



CITY OF BRYAN
The Good Life, Texas Style

BRYAN POLICE DEPARTMENT
303 E. 29TH ST
PO BOX 1000
BRYAN, TX 77803
(979)209-5300

160400890
Reported Date
04/20/2016
Type of Call
ALL ASSAULTS
Officer
AMAYA, DANIEL

Unauthorized Release of Information Prohibited

CASE NUMBER: 160400890
DATE OF REPORT: 04/20/2016
TYPE OF CALL: ALL ASSAULTS
LOCATION OF INCIDENT: 204 BIZZELL ST ,BRYAN, 77801
INCIDENT OCCURED BETWEEN: 04/20/2016 12:40:00PM AND 12:00:00AM
OFFENSE(S):
PC22.01MC ASSAULT THREAT/OFFEN

CASE SUMMARY

OFFICER: AMAYA, DANIEL

On 04/20/16 at 1240 hours I, Officer Amaya was dispatched to a disturbance in progress at 204 Bizzell St. I arrived on scene and the reporting party, Maraiiah Pena stated a family member had assaulted her and she wished to press charges. The family member had left prior to my arrival; investigation pending.

PERSON SUMMARY

Involvement **PERSON** Name **SLAYTON, ADRIANA** MNI **311883**

Race **WHITE** Sex **FEMALE** Date of Birth **12/02/1985** Age **30** Height **504** Weight **340** Hair Color **BROWN** Eye Color **BROWN**

DL or State ID# [REDACTED] Social Security # [REDACTED] Means of Attack [REDACTED] Extent of Injuries [REDACTED] Dom Violence [REDACTED]

Address **4101 GREEN VALLEY DR** City **BRYAN** State **TX** ZIP Code **77802**

Phone No **CELL PHONE** - [REDACTED]

Involvement **SUSPECT** Name **PENA, RAFAEL DARIO III** MNI **139336**

Race **WHITE** Sex **MALE** Date of Birth **02/11/1991** Age **25** Height **511** Weight **185** Hair Color **BLACK** Eye Color **BROWN**

DL or State ID# [REDACTED] Social Security # [REDACTED] Means of Attack [REDACTED] Extent of Injuries [REDACTED] Dom Violence [REDACTED]

Address **204 BIZZELL ST** City **BRYAN** State **TX** ZIP Code **77801**

Phone No [REDACTED]

Involvement VICTIM	Name PENA, MARAIAH CIERRA							MNI 10023993
Race WHITE	Sex FEMALE	Date of Birth 03/11/1992	Age 24	Height 506	Weight 153	Hair Color BLACK	Eye Color BROWN	
DL or State ID# [REDACTED]	Social Security # [REDACTED]	Means of Attack SIMPLE		Extent of Injuries NO VISIBLE INJURY		Dom Violence YES		
Address 204 BIZZELL ST			City BRYAN	State TX	ZIP Code 77801			
Phone No CELL PHONE - [REDACTED]								

PROPERTY/EVIDENCE

DSK 04/20/2016 photos
 MOB 04/20/2016 6-212

ADDITIONAL NARRATIVE

SUPPLEMENT: 0000 04/20/2016

AMAYA, DANIEL

I arrived on scene and Maraiah Pena was outside of the residence crying. I asked Maraiah if she was ok and she said yes. I asked how I could help and she stated her husband, Rafael Pena had pushed her, broke her phone and then drove away with their 9 month old child. Maraiah was very emotional and she stated she was worried because Rafael had taken the baby with him. Maraiah stated Rafael barricaded himself in the bedroom with the baby, but then he left out of the back door and drove away before officers arrived.

I asked Maraiah why the fight happened and she stated Rafael was upset because she had stayed home from work and she was not drinking enough water [REDACTED] he did not believe she was drinking enough water. Maraiah stated Rafael is very controlling and she got tired of him nagging at her. They both began to yell at each other and Rafael became very angry and began to chase Maraiah.

Rafael was in the kitchen and he then ran at Maraiah who was in the living room. Maraiah stated she started to run but stopped because she knew it would only makes things worse if she ran. Rafael pushed her against the wall and then took her Iphone 6s from her. Rafael was yelling and screaming at Maraiah when he threw down her phone and began to jump on it. Maraiah stated she had a phone case on the phone and Rafael had to continue to jump on the phone to break it.

I asked Maraiah to describe how Rafael pushed her and she stated it happened so fast she did not remember. I asked if he pushed her with two hands or one and she stated she did not remember. I asked Maraiah if she felt any pain when she was pushed against the wall and she said no. Maraiah was very upset her cell phone was broken.

I asked Maraiah if Rafael loves the baby and if he would ever hurt him. Maraiah stated she doesn't know what Rafael is capable of he was very upset. Officer Williams arrived on scene and I informed him Rafael had left prior to our arrival in a 2015 Nissan Sentra. Officer Williams and I then cleared the home to make sure Rafael had left. The home was clear and you could see Maraiah's cell phone lying on the ground and it was broken up.

I grabbed my camera and began to take pictures of the home, phone and Maraiah. Maraiah did not have any visible injuries and she stated she did want to press charges against Rafael. I asked Maraiah if she was in pain or if it hurt when Rafael pushed her. Maraiah stated she did not feel any pain but she did wish to press charges for the assault. Maraiah stated she is tired of the abuse because he is violent in front of their baby and this is the first time she has ever called the police on him.

Maraiah stated Rafael is a City of Bryan Council Member and she has never called the police on him because of his position. Maraiah believed Rafael went to 2420 # A Sandy Point because they used to live there. I asked Maraiah again if she believed Rafael would hurt the baby and she stated she doesn't think so but you never know. I asked Maraiah when was the last time Rafael assaulted her. Maraiah stated when the baby was 2 months old she was lying in bed with the baby and she must have said something to disrespect Rafael.

Maraiah stated Rafael is very big on respect he is very manipulative and uses the car and cell phone against her. I asked her to explain and she stated Rafael would tell her to do things or he would break her phone or take away the keys to the car. Maraiah stated 7 months ago around the holidays she was lying in bed and she said something to Rafael and he began to drag her around the home while she was holding the baby. He then kicked her out of the home. Maraiah stated she should have ended it there and called the police but she did not because of his position on the city council.

Maraiah's sister in law arrived on scene and stated she was going to stay with Maraiah. I told Maraiah to call us back if Rafael returned and she felt things were going to get out of hand. Maraiah was still very upset and I informed her we would attempt to contact Rafael at the Sandy Point address. Officer Williams and I attempted to contact Rafael at 3420 # A Sandy Point Rd but no one was home and Rafael's car was not there. A QFA check was completed with no foster home found and the 911 call was added to E-files.

SUPPLEMENT: 0001 04/20/2016

WILLIAMS, JERRETT

I, Officer J. Williams #339, on 04.20.16 at approximately 1239 hrs, responded to a disturbance at 204 Bizzell Street with Officer D. Amaya #363. Upon arrival, I observed Officer D. Amaya contacting a H/F, who would later be identified as the victim.

I approached the victim and Officer Amaya in the front yard of 204 Bizzell Street. The victim was in the middle of conversation with Officer Amaya. I overheard the victim, Mariah Cierra Pena DOB 03.11.92 H/F, state that the suspect had already fled the scene in a White 2015 Nissan Sentra with their 9 month old child.

Mariah advised she got into a verbal argument with her husband, the suspect named Rafael Pina. Mariah stated the argument became heated and Rafael grabbed her cell phone out of her back pocket and threw it on the ground. Mariah stated that she was pushed by Rafael and then Rafael went to another room and locked the door behind him.

Mariah stated she went to a neighbor's house and called 9-1-1. I provided Mariah with Family Violence Crime Victim's Right card and information regarding assistance for victim's of family violence.

Mariah's "sister", Adriana Slayton, arrived at the scene of the investigation. Mariah advised she would stay with Slayton for the time being.

SUPPLEMENT: 0003 04/21/2016

DARLING,LINDA

This supplement was created to add the attachment to the case E-files.

SUPPLEMENT: 0004 04/22/2016

VANSA, MISTY

Maraiah Montelongo came into the Bryan Police Department to sign a non prosecution form to drop charges.

BRYAN POLICE DEPARTMENT
APPLICATION FOR COMPLAINT

APR 21 2016

Case No.: 16-0400890

Marziah
 Your Name: ~~Antonio~~ *Pena* Date of Birth: *3/11/92* Sex: M B Race: A/B W
 Home Address: *204 Bizzell Ln* Business Address: *[Redacted] College station TX 7784*
 Home Phone: *[Redacted]* Business Phone: *—*
 Height: *5-6* Weight: *153* Hair: *Blk* Eyes: *Brn* Drivers License No./State: *[Redacted]*
 (or Social Security No.)
 In what way are you acquainted with the defendant?: *Spouse*

Name of Defendant: *Rafael D. Pena III* Drivers License No. *[Redacted]* State: *TX*
 (or Social Security No.)
 Home Address: *204 Bizzell Ln* Business Address: *—*
 Home Phone: *—* Business Phone: *—*
 Defendant's Race: A/B W Sex: M F Date of Birth: *2/11/1991* Age: *25*
 Height: *5-11* Weight: *185* Hair: *Blk* Eyes: *Brn*
 Physical Description: *—*
 Date of Offense: *4/20/16* Time of Offense: *1235* A.M. / P.M.
 Location where offense took place: *—*

WITNESSES TO THE OFFENSE
 Name: *—* Name: *—*
 Address: *—* Address: *—*
 Phone No.: *—* Phone No.: *—*
 If a motor vehicle was involved: Type: *—* License No.: *—* State: *—*
 Description of Offense: *—*
 (Please write details of the incident on the back of this form)

DO NOT WRITE BELOW THIS LINE FOR CITY ATTORNEY USE ONLY
 Approved By: *—* Not Approved By: *—*



Bryan Police Department

APR 21 2016

Handwritten Witness Statement

BPD CASE NUMBER: 16-0400890 OFFENSE OR ACCIDENT (circle one)

VICTIM/WITNESS (circle one) NAME: Pena, Mariah, Cienra

DATE OF BIRTH: 03/11/92 RACE: Hispanic SEX: F HAIR: Brown EYES: Brown HT: 5'6 WT: 180

DRIVERS LICENSE STATE/#: SSN: [REDACTED]

HOME ADDRESS: 204 Bizzell Ln. HOME PHONE: [REDACTED]

PLACE OF EMPLOYMENT: R.E.C industries TYPE OF WORK: Secretary

BUSINESS ADDRESS: 1 BUS. PHONE: ()

DATE/TIME OCCURRED: April 20th 11:00am LOCATION: 204 Bizzell Ln.

NAME OF VIOLATOR/SUSPECT (IF KNOWN): Rafael Mario Pena III

ADDRESS OF VIOLATOR/SUSPECT (IF KNOWN): 204 Bizzell Ln. Bryan TX

DESCRIPTION OF VIOLATOR OR SUSPECT (RACE, SEX, AGE, HEIGHT, WEIGHT, CLOTHING, ETC.)

DESCRIPTION OF VEHICLE (YEAR, MAKE, MODEL, COLOR, LICENSE PLATE): 2015 silver SR Nissan

IN YOUR OWN WORDS, DESCRIBE WHAT HAPPENED:

He got Rafael & I got into a verbal altercation at which he charged out of the kitchen & ran into the living room where he pushed me & took my phone. I proceeded to broke my phone thru a life proof case.

SIGNATURE OF VICTIM/WITNESS: Mariah Pena DATE/TIME: 4.20.16/1:23

OFFICER RECEIVING STATEMENT: [Signature] DATE/TIME: 4.20.16 1323

BRYAN POLICE DEPARTMENT
REQUEST FOR NON-PROSECUTION

CASE NUMBER 16-040890 OFFENSE Assault Threat
 NAME Mariaiah Pena DATE OF BIRTH 03/11/92
 ADDRESS 4101 Green valley Dr
 DL or ID# [REDACTED] PHONE [REDACTED]
 STATE of DL or ID TX DATE and TIME 04/22/16

I request that the Bryan Police Department close its investigation and take no further action on my behalf as the complaining party.

I realize that by doing so I remove any further obligation by the Brazos County District Attorney's Office or the Brazos County Attorney's Office and Bryan Police Department to prosecute this case at a later date. This action is done wholly on my own initiative and not as a result of any persuasion, coercion, or inducement in any manner by anyone.

This case cannot and will not be reopened except at the discretion of the Bryan Police Department.

Mariaiah Pena
Signature of Requestor

Having verified the identity of the requestor above, I hereby witness the above signature.

Misty Vansa
Witnessed by (signature)

Misty Vansa
Witnessed by (printed)

[Handwritten mark]



City of Bryan
POLICE DEPARTMENT
Crime Victims' Services



Case: # 16-0406890

Officer: J. Williams

Badge: # 339

Date: 04/20/2016

Bryan Justice Center
303 E 29th St
Bryan, TX 77803
(979)209-5301

Crime Victims' Services
979-209-5312
979-209-5316
Website: www.bryantx.gov/police