

**CITY OF ROCHESTER POLICE DEPARTMENT**

**INTER-DEPARTMENTAL CORRESPONDENCE**



**TO: Lieutenant Michael Callari, Commanding Officer, PSS**

**FROM: Lieutenant Jeremy Anzalone, Patrol Division West, Third Platoon Lt.**

**DATE: 5-8-13**

**SUBJECT: SRR CR#13-115259**

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On 5-8-13 at about 1700 hrs I held a meeting with Officer Anthony Liberatore in the presence of Sgt Kenneth Coniglio at the PDW Third Platoon Lieutenant's office. The purpose of this meeting was to discuss the use of an untrained technique by Officer Liberatore during an SRR with subject Benny Warr on 5-1-13. Specifically, Officer Liberatore utilized an elbow strike to the face of the subject while the subject was lying on his back. I asked Officer Liberatore to justify his use of this technique and he explained to me that officers had attempted to gain verbal compliance from the subject without success. They then attempted the use of OC which was also unsuccessful. Officer Liberatore explained that they then attempted to stabilize the subject on the ground by pushing him out of his wheel chair. Officer Liberatore explained to me that Warr has a prosthetic leg and a functional leg and was offering resistance by attempting to strike officers. Due to Warr's size (300+ lbs) they were unable to roll him onto his stomach for handcuffing. Officer Liberatore went on to explain that he noticed a large group forming nearby and feared they may try to interfere with the arrest. Officer Liberatore stated he then decided to utilize an elbow strike to the subject's face (which was the closest target to him) in an attempt to end the situation as quickly as possible so that they could turn their attention to the group forming. I then directed Officer Liberatore to document his justification in the SRR.