

# WITNESSED: Citizens & Victims Locate and Hold Suspect Until Police Arrive

*The suspect was arrested, then released, leaving peaceful residents fearful to be in public. Victims have many questions as to the actions of the South Pasadena Police Officer's handling of the situation.*

By **Eric Fabbro** - July 16, 2020



SCREENCAP from video taken by London Lang | Joe Richcreek being arrested by Corporal Randy Wise

I was one of the three initial witnesses to the events that transpired on Friday, July 10. This story is based on my first-hand account, video footage, and interviews conducted regarding the events last week.

The man, now positively identified as 56 year-old Joe Luis Richcreek, **who was confirmed to have spit on two Black Lives Matter protesters through video documentation** on the corner of Fair Oaks Avenue and Mission Street in South Pasadena on Wednesday, July 8, has been arrested as of July 10, and released July 12 by the South Pasadena Police Department.

Between 1985 and 2012, Richcreek was arrested and charged with over 40 felonies or misdemeanors, and has been convicted of no fewer than 20, including four for battery, two each for arson, weapons charges, resisting arrest and trespassing, and once for receiving stolen property, making a criminal threat, making a threatening call, grand theft and driving while intoxicated. He's also been the defendant in four unlawful detainer (eviction) proceedings.

At approximately 8:02 p.m. on Friday, organizer/protester Fahren James, myself, and another supporter were packing up supplies on the southwest corner of the same

intersection in which Wednesday's incident occurred as the assailant was seen passing by on his bicycle.

"I don't think he initially recognized me because I had a hat and my mask on that day (Wednesday)," James later told me, but "when we locked eyes he started cussing me out."

James began asking Richcreek what his name was, the man's tone was belligerent as he yelled out, "F-k you, b—ch," cycled midway down the block, and stopped.

The police report of the encounter states, "Richcreek confronted James and asked her why she was being so racist toward him. Richcreek told James to stop harassing him." However this is a false statement on the part of Richcreek; at no point did he audibly vocalize these statements to James, myself, or the other witness.

The assaulter then picked up a fist-sized piece of debris from the nearby construction site and hurled it at James, making contact and hitting her lower left leg by the ankle area.

The police report also inaccurately claims James "began yelling for friends and soon she had several other protestors gathering with her." There were only three of us total, including James, furthermore we all were in the same location at the time of identifying Richcreek.

The cyclist then fled the scene a second time, the first being the initial encounter on July 8, as he rode south down Fair Oaks Avenue.

We then proceeded to pursue the man, two of us on foot, and Fahren in her vehicle. What came next was a game of cat-and-mouse as James circled the block until finding Richcreek hiding on the backside of the construction area on Mound Avenue, at which point more people became involved. "I saw some people on Mission (St.) that were walking their dogs," said James, "and asked them to run into the police station and said 'Hey can you tell the police to come outside?'"

With Richcreek fleeing once again, the three of us rendezvoused at the intersection of El Centro and Edison Lane, the narrow alley-like street behind the Rialto Theatre in which the suspect had fled.

James then beckoned one of us to hop in the car with her while I returned to the central protest location on Fair Oaks Avenue and Mission Street.

It was at this moment that Alan Ehrlich, a member of the South Pasadena Public Safety Commission, received a call from James. "Fahren had called me as she was chasing the guy down the street and asked me to call SPPD," he explains, "I'm calling her back asking 'Hey where exactly are you? Give me a location'", which at the time was at the halfway point of the pursuit.

Ehrlich and I had also both notified Fahren's brother, London Lang, of the unfolding events. "I had just gotten home from the hospital just to check up on my knee," says Lang, referring to an injury he suffered from a police confrontation during the Fairfax protests in late May. He instantly drove to meet his sister.

James gives a detailed timeline of the proceeding events, describing that as she and her passenger began following Richcreek, who was now back on Fair Oaks Avenue, he did not initially realize he was being tracked. However, as soon as he identified the two protestors in the car he veered right onto Monterey Road, getting into the left turn lane to turn southbound onto Fremont Avenue, and then making another left onto the 1400 block of Lyndon Street.

According to James, the man attempted to hide behind some tall shrubs in front of an apartment building on Lyndon. Fearing for her own safety, she tells me that she called out for anyone to come outside and help. "At least a dozen" residents came to her aid. "He was definitely trying to escape, he had another rock in his hand that he was showing me like he was ready to throw it," she says, grateful that the others were willing to surround the assailant to contain him in a confined area until the South Pasadena police arrived.

More rocks were found later in Richcreek's cargo pant pockets. Additionally, the criminal case report filed by SPPD Officer Christina Roppo for the July 8 incident fails to acknowledge that the drumstick Richcreek possessed was filed to a point in a shiv-like fashion.

*SCREENCAP from video taken by Victoria Patterson | The assaulter, Joe Luis Richcreek, holding a pointed drumstick under his left armpit*

"It seemed like it took them forever to get there," recalls James, who expresses dissatisfaction with the way police initially treated Richcreek, "Once they arrived they just sat him on the curb and started talking to him." A total of 3 patrol cars were reported to have responded during this time. "I was really upset because they did not immediately handcuff him and we all know that when the police are called on African-Americans the first thing they do is grab us and handcuff us."

Three confirmed officers on the scene were Watch Commander/Sergeant Spencer Louie, Officer Catalina Valdez, and Corporal Randy Wise.

Lang and Ehrlich had now arrived on the scene as well, with both commenting on how profoundly affected James was by the situation. "Fahren was pumped," explains Ehrlich, with Lang adding, "Fahren was crying, she was sweating. I was thinking of trying to make a citizen's arrest (because) they were taking forever to put him into handcuffs. (With) black

people, we're just instantly in cuffs," reinforcing sentiments pertaining to known history of police contact with black citizens.

While acknowledging that they needed to let the officers to do their job, Erlich agrees, "As London said, if that was a black person it might have been handled a little bit differently. I just got in there and told Fahren, 'Let's just step it back, let's let them do their job, I don't want you getting in trouble either.'"

Lang claims that he was ready to get physical with Richcreek if things were to get messy and the suspect were to attempt to do more harm. However, the arresting officer, Corporal Randy Wise, perceived the crowd's growing frustration as a threat, saying "You guys need to get away from us while we do this investigation," later telling Lang that, "If you encroach on an officer and they tell you to back off and (you) don't, that's a crime."

Lang began broadcasting the incident via Instagram Live, as approximately 25 people tuned in to watch that night.

With a notable tinge of tense anguish Lang explained to me that at that moment he had to compose himself, "I didn't say a word to him, I just started recording."

According to James, the video footage that was taken on her brother's phone was approximately 10-15 minutes after the beginning of the events, noting that her exasperation seen at the beginning of the tape stemmed from the officers' hands-off approach of Richcreek. "I was livid as to how they were handling him," she elaborates, "I wanted them to treat him as they would us in this situation. I just feel like they don't understand the scope of how it impacts us — to sit there and visually see police handle a suspect in a manner so lightly," explaining her heart-rending reaction to the officers, "When the police get called on us, we can do something very simple and our face is planted to the concrete, so it infuriated me."

According to Wise's report, he and Sergeant Louie "arrived onto a chaotic scene fueled by an angry group." James takes issue with this passage, explaining that the officer's presence was not initially greeted with aggression, rather relief.

As the tape rolls, South Pasadena Police Officer Wise accuses witnesses of possibly interfering with an ongoing investigation by being too close, saying things like "This is very scary," and "We are outnumbered" though it is visible that they are at least 6 feet away and are not directing any harsh words towards the officers, rather at Richcreek. One witness responds with, "Then continue to do your job, for us! Do I look like a threat to you right now?" as another chimes in with "I have a right to understand what's going on, I live in this neighborhood."

3 minutes and 28 seconds into the video Officer Wise finally tells Richcreek to put his hands behind his back to cuff him in a citizen's arrest. Eventually the suspect is seen in the video to be resisting arrest and insists that he is innocent of any crime. He continues to claim, erroneously, that it was the protesters that instigated the situation and assaulted him, accuses them of racism against white people, and also falsely states that no evidence of his

crime exists — footage of both encounters are on record. He also told officers that he “did it for you guys.”

*PHOTO: Eric Fabbro | SouthPasadenan.com News | Alan Ehrlich (L) speaks with Fahren James (Center) and London Lang (R) after the incident on Friday, July 10*

Post Richcreek’s arrest, Officer Wise has a brief exchange with Lang who says that he is sorry, to which Wise responds indignantly with, “No, you’re not. You guys caused this, this was wrong.” Wise continues to defensively lecture Lang, “The cop hating around here is so wrong brother, because we aren’t Minneapolis. You know we don’t do that, so why bring this to our city?”

With discernible confusion, Lang responds, “I’m not bringing police hate to your city.”

In the SPPD Criminal Case Report for July 10, Wise claims that “James has been participating in an ongoing, daily, anti police protest,” a claim that many have taken issue with. Both Lang and James have been explicit in their support for the police since the protests began over a month ago, **often thanking the department for their cooperation during several high profile marches and demonstrations in town.** Since day one, **Lang also has implemented a policy of positive messaging, discouraging fellow protestors from displaying anti-police phrases and rhetoric, such as ‘ACAB’ and ‘F-k 12’.**

Police Officer Wise appears to complain to Lang while being recorded, “I get here, I’m getting mobbed. Dude that ain’t cool,” while Lang responds, “We see (these) things happening on T.V., and it’s offending as black person” as Wise interjects, “This ain’t T.V., bro!”

Lang retorts with, "But it's real life situations though. People always come up to us. He threw a rock at my sister."

"She's your sister, really? Blood?" questions Officer Wise.

"Blood sister", Lang confirms with a nod. In the preceding exchange James observes and comments that such a statement could constitute as a "micro act of racism."

As Officer Wise continues to talk to Lang he goes on to say: "I couldn't even detain him (Richcreek) and put the cuffs on him safely because of what was happening with the crowd, the people with their phones wanting to videotape me like I was doing something wrong... That's the dilemma, is getting home at night and not getting killed by the mob or the bad guy."

Erhlich, an observing resident of Lyndon St., gave his account to me on Friday, "I would say it took the cops about 5 minutes to get their report. He was in cuffs, they were getting some more information, they walked him (Richcreek) over to a third police car. Two of the officers then came over to talk to Fahren (James), asked her to fill out some paperwork." A contradiction exists with a technicality to this matter too however; Officer Valdez stated that the new report was to be added to the previous one from Wednesday. The issue arises surrounding this particular bit of information because, although the report filed for the first incident indicates that the print date was on that same day, July 8 at 7:54 p.m., neither James nor Victoria Patterson — the fellow protestor who was spat upon — received copies of the report until the following Monday, July 12. According to them the department was contacted when Patterson and Anne Bagasao, who has been assisting in the case, came to the station to request the reports, only to find that the officer they spoke to, Isaac Gutierrez, claimed he was not aware of what they were referring to.

In a public statement released by the newly formed advocacy group, South Pasadena Youth for Police Reform, they stated via social media that: "When it comes to exciting car break-in sprees or robberies, SPPD has been able to issue public statements including the arrested person's name within a day of the incident. We see no reason why a racially motivated, biological attack can't be addressed on a reasonable timeframe by our department as well."

*SCREENCAP from video taken by London Lang | Joe Richcreek being arrested by South Pasadena Police Corporal Randy Wise*

Furthermore, in Officer Wise's report he claims that he "was unable to interview James or any of her group... due to their uncooperative behavior at the scene of Richcreek's capture and the fact that she did not answer her telephone or return my call."

Two things to address respectively in this case: after Richcreek's arrest on Friday, Officer Valdez is seen on video interacting with witnesses (including James) in a civil manner, with one offering to give their account.

Additionally, according to James, by the print date and time of his report, July 11, 6:10 p.m., Wise had not called her for a follow-up. Rather, the only call, according to logs requested from her mobile service provider, from the police department that was received was on July 12, the day after, in which, according to James, was someone other than Wise, informing them that the reports were ready and how to file a restraining order against the assailant.

"I'm not a lawyer, I'm not a prosecutor but I think **we've got hate crimes**, we've got assault," concluded Mr.Ehrlich.

Richcreek was released on Monday, July 12 and has a court date set at the Alhambra courthouse for October 9, 2020.

Moving forward, Fahren and London have been in communication with Patterson while consulting several others, and they have decided to press charges. Fahren's conviction is focused and strong when it comes to what she believes is due justice, "He needs to be prosecuted to the fullest extent and we are going to be there every step of the way to make sure that happens."

Richcreek was charged with a misdemeanor for throwing the rock while police say he will likely be charged later with a second misdemeanor for the spitting incident. According to South Pasadena Police Corporal Carrillo, Richcreek did not face more serious charges because spitting is not a felony.

**This however can be contested, as spitting on someone – especially during the COVID pandemic – can be aggravated assault or even rack up more serious charges, like terrorism, both felony offenses.**

Furthermore, the charge for the rock throwing can also invoke more serious charges than simple battery, and in California, can be considered aggravated battery because of the use of a weapon, with an **additional charge of assault** due to the assailant's malintent, the caveat to this is that the amount of damage inflicted can also be factored into the case. According to a Cornell Law School definition, "assault varies by **jurisdiction**, but is generally defined as intentionally putting another person in **reasonable** apprehension of an imminent harmful or offensive contact. Physical **injury** is *not* required.

During a virtual town hall for the newly formed Police Reform Subcommittee on Thursday, July 16, James gave a statement (which can be read in full by clicking **HERE**) in which she said:

*"I'd like to understand why SPPD refers to us as bringing Police HATE to South Pasadena and doubling down on this in the police report by referring to me as a participant in a daily ANTI POLICE Protest.*

*Id like to understand how and why the SPPD views " More love less hate" "Support equal justice" "End Systemic racism" or even defunding the police signs and other non inflammatory signs regarding the reform that we all know is necessary can be construed as "Anti Police" or Police hating."*

The District Attorney has been contacted by the South Pasadenan News for further information on this case.

***This is a developing story, please stay tuned for more updates.***

---

---

### Eric Fabbro

*http://nexusplex.com*

Eric Fabbro is a South Pasadenan whose family goes back to the 1950's. He graduated SPHS 2008, and Art Center College of Design in 2014. His versatile skill-set includes illustration, digital media, graphic design & photography. Eric is the in-house illustrator for The South Pasadenan, and the creator of our South Pasadenan icon logo. His work has been shown in galleries throughout the Los Angeles area.



