

# Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

## Incident Information

Date/Time Reported	Date/Time	Date/Time	Officer
05/30/2016 13:28	05/30/2016 13:28		MCNAUGHT, L.
Incident Location			Supervising Officer
████████ Cameron Run Ter, Alexandria, VA 22303			WHEELER, M.
Disposition			Case Status
			SERVICE
Weather and Light Conditions			
CLEAR/DAYLIGHT			

## Events

<b>1</b>	Charge Type	Description	Statute	UCR	<input checked="" type="checkbox"/> Att <input type="checkbox"/> Com
		SERVICE ██████████	SERV-18	999	
Alcohol, Drugs or Computers Used		Criminal Activity	Forced Entry	Weapons	
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers			<input type="checkbox"/> Yes <input type="checkbox"/> No	1. 2. 3.	
Entry	Exit	Security	How Left Scene	Location Type	
				POOL	
Bias Motivation		Bias Target	Bias Circumstances	Hate Group	

## Other Persons Involved

Name Code	Seq. #	Name (Last, First, M)			
Complainant	<b>1</b>	BROOKS, SEAN			
Race	Sex	DOB	SSN		
W	M	██████/1994 00:00:00			
Address			Home Phone	Cell Phone	
██████ PIKE RD, ALEXANDRIA, VA 22310				(301) 943-7755	
Employer Name/Address				Business Phone	
/					

Name Code	Seq. #	Name (Last, First, M)			
Involved, Other	<b>1</b>	GALVES, WENDY LORENA			
Race	Sex	DOB	SSN		
W	F	██████ 1992 00:00:00	████████		
Address			Home Phone	Cell Phone	
██████ EAGLE AVE, ALEXANDRIA, VA 22306			████████	(571) 215-4030	
Employer Name/Address				Business Phone	
/					

# Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

## Other Persons Involved

Name Code Involved, Other	Seq. # 2	Name (Last, First, M) FIJALKOWSKI, MATEUSZ		
Race W	Sex M	DOB [REDACTED]/1993 00:00:00	SSN	
Address [REDACTED] REPUBLIC CT [REDACTED], ALEXANDRIA, VA 22306			Home Phone	Cell Phone
Employer Name/Address /				Business Phone

## Notes/Narratives

On May 30th, 2016 at approximately 13:30, I was dispatched to the listed location for the report of a pool employee, Mateusz Fijalkowski, who was having a [REDACTED]. Myself and Ofc Grande arrived at the same time and initially made contact with the property manager, Samnang Man, who advised he was alerted to the situation by the lifeguard supervisor, Sean Brooks. Samnang explained that patrons from pool 3 started to leave due to Mateusz's behavior and went to the other property pools, advising staff there of the situation. Sean, who was working at the other pool at the time, contacted Samnang and both responded to pool 3. Upon his arrival, Samnang confirmed this behavior as reported and evacuated the remaining patrons. Mateusz was the only lifeguard on duty at pool 3.

I observed Mateusz on the far, western, side of the pool from the entrance/restroom area. From that distance it appeared he was on his cellphone. As I approached Mateusz, I could hear he was not speaking english and was later advised by Sean (pool supervisor) that Mateusz is Polish and spoke little english. Sean went on to state that Mateusz was in the area for the summer to work as a lifeguard.

I attempted to speak to Mateusz several times to which he either responded by yelling, "I am the lifeguard" or by blowing his whistle at me and walking away. Mateusz was carrying his lifeguard buoy, whistle, his phone and a pocket mask. All times that I attempted to approach Mateusz he would tense up and would not make eye contact with me. I then requested a polish speaking officer to respond if available and was advised 601B, PFC Jakowicz, was enroute to help facilitate communication with the subject. I contacted Sgt Wheeler to update him on the event and he advised he was enroute to assist.

Mateusz continued the before mentioned behavior, talking in polish on his phone, at times bending over the water, still on the western side of the pool, spanning the shallow end (approximately four feet deep) and the deep end (eight feet). Mateusz dropped his phone in the water a total of two times in the four foot area. The first time he dropped the phone, he continued to pace the western side of the pool for a few minutes, speaking into a pocket mask, then dropped the pocket mask and his buoy and jumped into the pool, fully submerging to retrieve the phone.

After he retrieved his phone he got out of the pool and continued to pace the same side of the pool, still ignoring my attempts to speak with him. Mateusz dropped his phone in the pool a second time in the same spot, this time leaving it. PFC Jakowicz arrived and attempted communicating with Mateusz in polish with negative results. Mateusz was still yelling, then jumped into the deep end of the pool, staying submerged for over a minute. Mateusz's pool supervisor, Sean Brooks, asked if he should go in to save him as Mateusz does not know how to swim. I advised Sean to stay back as we did not know if he needed saving yet as Mateusz was still moving at the bottom of the pool.

Mateusz came back to the top of the water and started a doggie paddle to the side and exited the pool. When Mateusz exited the water, he appeared to have a [REDACTED] and he laid on the deck for several minutes breathing deeply and speaking/whispering to

## Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

### Notes/Narratives

himself. PFC Jakowicz attempted again to speak to Mateusz with the same result.

Mateusz climbed onto the elevated lifeguard stand on the west side of the pool (between the four foot area and the deep end) and began yelling, "I am the lifeguard. Get out. I am the lifeguard." and blowing his whistle. PFC Jakowicz attempted again to speak to Mateusz and the subject got down from the lifeguard stand, paced a few steps, then dove into the deep end again, this time quickly exiting the water and continuing his pace on the western side of the pool.

Mateusz changed direction, still on the western side of the pool, and started walking towards Ofc Mulhern, who was standing on the south west corner of the deck. Ofc Mulhern began walking backwards, keeping the same distance between them. Mateusz then abruptly stopped walking and stood on the south side of the pool in front of a ladder to go into the four foot deep area. While standing at this locatoin, he was holding his lifeguard buoy, speaking polish to himself.

After a few minutes, Mateusz put the buoy down and climbed into the pool using the ladder, and began walking towards the deep end of the pool. Once the water got significantly deeper, Mateusz began swimming under water, continuing to go deeper. Mateusz swam to the bottom of the deep end and appeared to be yelling or exhaling under water, as there were large amounts of air that came to the surface of the water. Mateusz grabbed two vents on the bottom and held himself down, continuing to exhale. After over a minute, Mateusz went still and I could no longer see any air coming from him nor any movement. Sean asked if he could go in and save him, Sgt Wheeler replied that was up to him as he was the only certified lifeguard on scene.

Sean dove into the deep end and grabbed Mateusz, bringing him to the surface briefly. As soon as Sean and Mateusz broke the surface of the water, they submerged again quickly. I took off my duty gear and jumped in, helping them both to the west side of the pool. Ofc Mulhern and PFC Clark pulled Mateusz out of the water and PFC Clark started [REDACTED]

PFC Jakowicz advised DPSC that Rescue could respond in for active [REDACTED]. [REDACTED] arrived and took over.

M411 advised they were [REDACTED].

Myself and Ofc Grande held the scene until further advised.

### Notes/Continuation

# Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

# Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

## Supplement Information

Supplement Date	Supplement Type	Supplement Officer
05/30/2016 23:02:57	OFFICER SUPPLEMENT	BRONTETINKEW, R.
Contact Name		Supervising Officer
		LABARCA, L.

2251

CLEAR/DAYLIGHT

## Supplement Notes

On 5/30/16, I responded to the listed address to assist units with scene security. I remained on scene until the subject's condition was updated and permission was given for units to clear. I was then tasked with delivering subject's passport to [REDACTED]. At the [REDACTED] the passport was given to the [REDACTED] who stated that she would store subject's passport with the rest of his belongings. I was briefed on his [REDACTED] by 200B as well as [REDACTED] who advised that the subject was in [REDACTED]. Car 002C was notified and direct on subject's [REDACTED]. I left a business card with the case number as reference with [REDACTED] and I advised him to contact PD should subject's [REDACTED]. No further action taken.

# Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

2251

## Supplement Information

Supplement Date 05/31/2016 06:23:45	Supplement Type OFFICER SUPPLEMENT	Supplement Officer CLARK, C.
Contact Name		Supervising Officer WHEELER, M.

CLEAR/DAYLIGHT

## Witnesses

Seq. # <b>1</b>	Name (Last, First, M) STONE, BRIAN JAMES	Race W	Sex M	DOB [REDACTED] 1984	Age 31
Address [REDACTED] CAMERON RUN TER [REDACTED], ALEXANDRIA, VA 22303		Home Phone		Cell Phone (201) 230-4288	
Employer Name/Address /				Business Phone	
Witness Type		SSN [REDACTED]			

Witness Notes

## Other Persons Involved

Name Code Involved, Other	Seq. # <b>3</b>	Name (Last, First, M) MACZKA, MARIA			
Race W	Sex F	DOB [REDACTED] 1996 00:00:00	SSN		
Address [REDACTED] REPUBLIC CT [REDACTED], ALEXANDRIA, VA 22306		Home Phone		Cell Phone (571) 778-9711	
Employer Name/Address /				Business Phone	

# Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

## Supplement Notes

On 5/30/16 I responded to the Riverside Park Swimming pool located at █████ Cameron Run Ter after being requested to respond by Officers on scene, because I am █████ trained. I arrived at 14:04 hours I arrived and spoke with the Officers and employees who explained to me that Mateusz was having a █████. At this point I was told he was not being a threat to himself or others and that there was no known history of a █████. I was also told that he has been talking to himself and praying in Polish and would go into the pool and swim then exit and talk to himself again. Before I arrived units also requested a Polish speaking Officer that was enroute from station 6. One of the Polish lifeguards that was there stated that Mateusz has been praying and talking about the █████.

I attempted to make contact with Mateusz utilizing my █████ training but there was a language barrier. I asked him multiple times if he spoke English and he continued to talk to himself in what I believe was Polish. I tried sitting down talking to him rather than walking to him in an aggressive manner to try to build a rapport but nothing seemed to be effective because of the language barrier.

I spoke with the pool supervisor and explained to him that with all the information that I currently had there was not much we could do at the time and he told me that the Polish Supervisor was on his way and should be there shortly. I told the supervisor that the only way we could go hands on and take him into custody at this point would be to have him banned from the pool and that if he did not leave he could be arrested for trespassing. I explained to him that the charge could be deferred if he spoke with the █████ and was able to get help but that he would have to be █████. He stated he wanted to wait for the Polish Supervisor before he made that decision.

While we had that conversation Mateusz entered the water after climbing out of the lifeguard chair and began diving under the water after about a minute or 2 he then surfaced and waded to the edge of the pool where he laid and ranted again. While he entered the water I began to remove my equipment in case I had to enter the water but once he got back out of the pool I put everything back on. At this time the Polish speaking Officer arrived and tried to make contact but he would not respond to the Officer. Mateusz stood up after laying on the side of the pool for about 5 minutes before he stood up and began walking toward the shallow end of the pool. OFC Mulhern was in front of Mateusz and began to back peddle out of the way to give space to avoid any physical confrontation to further agitate Mateusz.

Mateusz stood on the side of the pool and began speaking again and after a few minutes he began to enter the pool. Still at this point I did not have any reason to take Mateusz into custody as he had not shown any attempts to harm himself or other and to my knowledge had just been praying in Polish besides the one time where he blew the whistle and said, "I am basic life guard, leave the pool." After walking to the deep end Mateusz dove under water and began swimming to the bottom identical to the previous time. After what seemed like a minute went by I began talking my equipment off again to prepare to enter the water and that was when we asked the life guard to enter the water to get Mateusz and then Ofc McNaught and Ofc Zesk entered the water to assist bringing Mateusz to the side where I pulled him out of the water onto the side.

Mateusz's face was █████ when he exited the water and █████ so he was laid flat on his back and I began to start █████ as I asked other units to notify the █████. Mateusz because to █████ and then OFC Mulhern took over with █████. Again Mateusz began to █████ and that is about when █████. While one █████ as I began to █████ until I was █████ a few moments later.

At that time I began to collect all of my gear and put my gear back on and help the █████ over the fence as that had to use two ladders to enter the pool area.

After █████ that Mateusz was █████ and had a █████ they began to █████. I asked Ofc Mulhern to █████ while other units held the scene for security.

I spoke with a witness, Brian Stone, shortly after who informed me that Mateusz was involved in an argument with guests at the pool over the color of wrists bands. Mateusz had told them that they had the wrong color and a supervisor had to be contacted to clear the matter up but shortly after

## Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

he explained to me that Mateusz then did the same thing and grabbed a female by the arm to rip off her wrist band and told her that she must leave the pool. And that was when police was contacted.

After getting the information for Mateusz from his supervisor I then responded to the other pool on the property to speak with his girlfriend, Maria Maczka, that he lives with and has been dating for 3 years. OFC Jakowicz interviewed Maria as she only spoke Polish as well.

I was explained to me that they had both been here for a week and that three days ago Mateusz got into a verbal argument with his roommates about rent and since then they weren't talking. She also stated that last night before she went to bed she asked Mateusz to get the laundry from the laundry room in the basement of the complex. She ended up falling asleep and woke up around 1:05 hours and called him to come up with the laundry which he did. They went to bed and then when she woke up again around 1:42 hours he was missing so she called him twice with no response but he walked in shortly after. Mateusz told her that he met up with two black guys who offered him weed but he did not take it. She said that she has never seen him use drugs before. Mateusz also told her that he was hearing a beeping noise on his phone and that it was giving him

At that time she woke up her roommates because she thought this was all weird. The roommates then got in an argument with him about his and closed the door and locked it because Mateusz was scaring them. Mateusz picked up a chair and started hitting the door with the legs making a hole in the door. He then dropped the chair and told Maria that they must go to the church. They walked to the church that was closed so he then asked to go to Walmart where they bought a water and Mountain Dew. She stated they just walked up route 1 to the 95 overpass and by the time they reached the bridge his

Maria said today he called her telling her not to let anyone in unless they have a green wrist band because green is considered the color of life. She told him that they did not have green wrist bands there and he ended up ending the conversation after that.

I transported Maria to the pool to secure any property that was Mateusz's and I also gave her information to OFC Mulhern as she said she would be willing to be a petitioner.

Maria stayed on scene and spoke with LT. Adcock with the assistance of OFC Jakowicz translating then I took her back to the pool she was working at after she took custody of his property.

No further action taken.



# Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

## Supplement Information

Supplement Date	Supplement Type	Supplement Officer
05/30/2016 17:54:03	OFFICER SUPPLEMENT	GRANDE, J.
Contact Name		Supervising Officer
		WHEELER, M.

2251

CLEAR/DAYLIGHT

## Supplement Notes

On 5/30/2016, I self-dispatched on a [REDACTED] at [REDACTED] Cameron Run Terrace at swimming pool #3. Myself and OFC McNaught arrived on scene at the same time, where we were met by the property manager outside the pool gate. The property manager advised that the subject, who is a lifeguard hired to work at the pool, had begun to display strange behavior, that did not appear to be normal. The event description stated that the lifeguard was walking around with a life jacket, had a towel on his head, and was speaking to himself. He was able to point out the lifeguard inside the gated pool, and he advised that he had the pool evacuated due to his unusual behavior. The property manager did advise that he had notified the pool supervisor, and the pool supervisor was responding.

When OFC McNaught and I entered the gated pool through the main entrance, we located the lifeguard that the property manager had pointed out on the far end of the pool, near the lifeguard's chair/diving board. The subject was a W/M, appeared in his early 20's, approximately 5'10"-6'0" tall, and had a very muscular build. We attempted to approach the subject and establish contact. When we walked in his direction, he stated that "I am a lifeguard", and began mumbling in a foreign language - which we assumed was Polish based on the event description. Everytime we walked in his direction, he would turn and walk away from us, continuing to speak under his breath and at times blowing his lifeguard whistle erratically. At one point, OFC McNaught had continued walking in his direction, and I began to walk around to try and restrict his movement in a continuing effort to establish communication. He was at a point where he had OFC McNaught on one side of him, and myself on the other. I observed him become agitated by his body language, and almost got to a point where he appeared to be tensing up. He then picked up an unknown, dark-colored object off of the ground; at which point I communicated to OFC McNaught to just hold what we had until other units could arrive. We got on the radio and ensured that PFC Clark, one of our [REDACTED] certified officers, was enroute to the call. OFC Zesk had also arrived on scene to assist. OFC McNaught requested the assistance of any officer that would be available for Polish translation. PFC Jakowicz from the Franconia District Station advised that he would be enroute to assist with translation. The subject's immediate supervisor, Mr. Sean Brooks, had also arrived on scene and identified the subject as Mateusz. Mr. Brooks then called his supervisor, Mr. Antonio, and had me speak on the phone with him. I notified Mr. Antonio of the current situation, and he was explained that our involvement in the matter would be limited to him making any statements of the intent to harm others or himself. I requested that he sent any polish speaking employee to the scene that could assist in building a rapport with the subject. At this time, PFC Clark and OFC Mulhern were also now both onscene. Mateusz continued to pace back and forth around the pool, speaking to himself, and periodically blowing his whistle; which was emphatic at times. OFC Zesk recognized that he may be saying a Hail Mary in Polish. OFC Zesk has a polish background, and recognized the prayer.

Meanwhile, Mr. Brooks went over to the second pool on the property to get Mateusz' roommate to the scene. The roommate was on scene, and he explained to me that he believes that this is not normal behavior for the subject, and the he believes he was having a [REDACTED]. He further elaborated on an incident the night before where he was acting similarly. He stated that Mateusz was praying, he stated that the subject was calling them [REDACTED]. The roommate explained that Mateusz became violent after he locked himself inside his room, and that the subject damaged his door by putting a chair through it. The roommate stated that after this, Mateusz and his girlfriend left to go to a church, and that ended the incident for the night. He stated that he has known the subject for approximately six months, and that none of this was normal behavior for him. He advised Mateusz just arrived in the US from Poland last week. He doesn't know the Mateusz to be a drug

## Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

user. The roommate, who spoke Polish, attempted to communicate several times with Mateusz, but Mateusz did not appear to acknowledge any attempts of communication by the roommate. After ineffective attempts by the roommate to communicate and in order to avoid an unnecessary risk to the roommate, we obtained his information and allowed him to return to the other pool.

PFC Clark attempted to utilize his [REDACTED] techniques to establish a rapport with Mateusz without success. We then observed Mateusz throwing items inside the pool, including: his cellphone, and his necklace. Mateusz was then seen diving into the 8' section of the pool. The visibility in the pool was clear, and we were able to monitor his behavior inside the water. He was seen grabbing his cellphone and grabbing his necklace. Mateusz was in the pool for approximately 20-30 seconds before he surfaced. When he surfaced, he appeared to be attempting to [REDACTED]. He stood up and began to pace around the pool, and started to exhibit the same behaviors mentioned previously. PFC Jakowicz was now on scene to assist with translation, and before he was able to enter the gated pool, Mateusz had dove into the pool for a second time, after throwing his phone back into the pool. Again, we were able to closely observe his behaviors in the water, he retrieved his phone, this time he appeared to be in the pool for a shorter period of time. When he surfaced again, he layed down at the edge of the pool, [REDACTED] after being underwater. PFC Jakowicz was able to walk up next to him, and attempted to communicate unsuccessfully. After resting at the edge of the pool, he was able to stand back up, and appeared to be very irate. He began to walk toward OFC Mulhern with an aggressive demeanor, yelling " I AM A LIFEGUARD!" and "GET OUT OF THE POOL!" at OFC Mulhern. OFC Mulhern retreated by backstepping around the pool as the subject continued closing the distance. Mateusz walked around the pool, from the 8' section of the pool to the 4' section of the pool, where he had stopped and was now facing the pool near railing to enter the pool at the 4' section. Sgt. Wheeler was now on scene to assist. Mateusz who was still standing at the railing of the 4' section of the pool was observed to be praying once again. He then removed his lifeguard buoy that he had been carrying around with him, took off his whistle, and walked into the pool utilizing the railing. He remained with his chest above water level until he reached the 6' mark of the pool before he had fully submerged himself. We began to walk around the pool so that we could observe his behavior, this time noticing that he had been submerged underwater longer than the two previous occassions. OFC McNaught, who had prior experience as a lifeguard, began taking her equipment off in preparation to jump in after him. OFC Zesk also advised he would assist in the water if necessary. Mr. Sean Brooks advised he is a certified lifeguard and would jump in to get him. I was able to observe Mateusz in the water, still moving and appeared to be acting similarly to the two prior occassions he went underwater. Mr. Brooks insisted that he needed to jump in and he was advised that if he felt it was necessary, that he could jump in after him. I then stopped observing motion from Mateusz. Mr. Brooks immediately jumped into the water and OFC McNaught and OFC Zesk both follwed behind noticing that Mr. Brooks appeared to be struggling to bring Mateusz to the surface. They were able to bring him to the surface and it was apparent in the [REDACTED], that he had been [REDACTED] himself. We immediately ran over to the edge of the pool and were able to get Mateusz out of the water to start [REDACTED]. PFC Clark immediately began [REDACTED]. [REDACTED] was already notified and were staged nearby, and were immediately summoned to assist. OFC Mulhern took over [REDACTED]. [REDACTED]. It appeared that we were able to [REDACTED].

During the entire interaction, we made continued efforts to establish communication with the subject without any success. We had discussed as a group that we did not have a crime being committed, and that up until the subject attempted to [REDACTED], we had no grounds to take him into custody on an [REDACTED]. We discussed with the property manager the option of having him trespassed, but the property manager was not comfortable with doing that until the main pool supervisor arrived on scene. There were many factors involved with our decision to isolate and contain Mateusz; the pool, Mateusz' muscular build, and the apparent agitation when we were close to him. We did not want to put our own safety at risk if he decided to fight near the pool or even drag us into the pool. The fact that he was contained within the gated pool meant that he posed no real danger to the public, and although his behavior was unusual, he was not being disorderly. While we ultimately discovered that his [REDACTED] [REDACTED] it was [REDACTED] due to the fact that we could not establish communication with Mateusz. He previously had dove in the water on two occassion, resurfacing both times before going in for the third time. I believed that his dives into the pool were part of the unusual behavior, but were not an indicator of his [REDACTED].

While the [REDACTED], I walked over to the gate, where many citizens had gathered to video record the incident. I made contact with bystander that shouted "that lifeguard grabbed my sister". I spoke to him and the sister, Ms. Wendy Galvez, was still on scene. I was able to separate her from the group and speak to her one on one. She advised that prior to our arrival, she was at the pool, and attempted to enter without a pool pass. Mateusz did not allow her in without a pass, so she went to obtain a pass so that she could return. She stated that when she returned with the proper wristband, Mateusz approached her again, this time yanking off her wristband to the point where it broke off of her wrist. She advised it was then when she got her kids and left the pool. I did observe a little redness in the area of her wrist, but she advised that she was not

## Incident/Investigation Report

**Agency:** FCPD

**Case Number:** 2016-1510126

**Date:** 10/27/2016 07:45:47

sure if it was related to contact from him. She did state that she observed redness around her wrist immediately following that incident. She did not think to photograph the redness at the time.

Mateusz was [REDACTED], and OFC McNaught and I stayed back and secured the scene. I photographed the scene at the request of Lt. Adcock.

That concludes my involvement in this case.

# Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

## Supplement Information

Supplement Date	Supplement Type	Supplement Officer
05/31/2016 06:49:37	OFFICER SUPPLEMENT	JAKOWICZ, R.
Contact Name		Supervising Officer
		BLAKELY, S.

2251

CLEAR/DAYLIGHT

## Supplement Notes

I am working out of the Franconia Station when I heard a Mount Vernon unit asking over the radio if there was a Polish speaking officer to assisted with her event. I advised dispatched that I spoke Polish and was dispatched. I entered the pool through the pools mens room/club house and saw Mateusz swimming under water in the deep end. I was advised by the officers there that he was not responding to them or their questions. I was also told that he has gotten into the pool 2 to 3 times and would swim under water and come out. He would not talk to them except for blowing his whistle and yelling, " He is the life guard " and then would talk to himself in polish.

Mateusz swam back up to the top and swam to the edge of the pool using a doggie paddle type motion. He then pulled himself up and laid on the ground [REDACTED]. I walked over to him and waited till he [REDACTED]. I then advised him in Polish that I speak Polish and if he can talk to me. He looked at me for a second and then looked down and continued to [REDACTED]. I tried again and asked him to talk to me and let me know what is going on. He would not acknowledge or look at me as if I was not there. After several seconds he blew his whistle and yelled, " I am the life guard everybody out of the pool". He then laid down on his back and started to pray in Polish where I again tried to talk to him. He gave no response to me and kept praying. As he started to get up I asked him to sit on the beach chair so we can talk but he stood up and wrapped the life guard buoy around his chest and under both armpits to keep it in place. While praying he started to walk on the side of the pool towards the shallow end where another officer was standing. Not sure what his intentions were (if he was going to attack the officer) we followed him to the other end of the pool while the other officer backed away giving Mateusz space. He then stood near the edge of the pool on the shallow end side continuing to pray.

Sgt Wheeler came into the pool area where I walked over to him and advised him of what I encountered. While talking to Sgt Wheeler, I turned to see if Mateusz was still standing by the pool but he had gone into the pool and was walking towards the deep end. He then swam under water and into the deep part of the pool. He was under the water for about 30 seconds swimming around looking like he was looking what was at the bottom of the pool. There was some air bubbles that came up but he was still swimming and started to touch something that was part of the pool that was small round and white. The other life guard who was on scene advised that if needed he life guard certified and can swim down to get Mateusz. Sgt Wheeler then instructed officers to take there gear off in case PD had to jump in. While they are taking there gear off a bunch of bubbles came up and right of way we had the life guard go in to get Mateusz. When he came up with Mateusz the life guard was struggling so the 2 officers jumped in and helped bring them to the side of the pool. Mateusz was pulled out of the water with a [REDACTED] and has soon as it was confirmed he [REDACTED] was done right of way. While the officer was doing [REDACTED] I got on the radio and called for [REDACTED] to respond for an [REDACTED]. [REDACTED] was staged near by and when they arrived I ran out to meet them to show them how to get into the pool using the bath/changing club house. [REDACTED] while we moved the chairs out of the way for them to work. Once they got him [REDACTED]. I then put up crime scene tape and closed off the pool entrance and then the parking lot by the pool.

PFC Clark and myself went over to another pool in the same complex to talk to Mateusz's girlfriend Maria. I spoke with her in Polish and she said that they had been together for 3 years and this is their first time doing this work program. She advised me that they are here exactly a week and that about 3-4 days in Mateusz got into an argument with his roommates about money and since then he and the roommates have not been talking.

## Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

Maria said that his behavior started to act differently late in the night 5-31-16. She said that they sleep near the basement level of the house and he was suppose to get the laundry which is in the basement. They went to sleep around 2330hrs and she woke up around 0100 and noticed he wasn't in bed. She calls his cell with no answer but he shows up with the laundry a couple minutes later. She then falls asleep and wakes up at 0142 and he was not in bed again. She thinks that he went back to get more laundry so she calls his cell with no answer and calls again at 0144 with no answer. He shows up in the room a couple of minutes later and sits next to her. He starts telling her that he hears a peep which he thinks its from his phone and now his [REDACTED]. Maria said that there was a peeping noise coming from somewhere in the house. Mateusz continued saying the phone mapped out a route for him to walk which he did and met 2 black males who asked him if he wanted to smoke marijuana but that he declined. He then told her that the phone wants him to move the tv which he did and other items and that he was [REDACTED]. She started to get frightened so she went to wake up the other roommates. She stays behind while his roommates try to talk to him but it turns into an argument and the roommates get scared and go back into the bedrooms closing the door. Mateusz then picks up a chair hits the door using the bottom part of the legs leaving 4 imprints in the door from the legs. She doesn't see it but saw the imprint. He had prayed at some point during his episode and he tells her that he wants to go to church. So they walk to a church but it was closed so they walk to Walmart. At Walmart they get water and mountain dew and then go for a walk down Rt1. When they get near the 95 exits he starts to come back to his normal self. Maria said that he remembers what happened but doesn't know why and they walk back home. When she was at the pool this morning she spoke to him on the phone and he was saying something weird. He kept telling her to only allow the green bracelets into the pool but she explained to him that they don't give out green bracelets. He told her a few times to only allow the green bracelets because green is a good color for life/health but she didn't understand why he was not making sense. According to Maria they never did any drugs here or in Poland and that he never acted this way.

She was transported by PFC Clark to the scene and retrieved his belongings and was brought back to the pool where she was working. She was going to have her friend drive her to [REDACTED].

[REDACTED] did not make any threats or statements that he wanted to hurt or kill himself and he did not try to physically harm himself prior to his

# Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

## Supplement Information

Supplement Date	Supplement Type	Supplement Officer
05/30/2016 16:04:14	OFFICER SUPPLEMENT	MULHERN, W.
Contact Name		Supervising Officer
		WHEELER, M.

2251

CLEAR/DAYLIGHT

## Supplement Notes

On May 30, 2016 I responded to the report of an [REDACTED]. I was the fourth officer on scene behind Ofc. Grande, Ofc. McNaught, and Ofc. Zesk. Who had been observing the subject, later identified as Fijalkowski, Mateusz for approximately fifteen minutes before my arrival. They advised that Mateusz had been pacing back and fourth across the far end of the pool, speaking in Polish to himself, blowing on his whistle, explaining in English that he was a lifeguard, and jumping into the pool diving to the bottom and coming back up.

While on scene I continued to observe this behavior. Mateusz cycled through this series approximately two to three additional times. On the last occasion, Mateusz exited the pool and laid down on the side of the pool deck. Pfc. Jakowicz, who is able to speak Polish, responded and attempted to speak with Mateusz. Mateusz would not respond and eventually stood up and walked in my direction. He continued to walk towards me while I continued to create distance and ask Mateusz to calm down and tell me what was wrong. Mateusz would only respond in Polish.

Mateusz then reached the shallow side of the pool where he again entered and began to walk towards the deep end. Mateusz then again dove towards the bottom of the pool, where he appeared to be playing with the different under water pool apparatuses. He stayed under water for approximately one to two minutes when his pool supervisor began to ask if he should enter the pool. At which time, he was directed by Sgt. Wheeler to rescue his employee.

Mateusz's supervisor entered the pool and brought Mateusz to the surface. He then had difficulty keeping Mateusz afloat. Ofc. McNaught then entered the pool and brought both Mateusz and his supervisor to the edge of the pool. Mateusz was then pulled out of the pool by Pfc. Clark and I. [REDACTED] was started by Pfc. Clark at the direction of Sgt Wheeler while Pfc. Jakowicz and I continued to [REDACTED]. [REDACTED] I then took over [REDACTED].

[REDACTED]

Mateusz was then [REDACTED] and I followed. While enroute to the [REDACTED] quickly pulled off to the side of 495 and the 395 exit. They waived me toward them. I entered the [REDACTED] and was advised that Mateusz had awoke and began to [REDACTED]. They advised that he had [REDACTED]. I then assisted [REDACTED].

We arrived on scene at [REDACTED]. While on scene at the [REDACTED] advised he believed that Mateusz would have most [REDACTED].

[REDACTED] advised that Mateusz was in [REDACTED]. Mateusz had [REDACTED]. He further stated that the [REDACTED]. There were also [REDACTED]. Due to the nature of Mateusz's

## Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

actions [REDACTED]

All information was passed on to [REDACTED]. They advised that they would be speaking with Mateusz, but not until he was in more [REDACTED]

Prior to clearing the [REDACTED] I was advised that Mateusz was [REDACTED]

# Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

## Supplement Information

Supplement Date	Supplement Type	Supplement Officer
05/31/2016 04:36:29	OFFICER SUPPLEMENT	WHEELER, M.
Contact Name		Supervising Officer
		WHEELER, M.

2251

CLEAR/DAYLIGHT

## Supplement Notes

Prior to responding to this call I received a phone call from a unit on-scene (McNaught). OFC Mcnaught explained to me on the phone the unusual behavior of the lifeguard in question, along with the group of officers being video taped by an individual outside the pool area. OFC Mcnaught informed me that the lifeguard only spoke Polish and was the only lifeguard at the pool. She had very little if any information on the individual, as did others there, due to the fact the lifeguard was just hired. As OFC Mcnaught explained the actions of the lifeguard to me I informed her if there was no crime and nothing life threatening, to gather more information on the individual. I also informed her to continue to try to communicate with him. The impression to me was that the lifeguard could have possibly been hired with a mental handicap or had aspergers. I then responded to the scene. While en-route to the scene OFC Mcnaught had requested [REDACTED] to respond and stage. She also requested a Polish speaking officer respond. The dispatcher advised that a Franconia unit who spoke Polish would be responding to assist.

On-scene I parked my cruiser at the north end of the pool area. I observed several officers leaning over attempting to speak to the lifeguard. The lifeguard was laying on his back on the concrete edge of the pool area. Later learned the deep section of the pool. Walking up to the fence surrounding the pool I was informed by officers I needed to walk around a bit and enter through one of the restrooms to gain access. As I walked toward the restroom I now saw the lifeguard, through the fence, on his feet walking around the pool. The lifeguard had on red swim trunks, a whistle, and a red life buoy. He was tall, very muscular, and appeared to be in great health. He displayed no signs of [REDACTED]. As he walked, an officer in front of him (Mulhern) was backstepping and attempting to talk to him.

I now made entry into the pool enclosure and met with PFC Jakowicz. The lifeguard was standing at the edge of the shallow end of the pool, staring off into the distance. PFC Jakowicz informed me that he attempted to try to communicate with the lifeguard in Polish, but got no response from him. PFC Jakowicz indicated that he just kept repeating a prayer in Polish ( The Hail Mary). The lifeguard had now seated himself at the edge of the pool, on a ladder, at the shallow end. I then spoke to PFC Clark who is certified in CIT training. PFC Clark indicated that he attempted to speak with the lifeguard but his [REDACTED] training only works when one can understand and communicate with the individual. While speaking to PFC Clark the lifeguard now entered the shallow end of the water walking toward the center. The lifeguard walked into the deeper end and then began to swim a bit before submerging himself in the deeper (6 to 8 feet) section. The lifeguard was not at the bottom of the pool (8 feet deep) and appeared to be swimming about. After remaining under water for what seemed like an unusual amount of time i instructed officers to start stripping off their work gear for the possibility of a water rescue. [REDACTED] and the determination to enter water was made. Another certified lifeguard who responded from another pool, dove to the bottom and lifted the individual to the surface. As the lifeguard was being lifted Ofc Zesk and Ofc Mcnaught jumped into the pool to help get the lifeguard out.

OFC Mulhern, PFC Clark and myself now pulled the lifeguard up over the side of the pool onto the concrete edge. His face was a [REDACTED] and he had [REDACTED]. Myself and OFC Mulhern gained control of his arms in case he awoke fighting. PFC Clark the started [REDACTED]. While holding his right arm above his head I used my other hand and [REDACTED] from the lifeguard. After several [REDACTED]. It also appeared his [REDACTED]. The lifeguard was [REDACTED], which it did. PFC Clark continued the [REDACTED]



## Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

[REDACTED]. The lifeguard took [REDACTED]. OFC Mulhern took over [REDACTED] after a short time and [REDACTED]. After a short bit they advised that the [REDACTED]. A scene was established and notifications were made to CM02, DO01, PLC1 and PIO. DO01 responded to the scene along with 002C. OFC Mulhern followed the [REDACTED]. [REDACTED]. [REDACTED]. It was then determined that CIB would not be called and the scene could be broken down. [REDACTED]. [REDACTED]

# Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

## Supplement Information

Supplement Date	Supplement Type	Supplement Officer
05/31/2016 06:19:41	OFFICER SUPPLEMENT	ZESK, M.
Contact Name		Supervising Officer
		WHEELER, M.

2251

CLEAR/DAYLIGHT

## Supplement Notes

At approximately 1335 on 05/30/2016 I self dispatched to back unit 211B and 201B who were already enroute to a report of a possibly [REDACTED] person at the listed address. When I arrived on scene I observed that pool area was already clear of citizens and 211B and 201B were observing the subject, Mateusz Fijalkowski, from across the pool. At that time Mr. Fijalkowski was pacing on the western side of the pool muttering to himself and occasionally stopping to make loud sustained blasts on his whistle and state, "I am the lifeguard." 211B and 201B were observing the subject from the eastern side of the pool.

I made entry to the pool area through the bathroom, this was the only available method of ingress or egress, and spoke to 201B. She informed me that she had attempted to make verbal contact with Mr. Fijalkowski several times, Mr. Fijalkowski was unresponsive and would only continue to pray and to loudly say, "I am the lifeguard" and blow his whistle. I walked to the northern side of the pool to try to hear more clearly what Mr. Fijalkowski was muttering and when I did I observed the subject tense, flex his arms and ball his fists, and take several deep courage breaths. At no point however did Mr. Fijalkowski attempt to close the distance toward me. I moved back to the eastern side of the pool and the subject returned to his previous behavior.

201B had previously learned from the lifeguard manager Mr. Brooks that Mr. Fijalkowski did not speak English so we determined that we would hold any attempts to communicate with Mr. Fijalkowski until a Polish speaker was available. A Polish speaking officer, 601B, had been called in and was enroute. Mr. Brooks had also already called a Polish supervisor who was also on his way. While we waited on a Polish speaker 200B and 221B arrived on scene.

During this period Mr. Fijalkowski twice entered and then exited the pool. On both occasions his behavior was the same. He walked into the shallow area of the pool and then moved to the deep area (marked as 8 feet deep), swam to the bottom of the pool and kicked his legs and flexed his arms. On both occasions he alternated between kicking and flexing and lying still toward the bottom of the pool before resurfacing. After his first entry and exit into the pool he appeared [REDACTED]. He then paced on the western side of the pool reciting a rosary prayer in Polish, then got on his knees and put his head against the ground and made a very long sustained blast on his whistle. After this whistle blast Mr. Fijalkowski's [REDACTED]. He remained on his knees for about one minute before resuming pacing and muttering. After his second entry and exit from the pool Mr. Fijalkowski lay on his back by the northwestern corner of the pool. At that point 601B arrived on scene and attempted to speak to Mr. Fijalkowski. The subject would not respond to 601B and continued to pray. He then rolled on his side and repeatedly shouted, "I am lifeguard, I am basic lifeguard, get out of pool." He then resumed pacing and praying on the western side of the pool.

221B and I asked Mr. Brooks if he wanted to ask Mr. Fijalkowski to leave as there had to this point been no violation of law by the subject and he had made any [REDACTED]. Mr. Brooks indicated that he did not know and he wanted to wait for his supervisor who was enroute. While we were speaking with Mr. Brooks 020B arrived on scene. We determined to hold the scene for the supervisor to arrive.

## Incident/Investigation Report

Agency: FCPD

Case Number: 2016-1510126

Date: 10/27/2016 07:45:47

Mr. Fijalkowski then entered the pool for a third time. His behavior in the pool was identical to the behavior he had exhibited the two prior times he had entered the water. He walked in from the shallow area to the 8 foot deep area, dove to the bottom and alternated between kicking and flexing, and lying still. Once we realized that he was staying down longer than he had on the two prior occasions 201B and I began to strip off our gear to prepare for the possibility we would need to enter the pool. As soon as we realized that Mr. Fijalkowski was motionless Mr. Brooks entered the pool. 201B and I also entered the pool. Mr. Brooks brought Mr. Fijalkowski to he surface and 201B assisted him in keeping the subject's head above water. 201B and I then assisted Mr. Brooks in moving Mr. Fijalkowski to the side of the pool and lifting him out of the water. [REDACTED]. I exited the pool and assisted officers [REDACTED]. Officers continued [REDACTED]. While the [REDACTED] Mr. Fijalkowski I assisted in clearing the chairs surrounding the pool so that [REDACTED]. Mr. Fijalkowski was [REDACTED].

[REDACTED] I assisted 601B hold the scene until I was relieved.

No further action taken.