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### **CHICAGO PAIR CHARGED IN NOVEMBER 2008 ARSON OF NORTH ELSTON APARTMENT BUILDING THAT INJURED RESIDENTS**

CHICAGO — A Chicago couple were arrested by Chicago police and federal ATF agents on federal arson charges for allegedly setting fire to a north side apartment building last year, resulting in serious injury to several residents including the intended victim and her two young children. The defendants, **Margarita Gonzalez** and **Rafael Polanco**, were arrested yesterday and charged with setting fire to a building used in interstate commerce in a criminal complaint that was unsealed today, announced Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois; Andrew L. Traver, Special Agent-in-Charge of the Chicago Office of the Bureau of Alcohol, Tobacco, Firearms and Explosives; and Jody P. Weis, Superintendent of the Chicago Police Department.

Gonzalez, also known as “Flaca,” 25, and Polanco, also known as “Junior,” 26, both of 700 N. Christiana St., appeared this afternoon in U.S. District Court before Magistrate Judge Morton Denlow, who scheduled a detention hearing for 2 p.m. Friday, July 31.

The pair are accused of using gasoline to start a fire in a second-floor hallway of a 12-unit apartment building at 5686 N. Elston just before 2 a.m. on Nov. 7, 2008. Several residents of the building, including a total of four children — two of whom were seriously injured — were rescued

by Chicago fire fighters and transported to hospitals for burns, smoke inhalation and other injuries. Gonzalez started the fire while Polanco waited in a getaway car in an alley and drove the pair away after the fire began, the charges allege.

According to the complaint affidavit, Gonzalez and Polanco have had a relationship over an extended period of time, while Gonzalez has had an on and off relationship over the past several years with Individual D, who is the father of one child of Gonzalez. Before the fire in November 2008, Victim A, who resided with her two daughters, ages 6 and 3, in Apt. 2C at 5686 N. Elston, also had a boyfriend/girlfriend relationship with Individual D. In August 2008, Gonzalez and Individual D traveled together to Mexico, while Individual D was still in a relationship with Victim A and Gonzalez was still in a relationship with Polanco. To get revenge at Individual D and Gonzalez for going to Mexico with each other, Victim A and Polanco agreed to have a sexual relationship at the North Elston apartment, the charges allege.

Gonzalez allegedly learned of Polanco's relationship with Victim A while Gonzalez was in Mexico and telephoned Victim A from Mexico and threatened to burn down Victim's A residence. After returning from Mexico, Gonzalez allegedly remained very upset about the affair between Victim A and Polanco and discussed her anger with a number of individuals, repeating her threats to get revenge. The affidavit describes a series of incidents in the weeks just before the fire in which Gonzalez's car caught fire, she sent a threatening text message, a small fire occurred in the second-floor hallway of the North Elston apartment building, and Victim A's car was set on fire during the early morning of Nov. 7, 2008.

According to the charges, an acquaintance of Gonzalez's accompanied Gonzalez and Polanco as they drove around during the early morning of Nov. 7, 2008, and the three smoked

marijuana. The affidavit alleges that Gonzalez poured a liquid from a laundry detergent bottle over the hood of Victim A's car and threw lit matches at the car. Polanco and Gonzalez both laughed as they sat in their car and watched Chicago police and fire fighters put out Victim A's car fire, and Gonzalez said something to the effect of, "I'm not done, I'm going to her house."

Gonzalez then allegedly poured gasoline on the door of Victim A's apartment and started the fire. She then fled the scene with Polanco who was waiting in an alley with his car running. When police arrived, they observed Victim A hanging out her window holding her two young daughters and watched as the 6-year-old girl fell to the ground. Both girls suffered serious burns and are still recovering.

The affidavit describes in detail the investigation that followed the fire with ATF agents and CPD bomb and arson squad investigators interviewing Gonzalez a week later. From that time until the present, Gonzalez allegedly lied to law enforcement, obstructed the investigation, made threats to others and encouraged others repeatedly to lie to investigators, according to the charges.

If convicted, the arson count carries a mandatory minimum penalty of 7 years in prison and a maximum of 40 years and a \$250,000 fine. The Court, however, would determine the appropriate sentence to be imposed under the advisory United States Sentencing Guidelines.

The government is being represented by Assistant United States Attorney Michelle Nasser.

The public is reminded that a complaint contains only charges and is not evidence of guilt. The defendants are presumed innocent and are entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

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