CHICAGO POLICE DEPARTMENT

CASE SUPPLEMENTARY REPORT

3510 S. Michigan Avenue, Chicago, Illinois 60653

For use by Chicago Police - Bureau of Investigative Services Personnel Only)

HK323454

Case id : 3294722
Sup id : 8585610 CASR339

EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) | **DETECTIVE SUP. APPROVAL COMPLETE**

Last Offense Classification/Re-Classification	IUCR Code	Original Offense Classification			IUCR Code
HOMICIDE / Second Degree Murder	**0130**	BATTERY / Simple			0460
Address of Occurrence	Beat of Occur	No of Victims	No of Offenders	No of Arrested	SCR No
35 W DIVISION ST	**1824**	1		1	
Location Type	Location Code	Secondary Location			Hate Crime
Sidewalk	**303**				No
Date of Occurrence	Unit Assigned	Date RO Arrived	Fire Related?	Gang Related?	Domestic Related?
25-APR-2004 03:15	**1884K**	25-APR-2004 03:17	NO	NO	NO

Reporting Officer	Star No	Approving Supervisor	Star No	Primary Detective Assigned	Star No
GILGER, James	21151	MILLS, Thomas	2020	GILGER, James	21151
Date Submitted		Date Approved		Assignment Type	
28-FEB-2011 15:17		28-FEB-2011 15:21		FIELD	

THIS IS A FIELD INVESTIGATION EXC. CLEARED CLOSED (OTHER EXCEPTIONAL) REPORT

VICTIM(S): **KOSCHMAN, David**

Male / White / 21 Years

DOB: [redacted]1983

RES: [redacted] N Elm
Mt Prospect IL
[redacted]

BIRTH PL: Illinois

DESCRIPTION: 5'05,125,Brown Hair, Green Eyes

SSN: [redacted]

DLN/ID: [redacted]

OFFENDER(S) **VANECKO, Richard J** -- In Custody--

Male / White / 38 Years

DOB: [redacted]1972

DESCRIPTION: 6'03, 230, Brown Hair, Blue Eyes, Light Complexion

RES: [redacted]
Chicago IL 606
[redacted]

BIRTH PLACE: Illinois

EMPLOYMENT: CONSTRUCTION

SSN: [redacted]

DLN/ID: [redacted]

RELATIONSHIP OF VICTIM TO OFFENDER:

KOSCHMAN, David - No Relationship

VICTIM INJURIES **KOSCHMAN, David**

HK323454

Type	Weapon Description
Blunt Trauma	Other - Head On Pavement

TRANSPORTED TO:

LOCATION OF INCIDENT: 35 W Division St
Chicago IL
303 - Sidewalk

DATE & TIME OF INCIDENT: 25-APR-2004 03:15

DEATH INFORMATION: **KOSCHMAN, David** (Victim)

DATE OF DEATH: 06-MAY-2004 12:16
PRONOUNCED BY: Dr. An
on 06-MAY-2004 12:16

AUTOPSY INFORMATION:
CAUSE OF DEATH: Blunt Trauma
MEDICAL EXAMINER #: 080MAY04

METHOD CODE(S): Dna

CAU CODE(S): Dna

PERSONNEL ASSIGNED:

Assisting Detective/Youth Inv.
REDMAN, Charles A # 20910

Detective/Investigator
GILGER, James G # 21151
GILGER, James G # 21151

Reporting Officer
TREMORE, Edwin E # 5266 **BEAT:** 1824

WITNESS(ES):

ALLEN, Scott A
Male / White / 27 Years
DOB: [redacted]1983
DESCRIPTION: 5'06,145,
RES: [redacted]
Mount Prospect IL 60056

RES: [redacted]
Frisco CO 80443

EMPLOYMENT: Regional Sales Manager

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]
DLN/ID: [redacted]

COPELAND, James B
Male / White / 21 Years
DOB: [redacted]1983
DESCRIPTION: 5'11,195,
RES: [redacted]

Streamwood IL 60107

EMPLOYMENT: Customer / Sales Representative

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]

DLN/ID: [redacted]

FRANCIS JR, David R

Male / White / 21 Years

DOB: [redacted]-1983

DESCRIPTION: 6'00,160,

RES: [redacted]
Dillon CO 80435

EMPLOYMENT: Sales Associate / Clerk

OTHER COMMUNICATIONS:
Other: [redacted]
Cellular Phone: [redacted]

DLN/ID: [redacted]

DENHAM, Craig R

Male / White / 29 Years

DOB: [redacted]-1974

DESCRIPTION: 5'10,170,Brown Hair, Brown Eyes

RES: [redacted]
Manhasset NY 11030
[redacted]

EMPLOYMENT: Banker - Bank Of America

SSN: [redacted]

DLN/ID: [redacted]

KOHLER, Phillip N

Male / White / 30 Years

DOB: [redacted]-1974

DESCRIPTION: 5'06,180,

RES: [redacted]
Palatine IL 60067
[redacted]

EMPLOYMENT: Computer Programmer

DLN/ID: [redacted]

MCCARTHY, Kevin D

Male / White / 31 Years

DOB: [redacted]-1972

DESCRIPTION: 6'02,205,Brown Hair, Blue Eyes

RES: [redacted]
Chicago IL 60614
[redacted]

EMPLOYMENT: Sales

SSN: [redacted]

DLN/ID: [redacted]

ADDITIONAL INFO. : Ir# 1342995

CONNOLLY, Michael

Male / White / 29 Years

DOB: [redacted]1974

DESCRIPTION: 5'07,155,Black Hair, Brown Eyes

RES: [redacted]Dr
Bolingbrook IL 60490
[redacted]

EMPLOYMENT: Carpet Installer

OTHER COMMUNICATIONS:
Business Phone: [redacted]

SSN: [redacted]

DLN/ID: [redacted]

MCCARTHY, Bridget E

Female / White / 26 Years

DOB: [redacted]1978

RES: [redacted]t
Chicago IL 60614
[redacted]

DLN/ID: [redacted]

HAGELINE, Shaun P

Male / White / 27 Years

DOB: [redacted]1983

DESCRIPTION: 5'10,145,

RES: [redacted]
Glendale CA 91202
[redacted]

EMPLOYMENT: Assistant Manager

SSN: [redacted]

DLN/ID: [redacted]

OTHER INDIVIDUALS (Person Interviewed

INVOLVED: **SAZIAN, Vrej M** Non-Witness)

Male / White / 27 Years
DOB: [redacted]1983
RES: [redacted]
Arlington Heights IL 60004

EMPLOYMENT: Car Parts Salesman

OTHER COMMUNICATIONS:
Cellular Phone: [redacted]

DLN/ID: [redacted]

CRIME CODE SUMMARY: 0130 - Homicide - Second Degree Murder

IUCR ASSOCIATIONS:
0130 - Homicide - Second Degree Murder
KOSCHMAN, David (Victim)
VANECKO, Richard, J (Offender)

REPORT DISTRIBUTIONS: No Distribution

INVESTIGATION:

This is an Area Three Homicide Cleared / Closed Exceptionally report

RD# HK-323454

DATE, TIME, LOCATION of INCIDENT:
25 Apr 2004, 0315 hours, at 35 W. Division Street

DATE and TIME ASSIGNED:
14 Jan 2011, 1700 hours

VICTIM:
KOSCHMAN, David
M/W/21 DOB: [redacted] 1983
Address: [redacted]
Mt. Prospect, Illinois 60056
Height: 5'05" Weight: 155 lbs
H/P# [redacted]
SS# [redacted]
Illinois D.L. # [redacted]
-KOSCHMAN was pronounced dead on 06 May 2004 at 1216 hours
M.E. Case # 080 May 04

OFFENDER:
VANECKO, Richard J.

M/W/36 DOB: [redacted] 1974
LKA: [redacted]
Address: [redacted].
Chicago, Illinois 60605
Height: 6'03" Weight: 230 lbs.
Illinois D.L. # [redacted]

WITNESSES:
ALLEN, Scott A.
M/W/27 DOB: [redacted] 1983
Address: [redacted]
Mt. Prospect, Illinois 60056
H/P# [redacted]
Illinois D.L. # [redacted]
Current address: [redacted]
Dillon, Colorado 80443
Employed as regional sales manager [redacted]
(Ski Rental Business)
-friend of David KOSCHMAN
-eyewitness

HAGELINE, Shaun
M/W/27 DOB: [redacted] 1983
Address: [redacted], 1st floor
Previous Employer: Laborer for [redacted] Construction - 75th and Harlem
SS# [redacted]
Illinois I.D. # [redacted] (expired)
Current address: [redacted]
Glendale, CA 91202
Height: 5"10" Weight: 160 lbs
Cell # ([redacted]
Currently employed as an assistant manager for Industry Entertainment
(Television and movie industry)
-friend of David KOSCHMAN
-eyewitness

COPELAND, James B.
M/W/27 DOB: [redacted] 1983
Address: [redacted]
Streamwood, Illinois 60107
Height: 5'11" Weight: 195 lbs.
Illinois D.L. [redacted]
Cell # ([redacted]
Employed as a customer service representative / sales
[redacted]
-friend of David KOSCHMAN
-eyewitness

FRANCIS, David R.

M/W/27 DOB: [redacted] 1983
Address: [redacted]
Mt. Prospect, Illinois 60056
Current address: [redacted]
Dillon, Colorado 80435
Height: 6'00" Weight: 160 lbs.
Cell # [redacted]
Employed as a sales clerk at the [redacted] (paint store) in Dillon, CO.
Employed as a sales associate at the [redacted] in Dillon, CO.
-friend of David KOSCHMAN
-eyewitness

KOHLER, Phillip N.
M/W/36 DOB [redacted] 1974
Address: [redacted]
Palatine, Illinois 60067
Height: 5'06" Weight: 180 lbs
Illinois D.L. # [redacted]
Cell # [redacted]
Employed as a computer programmer at [redacted] carpeting
(Northlake, Illinois)
-eyewitness

CONNOLLY, Michael A.
M/W/36 DOB [redacted] 1974
Address: [redacted].
Bolingbrook, Illinois 60490
Cell # [redacted]
Illinois D.L. # [redacted]
Employed as a computer programmer at [redacted]
Work # [redacted]
Address: [redacted]
Northlake, Illinois 60164-1604
-eyewitness

MCCARTHY, Kevin D.
M/W/38 DOB: [redacted] 1978
Address: [redacted]
Current address: [redacted]
Chicago, Illinois 60614
Height: 6'02" weight: 205 lbs
SS# [redacted]
FBI# 855234MB9
Illinois D.L. # [redacted]
H/P# [redacted]
-interviewed on 13 and 19 May 2004 at Area Three Headquarters

MCCARTHY, Bridget
F/W/32 DOB: [redacted] 1978

Address: [redacted] N. Hartland Ct.
Chicago, Illinois 60614
Illinois D.L. #[redacted]
H/P#[redacted]
-interviewed on 13 and 19 May 2004 at Area Three Headquarters

DENHAM, Craig R.
M/W/36 DOB: [redacted] 1974
Address: [redacted]
Illinois D.L. #[redacted] (license surrendered)
Current address: [redacted]
Manhasset, NY 11030 (Long Island, NY)
SS# [redacted]
Cell #[redacted]
Employed at [redacted]
-interviewed on 19 May 2004 at Area Three Headquarters

PERSONS INTERVIEWED:
SAZIAN, Vrej M.
M/W/27 DOB: [redacted] 1983
Address: [redacted]
Arlington Heights, Illinois 60004
Cell #[redacted]
Illinois D.L. #[redacted]
Employed at the [redacted] in Mt. Prospect, Illinois
Car parts salesman
-friend of David KOSCHMAN

ALLEN, Scott A.
M/W/27 DOB: [redacted] 1983
Address: [redacted]
Mt. Prospect, Illinois 60056
H/P# [redacted]
Illinois D.L. #[redacted]
Current address: P.O. Box 1577
Dillon, Colorado 80443
Employed as regional sales manager for [redacted]
(Ski Rental Business)
-friend of David KOSCHMAN
-eyewitness

HAGELINE, Shaun
M/W/27 DOB: [redacted] 1983
Address: [redacted], 1st floor
Previous Employer: Laborer for [redacted] Construction - 75th and Harlem
SS# [redacted]
Illinois I.D. # [redacted] (expired)
Current address: [redacted] W. Glen Oaks Blvd
Glendale, CA 91202

Height: 5"10" Weight: 160 lbs
Cell # [redacted]
Currently employed as an assistant manager for [redacted]
(Television and movie industry)
-friend of David KOSCHMAN
-eyewitness

COPELAND, James B.
M/W/27 DOB: [redacted] 1983
Address: [redacted]
Streamwood, Illinois 60107
Height: 5'11" Weight: 195 lbs.
Illinois D.L. [redacted]
Cell # [redacted]
Employed as a customer service representative / sales
[redacted]s
-friend of David KOSCHMAN
-eyewitness

FRANCIS, David R.
M/W/27 DOB: [redacted] 1983
Address: [redacted]
Mt. Prospect, Illinois 60056
Current address: [redacted]
Dillon, Colorado 80435
Height: 6'00" Weight: 160 lbs.
Cell # [redacted]
Employed as a sales clerk at the [redacted] (paint store) in Dillon, CO.
Employed as a sales associate at the [redacted] in Dillon, CO.
-friend of David KOSCHMAN
-eyewitness

KOHLER, Phillip N.
M/W/36 DOB: [redacted] 1974
Address: [redacted]
Palatine, Illinois 60067
Height: 5'06" Weight: 180 lbs
Illinois D.L. [redacted]
Cell # [redacted]
Employed as a computer programmer at [redacted] carpeting
(Northlake, Illinois)
-eyewitness

CONNOLLY, Michael A.
M/W/36 DOB: [redacted] 1974
Address: [redacted]
Bolingbrook, Illinois 60490
Cell # [redacted]
Illinois D.L. # [redacted]

Employed as a computer programmer at [redacted]
Work # [redacted]
Address: [redacted]
Northlake, Illinois 60164-1604
-eyewitness

MCCARTHY, Kevin D.
M/W/38 DOB: [redacted] 1978
Address: [redacted]
Current address: [redacted]
Chicago, Illinois 60614
Height: 6'02" weight: 205 lbs
SS# [redacted]
FBI# 855234MB9
Illinois D.L. # [redacted]
H/P# [redacted]
-interviewed on 13 and 19 May 2004 at Area Three Headquarters

MCCARTHY, Bridget
F/W/32 DOB: [redacted] 1978
Address: [redacted]
Chicago, Illinois 60614
Illinois D.L. # [redacted]
H/P# [redacted]
-interviewed on 13 and 19 May 2004 at Area Three Headquarters

DENHAM, Craig R.
M/W/36 DOB: [redacted] 1974
Address: [redacted]
Illinois D.L. [redacted] (license surrendered)
Current address: [redacted]
Manhasset, NY 11030 (Long Island, NY)
SS# [redacted]
Cell # [redacted]
Employed at [redacted]
-interviewed on 19 May 2004 at Area Three Headquarters

VANECKO, Richard J.
M/W/36 DOB: [redacted]974
LKA: [redacted]
Address: [redacted]
Chicago, Illinois 60605
Height: 6'03" Weight: 230 lbs.
Illinois D.L. # [redacted]

PERSONNEL ASSIGNED:
18th District Personnel
PO E. TREMORE #13604
-original reporting officer

Medical Examiner's Office
Inv. Anderson
Dr. Tae Lyong An, M.D. (autopsy)

Area Three Detective Division
Det. R. O'LEARY #20156
Det. R. CLEMENS #21147
Det. R. YAWGER #20853
Det. P. FLYNN #20809
Det. C. REDMAN # 20910
Det. E. LOUIS # 20755
Det. A. VILLARDITA #20849
Det. A. SOBOLEWSKI #20838
Det. A. GIRALAMO # 20780
-assigned / assisting detectives

Area Five Detective Division
Det. J. GILGER #21151
Det. N. SPANOS # 21020
Det. D. FALK #20409
-follow up detectives

Cook County State's Attorneys Office - Felony Review Unit
ASA Darren O'Brien

Attorneys Office for Richard VANECKO
Mr. Marc Martin
Mr. Terence P. Gillespie

INVESTIGATION:
On 25 Apr 2004, Area Three Detectives O'LEARY #20156 and CLEMENS #21147 were assigned to investigate the battery of David KOSCHMAN, which occurred at 35 W. Division Street at 0315 hours. According to the original Simple Battery report, Chicago Police Officer (018) E. TREMORE # 13604 reported the victim was either punched or pushed by a male white subject he had been arguing with on the street and fell backwards, hitting the back of his head on the street. The three subjects the victim had been arguing with fled southbound on Dearborn. One of these subjects, now known as Kevin MCCARTHY, was temporarily detained by police after being identified by witnesses as being involved in the incident, but not as the one who struck the victim. When asked, Kevin MCCARTHY stated he didn't know who the other subjects were and was later released by the police, but not before he supplied the reporting officer with his personal information. Two additional witnesses, Michael CONNOLLY and Shaun HAGELINE, supplied the reporting officers with their personal information as well.

Shortly after the incident, a CFD ambulance arrived at the scene and transported the victim to Northwestern Memorial Hospital, where KOSCHMAN was treated by ER personnel and subsequently admitted to the Neural-Intensive Care Unit, Room 947.

On 25 April 2004 at 0930 hours, Area Three Detectives O'LEARY #20156 and CLEMENS #21147,

who were assigned this investigation, and learned the victim David KOSCHMAN was in critical, but stable condition. KOSCHMAN was unconscious and unable to be interviewed at that time. While at the hospital, the mother of David KOSCHMAN, Nancy KOSCH MAN, was interviewed by Area Three Detectives. The following interview with Nancy KOSCHMAN is in summary and not verbatim.

KOSCHMAN, Nancy:
Nancy KOSCHMAN said that hospital personnel had informed her that her son sustained a skull fracture and that his brain was swollen. Nancy KOSCHMAN stated hospital personnel were unsure of the extent of his brain injury or if there was a neck injury. Nancy KOSCHMAN said her son would be sedated for at least the next five days. Nancy KOSCHMAN related that on 25 Apr 2004 at approximately 1100 hours, she received a phone call from her son's friend, Vrej SAZIAN. SAZIAN informed her that her son was in the hospital as the result of an altercation. SAZIAN was not present during the incident, but she was told her son had been out with Scott ALLEN, Jim COPELAND, and David FRANCIS. KOSCHMAN said that they have all been friends since a young age and she knows them all.

On 25 Apr 2004, Det. R. O'LEARY #20156 and Det. R. CLEMENS #21147 located Kevin MCCARTHY at his residence, where he was interviewed. The flowing interview with Kevin MCCARTHY is in summary and not verbatim.

MCCARTHY. Kevin:
Kevin MCCARTHY said that on 25 Apr 2004, he and his wife were out drinking, and at approximately 0300 hours, they were going to meet his wife's friend, Megan McDonald, at Butch McGuire's. They exited a cab, which was faced eastbound on Division, just west of Dearborn on to the south sidewalk. When they exited the cab, he observed two groups, of approximately three male whites in each group, involved in an altercation. MCCARTHY said one of the groups appeared to be in their late teens, and the other group appeared to be in their late twenties. MCCARTHY said they were yelling at each other, but he did not know what they were saying, and that the group of younger males appeared to be the aggressors.

MCCARTHY said that they started to push each other and that one of the younger males pushed one of the older males, who subsequently fell into his wife. MCCARTHY said he yelled, "What the hell!" and one of the younger males then pushed him. MCCARTHY said he pushed his wife behind him and his wife pulled him away from the altercation. MCCARTHY said as his wife was pulling him away, he turned around and saw the victim on the ground. MCCARTHY stated he did not see who pushed him.

MCCARTHY said that he and his wife were a short distance away and the police stopped him and questioned him. He said he wasn't sure, but he thought that one of the males in the younger group pointed him out as being involved in the altercation. MCCARTHY said that he wasn't sure of what was said, but that after a lot of communication between policemen on the radio, he was released. MCCARTHY stated he and his wife then went home. The interview with Kevin MCCARTHY was concluded.

On 25 April 2001, Det. R. O'LEARY #20156 interviewed Michael CONNOLLY telephonically in regard to the above incident. The following interview with Michael CONNOLLY is in summary and not verbatim.

CONNOLLY, Michael:

Michael CONNOLLY indicated that he was with a friend, Phil KOHLER, on Division St. when he walked into an apparent altercation between eight male whites, who were divided into two groups, one of three persons and the other of five persons. To CONNOLLY, the aggressors in this incident appeared to be the five persons and the victim seemed to have been in their company. CONNOLLY has no knowledge of the identity of any of the individuals involved, nor does he know the cause of the incident. CONNOLLY saw the victim get into the center of the altercation, and then he saw the victim get "pushed or shoved" from the group and fall to the ground. CONNOLLY indicated that while he had a few drinks, he was not intoxicated the night of the incident.

Efforts were being made to interview the additional witnesses that were at the scene of the incident.

On 06 May 04 at 1216 hours, David KOSCHMAN was pronounced dead and his remains were transported from Northwestern Memorial Hospital to the Medical Examiner's Office.

On 08 May 2004, Dr. An performed an autopsy on the remains of David KOSCHMAN and determined the cause and manner of death to be cranial-cerebral injuries from blunt trauma, homicide. Based on this ruling, this incident was re-classified to a Homicide / Murder. A copy of the Medical Examiner's protocol report has been made a part of this file.

On 10 May 2004, Area Three Detectives YAWGER #20853 and VIILARDITA #20849 were assigned to assist in this investigation and were asked to locate and interview a witness to the above listed homicide. The witness, Phillip N. KOHLER, was mentioned in a previous report as being with Michael CONNOLLY, a listed witness, who was briefly interviewed on the night of this incident. The R/Ds learned KOHLER was serving jury duty for the Circuit Court of Cook County in Rolling Meadows, Illinois. The R/Ds relocated to the Rolling Meadows Court building and spoke with Cook County Sheriffs personnel, who related that KOHLER had checked in for jury duty, but was unavailable at the moment as he was going through jury selection process.

On 10 May 04 at 1215 hours, the R/Ds were allowed to interview KOHLER regarding his knowledge of this incident. The following interview with Phillip KOHLER is in summary and not verbatim.

KOHLER. Phillip:
(10 May 2004, 1215 hours)
KOHLER was interviewed, during which time he stated, in summary that on 25 April 2004, he and his friend, Michael CONNOLLY, were drinking with some friends at a bar located just east of Mother's Tavern, on Division Street. KOHLER stated that at approximately 0300 hours, he and CONNOLLY left the bar and walked westbound on Division, just past Clark Street, to a hot-dog stand. KOHLER stated this restaurant is on the south side or Division located within a half a block west of Clark St. KOHLER stated they took their food as a carry out and began to walk back eastbound, along Division Street, on the south side of the street. KOHLER stated as they approached, approximately midway between Clark and Dearborn Streets, he observed a group of males engaged in a dispute. KOHLER stated that he and CONNOLLY stopped to watch the dispute out of curiosity. KOHLER stated that he observed two groups of male whites that appeared to be pushing and shoving each other along with loud verbal exchanges. KOHLER stated he could not make out what was being said and he did not hear any specific names being mentioned.

KOHLER described the two groups as young white males. KOHLER stated the one group of people numbered approximately 5-6 white males, approximately 20-22 years of age. The second group of

people numbered approximately 3 male whites, approximately 27-29 years of age.

KOHLER stated that he and CONNOLLY walked up approximately 30 feet from the group in order to watch the altercation. KOHLER observed the victim standing curbside, facing south arguing and pushing one or more of the subjects in the older group. KOHLER stated that he observed the victim charge into the group in an angered state, but was immediately pushed back out into the street. KOHLER stated he observed the victim fall backwards into the street, hitting the back of his head on the ground. KOHLER stated he observed the three male whites from the older group, run east on Division, then south around the KOHLER onto Dearborn Street. KOHLER stated he did not see these subjects again. KOHLER stated he then observed the victim lying on the ground in an unconscious state. KOHLER then observed at least two of the males from the younger group, aiding the victim, and attempting to pick him up. KOHLER stated that he and CONNOLLY then walked up to the group and offered assistance.

KOHLER stated that within a short period of time, the police arrived on scene and an ambulance was summoned. KOHLER stated that CONNOLLY spoke with police and provided his personal information for the report. A short time later, he and CONNOLLY left the scene and went home. KOHLER stated that he has never seen any of the subjects from either group before and could not identify any of the persons involved.

KOHLER stated that it is his intention to fully cooperate in this investigation and would be available for further interviews if needed. KOHLER could not add any additional relevant information to the investigation at which time the interview was concluded.

On 12 May 2004, as previously arranged, Area Three Detectives met with, and interviewed, the below listed subjects, who were with the victim during the time of this incident. The following interview with Scott ALLEN is in summary and not verbatim.

ALLEN, Scott:
ALLEN was interviewed during which time he stated in summary, that he is a friend of the victim. ALLEN states that on the date of the incident, he, along with four of his friends, Shaun HAGELINE, James COPELAND, Dave FRANCIS, and the victim, had planned to go out for a few drinks on Division Street, spend the night at Shaun HAGELINE'S house, and then go to the Cubs game the next day.
ALLEN states that he, along with Shaun, James, Dave, and the victim had a few drinks in a bar on Division Street called the Alumni Club. ALLEN states that they left the bar to go to Shaun's house and were walking west on Division Street. ALLEN states that as they were walking, the victim accidentally bumped into a male white, NKA Craig DENHAM, walking in the opposite direction. ALLEN states that an argument immediately started between the victim and this male white (DENHAM). ALLEN stated that the male white was with two other male whites, NKA Kevin MCARTHY and Richard VANECKO, and a female white, NKA Bridget McCarthy.
ALLEN stated that this argument appeared to last at least five minutes with a lot of name calling and swearing, going back and forth. ALLEN stated that as the argument intensified, he, along with Shaun, James, and David FRANCIS attempted to try and calm things down and get the victim to shut up. ALLEN stated that one of the guys and the female in the other group also were trying to calm things down and break up this argument.

ALLEN stated that (VANECKO) appeared to get very agitated at the victim as they kept arguing. As this argument continued, the female, NKA Bridget MCARTHY, kept trying to pull one of the male

whites, NKA Kevin MCCARTHY, away from the group. ALLEN stated that at this time, one of the three male whites said, "Fuck it, let's go!" ALLEN states that as the three male whites turned to walk away, the victim said, "Yeah, you better back off!"

ALLEN states that the three males, (NKA MCCARTHY, DENHAM, and VANECKO) and everyone else in his group (Shaun HAGELINE, James COPELAND, and Dave FRANCIS) begin telling the victim to just shut up. ALLEN states that he, along with his group (HAGELINE, COPELAND, and FRANCIS) began dragging the victim away and trying to just get him out of there. ALLEN stated that as they were dragging the victim away, one of the three males in the other group began asking what the hell was wrong with their friend.

ALLEN states that as they got the victim about ten feet from the group of three guys, the victim broke away and ran back towards them. ALLEN states that as the victim ran up to the three guys, the larger male white punched KOSCHMAN in the face. ALLEN states that the victim appeared to be immediately knocked out from the punch and fell lifelessly to the ground, striking his head on the curb.
ALLEN stated that as soon as the victim fell to the ground, all three of the male whites and the girl ran from the scene. ALLEN stated that the male white who punched the victim and the male white that was initially arguing with the victim (DENHAM) ran east from the scene, around the corner, and then south on Dearborn Street. ALLEN stated the other male white and the female, NKA Kevin and Bridget MCCARTHY, ran in the direction of a group of policeman, who were on the street. ALLEN stated that he ran after them and pointed them out to the police as being involved in this incident. ALLEN stated that the police immediately stopped them and placed the male white, Kevin MCCARTHY in handcuffs. ALLEN stated that the male white who was handcuffed, NKA Kevin MCCARTHY, was not the person who struck the victim, or the person who was initially arguing with the victim.

ALLEN stated that after the ambulance took the victim away, he, along with James COPELAND and Dave FRANCIS, went with Shaun HAGELINE to his house and waited for the victim to call them. ALLEN called the hospital later that morning to check on the victim's well being, but was told that the hospital couldn't give him any information, and that he would have to call the victim's mother.

The following Interview with James COPELAND is in summary and not verbatim.

COPELAND, James:
COPELAND was interviewed during which time he stated in summary, that he, along with his friends. Scott ALLEN, Dave FRANCIS, Shaun HAGELINE, and the victim were drinking at a bar on Division Street. COPELAND states that he thinks that the bar they were drinking at was called the Loft. COPELAND states that they left the bar and were walking on Division Street when the victim began arguing with a male white on the street.

COPELAND stated the male white the victim was arguing with, NKA Craig DENHAM. was with another male white.

COPELAND stated that during this argument, a third male white who was with a female white, (NKA Kevin and Bridget MCCARTHY) appeared, and sort of got involved in the argument. COPELAND stated that during this argument, he heard the female white (Bridget MCCARTHY) refer to the male white with her (Kevin MCCARTHY) as her husband. COPELAND stated that during this argument, the female white was constantly trying to grab her husband and drag him away from the dispute.

COPELAND stated that as the argument ensued, there was a lot of swearing and name-calling, going back and forth. COPELAND states that he, along with Shaun, Dave, and Scott eventually got the victim away from the group that the victim was arguing with. COPELAND states that as they were trying to drag the victim away from the argument, but KOSCHMAN broke away from their grasp and ran back toward the three male whites. COPELAND stated states that as the victim ran up to the group, the largest of the three male whites punched the victim once in the face, knocking the victim to the ground. COPELAND states that as soon as the victim fell to the ground, the larger male white who hit him and the male white who was arguing with the victim (DENHAM) immediately ran east on Division Street and around the corner, south bound on Dearborn Street. COPELAND stated he didn't see the other male white and the female run away. COPELAND stated he later realized they stayed on the scene, because he noticed that the police had the male white (Kevin MCCARTHY) in handcuffs.

The following interview with David FRANCIS is in summary and not verbatim.

FRANCIS, David:
David FRANCIS was interviewed during which time he stated in summary, that he, along with Scott ALLEN, James COPELAND, Shaun HAGELINE, and the victim were drinking at a bar on Division Street, which he believes might have been called the Loft. FRANCIS stated that they left the bar to go to Shaun's house where they were going to spend the night and then go to the Cub's game the next day.

FRANCIS stated that while walking westbound on Division Street, he observed three male whites and a female white walking towards them. FRANCIS stated that the victim bumped into one of the male whites, NKA Craig DENHAM, at which time an argument ensued between the victim and the three males. FRANCIS stated he and everyone else in their group. HAGELINE, COPELAND, and FRANCIS, tried to calm the victim down. FRANCIS stated they explained to the three males that they didn't want any trouble, the victim was drunk, and he didn't mean anything he was saying. FRANCIS stated that the male he was talking to was saying the same thing, that they didn't want any trouble, either. FRANCIS stated that, at one point, they got the victim away from the group of three guys and he thought that everything was over. FRANCIS stated that he then observed the victim lunge at the three guys and then immediately come flying backwards, falling to the ground and hitting his head on the curb.

FRANCIS stated that he didn't see if the victim was hit or pushed. FRANCIS stated he just stood there in disbelief, looking at the victim lying in the street. FRANCIS stated that all of his attention was centered on the victim and that he didn't see the three males or the female run away. FRANCIS stated that the police were on the scene right away.

The following interview with Vrej SAZIAN is in summary and not verbatim.

SAZIAN, Vrej:
SAZIAN was interviewed during which time he stated in summary, that he has been a friend of the victim since high school. SAZIAN stated he was not present during this incident, but received a phone call on the morning of 25 Apr 2004 and informed that the victim was in the hospital. SAZIAN stated that he called the hospital to check on the condition of KOSCHMAN, but couldn't get any information. SAZIAN stated that he then called the victim's mother. SAZIAN stated during his conversation with the victim's mother, he told her who was present with KOSCHMAN when this incident happened. SAZIAN stated that he does not know anything about the facts that led up to this

incident.

On 12 May 2004, Area Three Detectives VILLARDITA and LOUIS conducted an interview with Shaun HAGELINE, who agreed to be interviewed. The following interview with Shaun HAGELINE is in summary and not verbatim.

HAGELINE, Shaun:
(12 May 2004. 1600 hours)
HAGELINE was interviewed during which time he stated in summary, on the night in question, he was with his friends, Dave KOSCHMAN, Dave FRANCIS, Scott ALLEN and Jimmy COPELAND. They had been out drinking at a bar. HAGELINE thought the name of the bar was "Fin McGILLIS," but he wasn't sure. HAGELINE related it was about 2:30 AM when HAGELINE and his friends left the bar, where they were going to catch a cab back to HAGELINE'S apartment. HAGELINE related he and his friends were walking westbound on the south side of Division Street, just west of Dearborn Street. HAGEI.INE related he was walking in front of his friends, and when he turned around, he realized that his friends weren't behind him. Upon looking back, he saw his friends about twenty feet back and they were talking to four other people, a female and three other males, all white. As HAGELINE walked back, he realized that his friends ere having some type of minor altercation with these people.

(HAGELINE described the four other people as follows: For purposes of identification, the four persons will be referred to as #1, #2, #3, and #4). The first person, subject (#1) is M/W/25-30 years old, 6'-6'2" tall, 190-230 lbs. wearing a Black hat and a gray shirt. The second person, subject (#2) is an M/W/25-30 years old, 5'9"-6' tall, 185 lbs, with black hair, wearing glasses. The third person, subject (#3) is an M/W/25-30 years old, 5'8" -6' tall, NFD. The fourth person (#4) is an F/W/25-30 years old with blond hair, NFD.

When HAGELINE walked up to the group, he tried to calm things down. HAGELINE attempted to pull Dave KOSCHMAN away a couple of times. HAGELINE stated. "They were calling names back and forth, #1, #2 and Dave KOSCHMAN. I got Dave away for about 10-15 seconds, but Dave went back. I turned to get a cab because I didn't think things were going to diffuse. They were still arguing, I heard a noise, like a snap sound, and when I turned back I saw Dave on the ground."

HAGELINE related he went to aid Dave KOSCHMAN, who was lying in the street on his back. HAGELINE stated that he saw that KOSCHMANS' lip was swollen and he was unconscious. While HAGELINE was trying to help KOSCHMAN, he noticed a knot on the back of his friend's head. HAGELINE said that while he was trying to help KOSCHMAN, he saw three of the people, subjects #4, (NKA Bridget MCCARTHY) #1 and #3 walking southbound on Dearborn. "I went up to a policeman that I saw and told him about the light and that subject #2 (NKA Kevin MCCARTHY) was a part of it. The officer took subject #2 (MCCARTHY) into custody, putting handcuffs on him." HAGELINE and his friends pulled Dave KOSCHMAN out of the street and on to the sidewalk. The ambulance arrived and KOSCHMAN was transported to the hospital. HAGELINE went with the police to make a report.

When asked if he saw who hit KOSCHMAN, HAGELINE stated that he didn't actually see who struck KOSCHMAN, but believed it was subject #1. HAGELINE could add nothing further and the interview was concluded.

Following these interviews, Area Three Detectives contacted the attorney for Kevin and Bridget

MCCARTHY, Bill Dwyer at (312) 739-3500. Mr. Dwyer was informed of the facts surrounding this incident, to which, Mr. Dwyer stated that he would have his clients come into the Area Three Violent Crimes offices to be interviewed on 13 May 2004, at 1200 hours.

On 13 May 04 at 1200 hours, Bill Dwyer, the attorney for Kevin and Bridget MCCARTHY arrived at the Area Three Violent Crimes with Bridget MCCARTHY. Mr. Dwyer explained that Kevin MCCARTHY was unavailable at this time, but would be made available soon as possible. Area Three Detectives conducted an interview' with Bridget MCCARTHY.

The following interview with Bridget MCCARTHY is in summary and not verbatim.

MCCARTHY. Bridget:
Bridget MCCARTHY was interviewed in the presence of her attorney, during which time she stated, in summary, that on the date and time of this incident, she, along with her husband, Kevin MCCARTHY, Richard VANECKO, and another friend, known to her only as "Craig". (LNU) were all at an engagement party for mutual friends. Bridget MCCARTHY stated that after the party, the four of them decided to go to McGuire's Tavern located on Division Street and they all took a cab to an area near Division and Dearborn streets.

Bridget MCCARTHY stated that she and Craig exited the cab first and began walking eastbound on Division Street. Kevin and Richard stayed behind to pay for the cab. Bridget MCCARTHY stated that as she and Craig were walking, five to seven young male whites, approximately 20-21 years old, who were also walking, approached them on the same side of Division Street. As the group of younger male whites walked past them on the sidewalk, one of them, NKA David KOSCHMAN, reached up and "flicked" Craig's eyeglasses. Bridget MCCARTHY stated that Craig immediately turned to the male white (KOSCHMAN) and stated, "What the fuck!" Bridget MCCARTHY stated the kid (KOSCHMAN) who flicked Craig's glasses, along with another short male white that was with the group, started to come at Craig. Bridget MCCARTHY stated that Craig and the kid (KOSCHMAN) who flicked his glasses began to argue.

At this time, the rest of the kids who were in the group grabbed the kid (KOSCHMAN) who was arguing with Craig and began to pull him away. Bridget MCCARTHY stated by this time, Craig and the kid (KOSCHMAN) were having a heated argument and that there was some pushing and shoving going on between them.

Bridget MCCARTHY stated Kevin and Richard came up and grabbed Craig and said, "Lets go!" The group of young men that were with the kid (KOSCHMAN) doing the arguing with Craig was also trying to pull him (KOSCHMAN) away. Bridget MCCARTHY stated the kid (KOSCH MAN) arguing with Craig got away from his friends, ran back up to Craig, at which time, the pushing, shoving, and name-calling resumed. Bridget MCCARTHY stated she became involved and stated to Kevin, Richard, and Craig, "Hey, come on, you guys are 30, they're 20. Let's go!" Bridget MCCARTHY stated that Richard then stated, "You're right, let's go!" Bridget MCCARTHY stated that all four of them turned and began to walk away. Bridget MCCARTHY stated that as she was walking away, she was still talking to Kevin, Craig, and Richard because she was under the impression that they were right behind her. Bridget MCCARTHY stated that when she realized that Kevin, Richard and Craig weren't there, she turned and looked back. Bridget MCCARTHY stated that she then observed the same kid (KOSCHMAN) that flicked Craig's glasses, and who Craig had been arguing with, was now lying on the ground. Bridget MCCARTHY stated that she did not see the kid (KOSCHMAN) get hit or pushed, and does not know how he wound up falling to the ground.

Bridget MCCARTHY stated that at this time there was a lot of confusion and commotion going on. Bridget MCCARTHY stated that she observed Craig and Richard running and immediately turned her attention to her husband, Kevin. Bridget MCCARTHY stated that she didn't see to which direction Craig and Richard had run off. Bridget MCCARTHY stated that she and Kevin then began to walk east on Division, away from the scene, towards the location where a group of police officers were standing. Bridget MCCARTHY stated that two of the kids from the group ran past them, and up to where the police officers were standing. Bridget MCCARTHY stated that the two kids pointed to her and Kevin, and were telling them that Kevin was involved in this incident. Bridget MCCARTHY stated that the police officers at this time stopped her and Kevin, and subsequently placed Kevin in handcuffs. Bridget MCCARTHY stated that while Kevin was standing in the street in handcuffs, the kids began taunting him, calling him names, and telling him that he was going down. Bridget MCCARTHY stated that the police officers eventually got mad at the kids who were acting erratically, and threatened to arrest them if they didn't calm down. Bridget MCCARTHY stated that after the police interviewed her and Kevin, they released Kevin and placed them in a cab so they could go home.

Following this conversation, Attorney Bill Dwyer informed the R/Ds that Richard VANECKO was going to be represented by Attorney Terrance Gillespie. The R/Ds then contacted Mr. Gillespie and informed him of the circumstances surrounding this incident. During this conversation, it was agreed that Mr. Gillespie would come into this office for a meeting on 17 May 2004 at 1000 hours, and then schedule a time to bring in his client.

On 17 May 2004, the attorney for Richard VANECKO, Terence Gillespie, arrived at the Area Three Violent Crimes Offices. Mr. Gillespie was informed of the circumstances surrounding this incident during which time he agreed to bring his client, Richard VANECKO, into this office on 20 May 2004, at 1100 hours.

On 19 May 2004, Attorney Bill Dwyer, arrived at the Area Three Violent Crimes offices, accompanied by Kevin MCCARTHY and Craig DENHAM. Kevin MCCARTHY agreed to be interviewed, and the following interview is in summary and not verbatim.

MCCARTHY. Kevin:
Kevin MCCARTHY was re-interviewed during which time he stated in summary that on the date and time of this incident, he and his wife, Bridget McCarthy, along with Richard VANECKO and Craig DENHAM had left an engagement party together and took a cab to the Division Street area for the purpose of going to McGuire's tavern. Kevin MCCARTHY stated the cab dropped them off at approximately 51 W. Division, by the alley, during which time his wife and Craig exited the cab and immediately began walking eastbound on the south side of Division Street, toward "McGuire's" tavern. Kevin MCCARTHY stated that he and Richard stayed behind and paid for the cab. Kevin MCCARTHY stated that after paying for the cab, he and Richard turned and proceeded to walk east on Division to catch up with Bridget and Craig. Kevin MCCARTHY stated that as they began walking toward Bridget and Craig, he noticed that they had stopped and were engaged in some sort of conversation with a group of kids, male/whites that appeared to be between the ages of 18 and 20 years old. Kevin MCCARTHY stated that as they approached them, he could see that there was some sort of altercation going on between Craig and at least two of the kids. Kevin MCCARTHY stated that he heard yelling and swearing and also observed Craig and one of the shorter male white kids, NKA David KOSCHMAN, pushing and shoving each other.

Kevin MCCARTHY stated that he and Richard immediately got in between Craig and the group of

kids. Kevin MCCARTHY stated that he and Richard began pushing Craig eastbound, away from the group. Kevin MCCARTHY stated their backs were toward the group of kids, while pushing Craig away trying to get some separation between themselves and the group. Kevin MCCARTHY stated that during this entire time, he and Richard kept saying, "Come on, come on, this is stupid!" Kevin MCCARTHY stated that some of the kids in the group were also trying to stop the one kid (KOSCHMAN) who was most adamant about fighting, holding him back and attempting to keep him from getting at Craig.

Kevin MCCARTHY stated that they got some distance from the group and he initially thought the incident was over until the main kid (KOSCHMAN) broke himself away from his group and charged back at them. Kevin MCCARTHY stated the main kid (KOSCHMAN) then forced his way between himself and Richard and attempted to get at Craig. Kevin MCCARTHY stated that he stepped in between them and was able to stop this kid before he could get at Craig. Kevin MCCARTHY stated that the group of kids immediately grabbed him (KOSCHMAN) and again was attempting to hold him and keep him from continuing this altercation. Kevin MCCARTHY stated that he and Richard kept stating to the group of kids, "Come on, it's over, let's get out of here!"

Kevin MCCARTHY stated that at this time the primary kid (KOSCHMAN) and another kid were still swearing calling himself, Craig, and Richard names, and saying things like, "I'll kick your ass!" Kevin MCCARTHY stated that at this time, he and Richard had their backs to the group of kids and were moving Craig farther east on Division, attempting to put distance between Craig and the group of kids. Kevin MCCARTHY stated that during the entire time of this incident, Craig was allowing us to move him away without any resistance, while at the same time, the group of kids were constantly struggling to hold the primary kid (KOSCHMAN) back and struggling to keep him (KOSCHMAN) from attacking Craig, physically and verbally.

Kevin MCCARTHY stated that at this time, his wife, Bridget, states, "Hey Kevin, this is stupid, you're 30. Let's go!" Kevin MCCARTHY stated that Richard then stated, "Hey! Fuck it, this is it, let's get out of here!" Kevin MCCARTHY stated that he could see that the group of kids were still struggling with the primary kid (KOSCHMAN) and attempting to hold him back, and keep him from coming at Craig again.

Kevin MCCARTHY stated that at this time, all four of them turned their backs on the group of kids and began to walk away. Kevin MCCARTHY stated that Richard had Craig calmed down, and as far as he was concerned, the whole incident was over. Kevin MCCARTHY Stated that he thought that the group of kids had the primary kid (KOSCHMAN) also calmed down.

Kevin MCCARTHY stated that as they began to walk away, he walked up closer to his wife, Bridget. Kevin MCCARTHY stated that Richard and Craig were walking closely behind them. Kevin MCCARTHY stated that he walked approximately ten to fifteen paces with Bridget at which time he turned and looked back. Kevin MCCARTHY stated that as he turned around to look back, he observed the kid who had been the aggressive one (KOSCHMAN) in this incident, lying in the street. Kevin MCCARTHY stated that he didn't see Craig or Richard anywhere, and didn't know where they went.

Kevin MCCARTHY stated that he didn't really think much of it at the time and just turned back and kept walking east on Division toward "McGuire's Tavern," with Bridget MCCARTHY.

Kevin MCCARTHY stated that as they were walking to McGuire's Tavern, Bridget said. "Hey, I think

that kid grabbed that cop and he's coming up to you." Kevin MCCARTHY stated that the police officer stopped him and stated, "Hold on, hold on, you've been identified in some incident." Kevin MCCARTHY stated that he and his wife stood there with the police officer, at which time, the police officer got a radio call, telling the police officer to hold on to him. Kevin MCCARTHY stated that the police officer then placed handcuffs on him and told him that he would have to stay there for a minute. Kevin MCCARTHY Slated that as he stood there in handcuffs, the other kid in the group that was aggressive along with the main kid (KOSCHMAN), was standing in the doorway of the Fifth Third Bank, and continually yelling obscenities and berating him. Kevin MCCARTHY stated the police officer told this kid to calm down, or he would be locked up.

Kevin MCCARTHY stated that after a few minutes, the police officer told him that three of the kids had looked at him and stated that he was not the person involved in this incident. Kevin MCCARTHY stated he was then released by the police officer and accompanied to a cab. Craig DENHAM agreed to be interviewed.
The following interview with Craig DENHAM is in summary and not verbatim.

DENHAM. Craig:
Craig DENHAM was interviewed, during which time he stated, in summary, that he had just met Bridget MCCARTHY, Kevin MCCARTHY, and Richard VANECKO at an engagement party. Craig DENHAM stated that after the party, the four of them shared a cab and were heading for some bar on Division Street. DENHAM stated that the cab dropped them off on Division Street, at which time, he and Bridget began walking away. DENHAM thought that Kevin and Richard stayed behind to pay for the cab. DENHAM stated that he was fairly intoxicated at this time and didn't have any money on him. DENHAM stated that he was walking down Division with Bridget when he got bumped into by a group of guys. DENHAM stated that when he was bumped into, his glasses were knocked off by one of the guys in the group. DENHAM stated that he is not sure if his glasses were knocked off by a glancing punch, or if they were just flicked off of his face by an open hand. DENHAM stated that this incident made him mad. DENHAM immediately began arguing with the group of males, and pushing and shoving began between him and one of the males in the group, NKA David KOSCHMAN.

DENHAM stated that there was a lot of swearing and name-calling going on, back and forth, between him and this group of guys. DENHAM stated that during this confrontation, one the guys (KOSCHMAN) kept trying to fight with him. DENHAM stated that he can't identify this guy, but remembered him being very short and slight of build.

DENHAM stated that during this incident, the one main guy in the group (KOSCHMAN) kept trying to tight with him, and everyone else in his group, appeared to be trying to calm him down. DENHAM stated that he thought that everything was over so he just started walking away. DENHAM stated that Bridget was ahead of him and saying, "Come on, let's go." DENHAM stated that Richard or Kevin was saying, "Come on. Let's get out of here." DENHAM stated that as they were walking away, Bridget and Kevin were slightly in front of him, and Richard was walking slightly behind him.

DENHAM staled that as they were walking away from the group of kids, he felt a hard jolt from behind. DENHAM stated that the next thing he knew, he and Richard were running down the street and he really didn't know why he was running. DENHAM stated that he was pretty intoxicated and doesn't know if he was running because he was afraid of getting jumped, or if he was just afraid of being arrested for public intoxication. DENHAM stated he and Richard got into a cab and went to another tavern. DENHAM stated that he didn't think anything of the incident after they left and didn't know that someone had been hurt.

Following these interviews, the R/Ds had a conversation with Attorney Terence Gillespie, during which time, a line up was scheduled for Richard VANECKO to be viewed by witnesses to this incident for 1100 hours on 20 May 2004.

On 20 May 2004, Richard VANECKO, Craig DENHAM, and Kevin MCCARTHY arrived in the Area Three Violent crimes offices with their respective attorneys, Terence Gillespie and Bill Dwyer, for the purpose of participating in lineups. At this time, Richard VANECKO was placed in a line up along with five other male white subjects, and viewed by all of the witnesses to this incident.

During the process of this lineup, no one identified Richard VANECKO as being the person who struck the victim. (Refer to line up supplementary report, dated 20 May 2004, 1115hrs.)

A separate line up was held consisting of Craig DENHAM and Kevin MCCARTHY, and was subsequently viewed by all of the witnesses to this incident. During the process of this line up, various witnesses identified Craig DENHAM and Kevin MCCARTHY as being present during this incident. (Refer to line up supplementary report dated 20 May 2004, 1155hrs.)

At the conclusion of this investigation, ASA Darren O'Brien, assigned to the Cook County States Attorneys Office Felony Review Unit, was contacted at which time he arrived at the Area Three Violent Crimes offices. ASA O'Brien was informed of the progress of the investigation and given copies of available reports. ASA O'Brien subsequently interviewed all available witnesses in this incident. After concluding these interviews, Area Three Detectives consulted with ASA O'Brien on possible charges, who agreed that charges could not be sought in that the victim was the aggressor in the incident and was struck as a result of self-defense.

Subsequent to the lineups, Area Three Detectives asked Richard VANECKO if he would be willing to be interviewed in regard to this incident. On his attorney's advice, VANECKO declined to be interviewed and he, along with Kevin MCCARTHY and Craig DENHAM, left Area Three Headquarters.

Starting on 16 Jan 2011, the R/Ds conducted follow-up interviews with the witnesses who were with David KOSCHMAN in the morning hours of 25 April 2004, the two independent witnesses who were at the scene of this incident, and Vrej SAZIAN, who called the victim's mother to inform her that her son was in the hospital. The following interviews with these witnesses are in summary and not verbatim.

It was reported in an earlier supplementary report that the mother of David KOSCHMAN, Nancy KOSCHMAN, received a phone call from Vrej SAZIAN on 25 April 2004, at approximately 1100 hours. SAZIAN told her that her son was in the hospital as the result of an altercation. SAZIAN told Nancy KOSCHMAN he was not there when the incident happened. Nancy KOSCHMAN knew her son had been out with friends, Scott ALLEN, Jim COPELAND, and David FRANCIS.

On 16 Jan 2011 at 2130 hours, the R/Ds located Vrej SAZIAN at his new address, [redacted] K Douglas Avenue in Arlington Heights, Illinois. SAZIAN was previously interviewed by Area Three Detectives in May 2004. SAZIAN was informed of the reason for the interview and asked if he would be willing to speak with the R/Ds. The following interview with Vrej SAZIAN is in summary and not verbatim.

SAZIAN, Vrej

(16 Jan 2011, 2110 hours)
SAZIAN stated he had known David KOSCHMAN since high school. In the early morning hours of 25 April 2004, SAZIAN stated he received a phone call from one of his friends to tell him that David KOSCHMAN had been injured and was at a hospital somewhere in Chicago. When asked, SAZIAN stated he didn't remember who called him. SAZIAN stated they eventually found out that KOSCHMAN was at Northwestern Memorial Hospital. In the days after the incident, SAZIAN remembered going to the hospital frequently to check on the condition of David, but he was in the Intensive Care Unit and was unresponsive every time he went there. SAZIAN, who was not at the scene of the incident, remembered talking with his other friends who were with David on the day he was injured, and learned they couldn't believe this happened from someone falling on the ground and hitting their head. SAZIAN didn't remember calling Nancy KOSCHMAN on the phone to tell her David had been injured.

When informed his previous interview revealed he did contact Nancy KOSCHMAN to tell her what happened to her son, SAZIAN cited the fact that due to the length of time since the incident, he just didn't remember calling Nancy KOSCHMAN. SAZIAN stated Nancy KOSCHMAN knew he was not with David when the incident happened. SAZIAN stated Nancy KOSCHMAN took it very hard when David passed away. The interview with Vrej SAZIAN was concluded.

On 16 Jan 2011 at 2230 hours, the R/Ds relocated to the last known address of David FRANCIS: [redacted] S. We Go Trail Mt. Prospect, Illinois 60056. David FRANCIS was previously interviewed in regard to this investigation. The R/Ds spoke to the father of David FRANCIS, David FRANCIS Sr., and learned the younger FRANCIS had moved to Colorado three years ago and was currently living there with his girlfriend. Mr. FRANCIS called his son's cell phone number, but did not receive an answer. Mr. FRANCIS supplied the R/Ds with the cell phone number of his son and the R/Ds left their business card with Mr. FRANCIS. Mr. FRANCIS informed the R/Ds that one of the other witnesses, Scott ALLEN, also lived in Colorado.

Prior to leaving the house, Mr. FRANCIS, who remembered the case very well, expressed his disappointment with the fact that no one was charged with the murder of KOSCHMAN, who was a close friend of his son. Following the interview, the R/Ds returned to Area Five Headquarters.

On 17 Jan 2011 at 1900 hours, the R/Ds telephoned David FRANCIS Jr. at the cell phone number supplied by his father, but received a voice mail recording from FRANCIS' phone, stating he was unable to answer our call. The R/Ds left their names and contact number and asked David FRANCIS to contact the R/Ds.

On 17 Jan 2011 at 2030 hours, the R/Ds located James COPELAND at his home in Streamwood. Illinois. The R/Ds informed COPELAND of the reason for the interview, which he stated he understood. COPELAND agreed to be interviewed.

The following interview with James COPELAND is in summary and not verbatim.

COPELAND. James:
(17 Jan 2011, 2030 hours)
COPELAND related essentially the same account to the reporting detectives as when interviewed in April 2004. COPELAND stated he and his friends were leaving the bar and were walking down the stairs, when he observed David KOSCHMAN and his other friends already arguing with three male white subjects on Division Street. COPELAND stated he did not witness KOSCHMAN knock the

glasses off of this subject or whatever started the argument. COPELAND stated he was the last of his group to get outside. COPELAND stated everyone was yelling and arguing and acting tough. Eventually cooler heads prevailed, the arguing stopped and everyone started to go their own way. COPELAND stated they were trying to pull KOSCHMAN away from starting anymore trouble, but KOSCHMAN broke free and walked back towards this group. COPELAND stated when KOSCHMAN walked up to this group, he observed one of these three male white subjects punch KOSCHMAN, who appeared to have been knocked out by the punch. KOSCHMAN fell backwards and hit his head on the sidewalk near the curb.

COPELAND described this subject as a male white, the tallest of the three subjects, about 6'03", and approximately 200-225 lbs, and who appeared to be in good shape.

COPELAND stated two of these subjects took off running around the corner, and the male white subject who appeared to be with the female, was stopped by the police and placed in handcuffs. This subject was later released, but the police were able to get his name and address. COPELAND stated an ambulance took KOSCHMAN to the hospital, but none of the111 went to the hospital and they still had the wallet belonging to KOSCHMAN. COPELAND thought KOSCHMAN was going to be okay, but he found out the next day that KOSCHMAN was hurt worse than expected. When asked, COPELAND stated he would be willing to take a polygraph examination.

When James COPELAND viewed the two physical lineups on 20 May 2004 at Area Three Headquarters, he was unable to make a positive identification of VANECKO, MCCARTHY, or DENHAM.

On 17 Jan 2011 at 2130 hours, the R/Ds conducted a telephone interview with Scott ALLEN. The R/Ds introduced themselves to ALLEN and informed him of the reason for the interview, which he stated he understood and agreed to be interviewed. The following interview with Scott ALLEN is in summary and not verbatim.

ALLEN, Scott A:
(17 Jan 2011, 2130 hours)
ALLEN stated he was out drinking with his buddies and had just left a bar when he observed David KOSCHMAN bump into a male white subject on the street, knocking the glasses off of his face and onto the street. An argument ensued, and he and his friends began yelling and arguing with the friends of the male white subject who had his glasses knocked off. ALLEN stated he saw KOSCHMAN in the thick of the argument, who was also yelling. ALLEN observed KOSCHMAN get punched by someone in this group, who he described as a male white, older than him, in his late 20's to early 30's. ALLEN stated the person who punched KOSCHMAN was clearly the biggest and heaviest guy of their group, and clearly much bigger than KOSCHMAN, who was punched square in the face. KOSCHMAN fell to the sidewalk and was unconscious, and was not responding to their attempts to wake him up. Prior to KOSCHMAN getting punched, the sole white female in their group was trying to pull people away from the argument.

After KOSCHMAN was punched, ALLEN observed two male white subjects run away down an alley, while another male white ran westbound on Division Street, none of whom came back. ALLEN stated he heard the female say, "Let's get out of here." ALLEN stated he chased after one of the male whites and tackled him in the front of the "Bar of Chicago." When asked, ALLEN didn't remember who called Vrej SAZIAN, but he remembered they were trying to find out to which hospital KOSCHMAN had been taken. ALLEN remembered which guy he tackled on the street, but was

unable to remember what the guy looked like who punched KOSCHMAN. ALLEN stated he was intoxicated and remembered the police ended up handcuffing him because he had been yelling and screaming on the street.

ALLEN described the person who punched KOSCHMAN as a male white, 6'-6'2" with dark hair. The other two male white subjects with him were shorter. ALLEN remembered the night as if it happened yesterday. When asked, ALLEN stated he would be willing to take a Polygraph Examination.

Scott ALLEN informed the R/Ds he does not see David FRANCIS much any more, but knows FRANCIS lives in Dillon, Colorado. ALLEN also stated another one of the witnesses, Shaun HAGELINE, currently lives in Los Angeles, California and was able to supply the R/Ds with the cell phone number for Shaun HAGELINE.

When Scott ALLEN viewed the first of the two physical lineups on 20 May 2004 at Area Three Headquarters, which contained Richard VANECKO, he tentatively identified participant #1 as one of the three subjects who were involved in the incident, which was not Richard VANECKO.

In the second lineup, which contained Kevin MCCARTHY and Craig DENHAM, Scott ALLEN positively identified Kevin MCCARTHY as the subject who was with the female during the incident and the same person who was later handcuffed by the police. Scott ALLEN was unable to identify anyone else in this lineup.

On 17 Jan 2011 at 2230 hours, the R/Ds conducted a telephone interview with Shaun HAGELINE, who was a friend of KOSCHMAN and an eyewitness to this incident. The R/Ds introduced themselves to HAGELINE, who currently lives in Glendale, California, and informed him of the reason for the interview, which he stated he understood and agreed to be interviewed.

The following interview with Shaun HAGELINE is in summary and not verbatim.

HAGELINE, Shaun:
(17 Jan 2011, 2230 hours)
HAGELINE stated he just left a bar when he observed KOSCHMAN arguing with a male white subject on the street. HAGELINE didn't remember or witness KOSCHMAN bumping into anyone. HAGELINE stated KOSCHMAN and the other male white subject started pushing and shoving each other. HAGELINE stated people were cursing at each other and he observed a white female trying to break up the argument. HAGELINE observed KOSCHMAN get punched once in the face and he fell backwards and hit his head on the street. HAGELINE stated the whole incident lasted two minutes and he remembered two guys walked away from the fight. HAGELINE ran to the corner of Oak and Rush streets and told the police what happened. HAGELINE stated a police officer handcuffed one of the guys who were with the white female, but he didn't know if the guy who was handcuffed was the guy who punched KOSCHMAN, or one of the guys who initially walked away.

When asked. HAGELINE didn't call Vrej SAZIAN on the phone to check on the condition of KOSCHMAN, but he thought it might've been Scott ALLEN who called SAZIAN, but HAGELINE wasn't sure which guy punched KOSCHMAN. HAGELINE was asked if he would be willing to take a Polygraph Examination and he stated he would. The interview with HAGELINE was concluded.

When HAGELINE viewed the first of two physical lineups on 20 May 2004 at Area Three Headquarters, which contained Richard VANECKO, he tentatively identified participant #4 as one of

the persons involved in this incident, which was not Richard VANECKO, HAGELINE viewed the second lineup and tentatively identified Craig DENHAM as the person who was placed in handcuffs by the police after the incident (which was previously reported to be Kevin MCCARTHY) and one of the guys trying to break everything up during the incident.

On 18 Jan 2011 at 1830 hours, the R/Ds conducted a telephone interview with David R. FRANCIS, who was a friend of KOSCHMAN and an eyewitness to this incident. The R/Ds introduced themselves to FRANCIS, who currently lives in Dillon, Colorado, and informed him or the reason for the interview. FRANCIS stated he understood and agreed to be interviewed. The following interview with David FRANCIS is in summary and not verbatim.

FRANCIS. David:
(18 Jan 2011 at 1830 hours)
FRANCIS stated he had just left a bar and was walking down the street with Jimmy (COPELAND, Scott (ALLEN), David (KOSCHMAN), and Shaun (HAGELINE). FRANCIS admitted he had been drinking, and while walking down the street he observed a group of people walking towards them. FRANCIS stated this group was walking down the street, four across, and this was when KOSCHMAN accidentally bumped into them. When KOSCHMAN bumped into one of these guys, who was with two other male whites and a female white, an argument started and both sides began yelling at each other. This argument went on for a couple of minutes. FRANCIS stated he and COPELAND tried to break it up, but he knew KOSCHMAN was a little mad and was known to have a temper. FRANCIS stated the arguing stopped and everybody was trying to walk away. FRANCIS stated he thought it was over, when he observed KOSCHMAN go after one of guys and was within five feet of KOSCHMAN when he saw him get punched. FRANCIS stated KOSCHMAN fell straight back and it looked like he was knocked off of his feet. FRANCIS stated these guys took off running and Shaun (HAGELINE) and Scott (ALLEN) took off running after them.

FRANCIS stated he tried to pick KOSCHMAN up from the street, but he realized KOSCHMAN was badly hurt. An ambulance arrived at the scene and put KOSCHMAN on a stretcher. FRANCIS stated no one went to the hospital, and he thought KOSCHMAN had just suffered a concussion. FRANCIS was unsure where the ambulance had taken KOSCHMAN. FRANCIS thought they would just eventually just go and pick up KOSCHMAN from the hospital.

When asked. FRANCIS didn't know who called Vrej SAZIAN to tell him what happened. A couple of days later, FRANCIS went to the hospital and learned that KOSCHMAN was still unconscious. When asked for a description of the offenders, FRANCIS stated they appeared to be in their late 20's or early 30's and he didn't remember if anyone was wearing a hat. When asked, FRANCIS stated he would be willing to take a polygraph examination.

When FRANCIS viewed the first of two physical lineups, which contained Richard VANECKO, on 20 May 2004 at Area Three Headquarters, he was unable to positively identify anyone. FRANCIS viewed the second lineup, which contained Kevin MCCARTHY and Craig DENHAM, and positively identified Kevin MCCARTHY as the person who was with the white female who was stopped and placed in handcuffs by the police after the incident. FRANCIS stated he didn't remember what this subject, Kevin MCCARTHY, did during the altercation.

On 18 Jan 2011 at 2030 hours, the R/Ds conducted an interview with Phillip KOHLER at his home address, [redacted] S. Maple Ct in Palatine, Illinois. KOHLER, who was an independent eyewitness to the incident and was previously interviewed in regard to this investigation, was informed of the reason

for the interview, which he stated he understood. KOHLER was asked and agreed to be interviewed. The following interview with Phillip KOHLER is in summary and not verbatim.

KOHLER. Phillip:
(18 Jan 2011 at 2030 hours)
KOHLER stated he was with Michael CONNOLLY, and was coming back from a restaurant where they had just purchased some cheeseburgers, when he observed two groups of people arguing on Division Street.

KOHLER stated he and CONNOLLY stopped and watched as these two groups pushed and shoved each other. This went on for a few minutes, and then one of the younger guys in the larger group jumped into the middle of the argument, and then he immediately fell backward. KOHLER stated he and CONNOLLY were standing about ten feet away from this fight and observed the same guy, who fell backwards, hit the back of his head on the street. KOHLER stated this guy was knocked out cold, and he and CONNOLLY walked over to assist him and were holding his head up from the street. KOHLER didn't observe any blood on the victim, but he was not responding to their attempts to wake him up. KOHLER stated they were lightly slapping the victim's face, but were getting no response. KOHLER didn't notice what happened to the other group of people who were arguing.

KOHLER stated he and CONNOLLY gave their names and addresses to the police who arrived at the scene, and they were still at the scene when the ambulance arrived and took the victim to the hospital. When asked, KOHLER didn't notice anyone get handcuffed by the police.

KOHLER informed the R/Ds that he noticed an article in the newspaper after he viewed the lineup on 20 May 2004 at Area Three Headquarters. This article reported the incident and he recognized Richard VANECKO from the article as the same guy he attended high school with at Loyola Academy. KOHLER stated he and VANECKO were in the same year at Loyola Academy and he and VANECKO had a couple of classes together. KOHLER stated he has not seen Richard VANECKO since 1992, the year he graduated from high school. When asked, KOHLER didn't recognize VANECKO on the night of the incident and didn't recognize him in the lineup either. KOHLER stated the group the victim was with was definitely younger and the other group was taller and heavier. The interview with Phillip KOHLER was concluded.

Phillip KOHLER viewed two physical lineups on 20 May 2004 at Area Three Headquarters. In the first lineup, which contained Richard VANECKO, KOHLER was unable to positively identify anyone. KOHLER viewed the second lineup, which contained Kevin MCCARTHY and Craig DENHAM, but he was unable to positively identify anyone.

End of report #1