Veh. Year	Make	Model	Veh. Desc.	Veh Style	VIN
1996	PLYMOUTH			MINI VAN	2P4FP25B6TR508054

Tag	Tag Year	Tag Month	Veh Color-Top	Veh Color-Bottom	Veh Type	Veh Value
365XJQ	07	06	MAR	MAR	DX	$1,000.00

Name	Phone	Ext.	EMail
KANE, HOPE G			

Street No.	Dir	Street/Rt	Apt/Suite	City	St.	Zip

☐ Stolen ☐ Impounded ☐ Towed ☐ Recovered ☐ Recovered Non-Locally

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03/12/2007 2247	WEAPON DISABILITY	07-06093	CBA

Supp. No.	Date / Time	ID	Officer Name	Secondary ID / Officer Name
0001	3/13/2007 12:12 AM	440	Baker, Chris	

ADDITIONAL

On 3-12-07, I heard Ptl. Bronsord dispatch to an apt. on Hawk Cir. in reference to a found gun in a vehicle. I arrived on scene with Ptl. Bronsord. Anthony Welker was in the parking lot waiting on us. He advised that he was locking a van up and found a loaded gun. Ptl. Bronsord and I looked in the center console and near the driver side of it was a Smith and Wesson 38. There were two speed loaders, fully loaded, in a black pouch next to the gun, which was also loaded. Ptl. Bronsord made it safe and had dispatch run the serial numbers. It as not stolen. We then secured it in my vehicle.

Ptl. Bronsord then advised me that Jerry R. Kane Jr., the owner of the van, his wife, and son were all arrested earlier in Troy by the Miami County Sheriffs Dept. I asked Anthony how the vehicle got here. He stated that Jessica Gutierrez, Jerry's daughter, brought it here after her family got arrested. She told him that her uncle would pickup the vehicle on 3-13-07. Jessica left the apt. and Anthony went out to roll the windows up and lock it. That is when he found the gun.

Ptl. Bronsord and I then started searching the van. I was moving items off the rear seat and found a New England Firearms 32 Magnum. It was fully loaded. I showed Ptl. Bronsord and asked him to remove it because I could not reach it from where I was. Ptl. Bronsord made the weapon safe and placed it in the trunk of my cruiser with the other weapon.

I advised Ptl. Bronsord to stop searching and let me contact the prosecutor. I called Jim Bennett and advised him what we had. He stated that we had probable cause to continue the search. We continued the search and I found two speed loaders that were fully loaded for a 38 in a make up bag in the rear of the van. We continued the search and did not anything else.

We had Jessica come to the apt. We had her and Anthony fill out a statement reference this incident. Jessica advised that her family and her were at dinner. When they saw the sheriffs. Her brother, Joseph Kane, asked his mom if he should go get the guns out of van so he can start shooting when his dad came out. He did not get the guns. After her family was arrested she had the keys to the van and took it back to Anthony's apt. Jessica stated that she knows and has seen her dad carry guns on him and in the van. She's not sure if the guns we had were the ones. We asked them who had control of the vehicle since she saw them pull up. She stated that her dad pulled up to the restaurant driving the van. Then she drove it to Anthony's apt. and Anthony had the keys.

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Jerry is currently incarcerated in the Miami County Jail. I called the jail and advised them that we were charging him with two counts of CCW and one count of having weapons while under disability because he was fugitive from justice. Copies of the charges were sent to the county jail.

Reporting Officer 442 Bronsord, Drew	Approving Officer (I) 401 Kunkleman, Jeff (Cover Pages Only)
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POLICE DEPARTMENT
STATEMENT FORM

1. Complaint No. C7-06093

Date of Offense	Waiver of Rights Obtained: ☐ YES ☐ NO ☐ N/A
3/12/2007	Date / Time

I, Jessica Gutierrez (name) hereby make this voluntary statement to

PTL A.J. BROWSORD #442 (officer) at 1530 HAWK CIR (location) TROY, OH on 3-12-07 (date)

Although I cannot identify with total certainty that the firearms in question belong to Jerry Kane, I do know that he has boasted about having handguns in the past. I have seen him with guns in his possession since I was very young. I have also, on occasion, seen firearms within his vehicle. This vehicle, a maroon minivan, is, indeed, his, probably registered in his wife's name. This vehicle was left at the scene of the arrest, China Garden Buffet, in Troy, Ohio, this afternoon. I removed the vehicle from the parking lot and drive it to my friend's apartment, where it has been ever since. My friend found a handgun inside and called the Police.

A83/442

Signature	Sex	DOB	SSN
Jessica Gutierrez	F	04/29/86	

Address 3500 Redbud Drive, Troy, OH 45373 Tel 937-451-0077

Witness PTL A.J. Browsord #442 CODE: W (S - SUSPECT A - ARRESTED V - VICTIM W - WITNESS)

Time Started _____ Time Completed 2212 Page 1 of 2 Pages

TPD-O-0800-0183

1. Complaint No. C7-06093

TROY POLICE DEPARTMENT
STATEMENT FORM

1. Complaint No. 07-06093

Date of Offense: 3-12-07

Waiver of Rights Obtained: ☐ YES ☐ NO ☐ N/A
Date / Time

Anthony La Walker (name) hereby make this voluntary statement to

PT A.J. BRONSORD #442 (officer) at 1530 HAWK CIR (location) TROY OH on 3-12-07 (date)

Jessica followed me to my house in the van. I came outside to lock the van and close the windows. I looked down into the arm rest and saw the butt of a gun. I then called the police to let them know I found it and to have them come and pick it up. Jessica is the only person in my knowledge that drives the van.

442

Anthony Walker | Sex M | DOB 2-25-85 | SSN
30 Hawk Cr. Apt D Troy, OH | Tel C: 937-703-6292
PT A.J. B 442 | CODE: W | S - SUSPECT A - ARRESTED V - VICTIM W - WITNESS

ed ____ Time Completed 2209

0-0153

1. Complaint No. 07-06093

...CE DEPARTMENT
...EMENT FORM

1. Complaint No. 07-06093

Date of Offense	Waiver of Rights Obtained: ☒ YES ☐ NO ☐ N/A
3-12-07	Date / Time

Jessica Gutierrez (name) hereby make this voluntary statement to

Ptl. C. T. Baker (officer) at 1530 Hawkcir Troy, Ohio (location) on 3-12-07 (date)

At the scene of the arrest, Joseph Kane was heard asking something to the effect of: mom, should I go get the guns out of the car?" and "mom, let me go out, check on the dogs, and grab a gun. Then, if Dad comes out, I'll start shooting."

Signature Jessica Gutierrez	Sex	DOB	SSN
Address			Tel
Witness Ptl. C. T. Baker			CODE: W — S - SUSPECT A - ARRESTED V - VICTIM W - WITNESS

Time Started _____ Time Completed _____

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1. Complaint No. 07-06093

ID-O-0800-0183