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10/3/2003 4:28 * 909 (4004) LN14
10/3/2003 4:33 * 909 (0751) K98
10/3/2003 5:34 909 (6169) STF14
10/3/2003 5:58 909 6CO
10/3/2003 6:25 909 BV63 , BOU
10/3/2003 6:37 * 909 (3038) LN6
10/3/2003 7:17 * 909 (4087) LN10
10/3/2003 7:40 909 (6000) 2CS10
10/3/2003 8:47 909 (0751) K98
10/3/2003 8:47 909 (6000) STF15
10/3/2003 8:47 909 (6000) STF15
10/3/2003 8:47 909 (6000) STF15
10/3/2003 8:47 909 (6000) STF15
10/3/2003 3:28 ASST 1AL62 #0563 ENGLEFIELD @ SB 38TH ST/16TH AV
10/3/2003 3:28 ASST 1AL63 #0403 SAETEURN @ SB 38TH ST/16TH AV
10/3/2003 3:28 ASST 1AL42 #0475 HAMM @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
10/3/2003 3:28 ASST 1AL43 #0439 PETERSON @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
10/3/2003 3:28 ASST 1AL40 #0678 HERGENREDER @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
P03382321  10/3/2003  3:30  ASSTER  LN6 #3038 BERNARD @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
P03382321  10/3/2003  3:30  ASSTER  1JNS1 #0712 CHIPP @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
P03382321  10/3/2003  3:30  ASSTER  1AL53 #0806 TRIMPEY @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
P03382321  10/3/2003  3:33  ASSTER (6052) LN14 #4004 MOIR @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
P03382321  10/3/2003  3:38  ASSTER  1AL43 #0439 PETERSON @ 21ST AV
P03382321  10/3/2003  3:45  ASSTER (6035) IV27 #3020 ENRIQUEZ, ETA 45 **********8
P03382321  10/3/2003  3:48  ASSTER (6035) IV6 #4102 BRAY
P03382321  10/3/2003  3:51  ASSTER (6169) IV22 #3089 QUINN
P03382321  10/3/2003  3:53  ASSTER (6035) IVS1 #0252 GUERRA
P03382321  10/3/2003  3:55  ASSTER (6169) IV51 #0252 GUERRA
P03382321  10/3/2003  3:57  ASSTER (6035) IV78 #0754 OLIVEIRA
P03382321  10/3/2003  3:59  ASSTER (6169) IV132 #0701 SCHNEIDER
P03382321  10/3/2003  4:05  ASSTER K97 #0624 JOY @ 21ST AV
P03382321  10/3/2003  4:08  ASSTER (6035) SPOA1 #0539 TOPAZ
P03382321  10/3/2003  4:09  ASSTER (6169) IV19 #3107 WINTON
P03382321  10/3/2003  4:12  ASSTER (6035) 6CO #5130 VALENZUELA
P03382321  10/3/2003  5:01  ASSTER (6169) STF10 #3107 WINTON @ 21ST AV
P03382321  10/3/2003  5:47  ASSTOS LN10 #4087 DOWDEN @ 21ST AV
CASE #PD03086693 IV19, WILL CLASSIFY LATER

P03382321 10/3/2003 6:24

P03382321 10/3/2003 4:35
CCNTCT 1AL61

P03382321 10/3/2003 4:35
CCNTCT 1AL62

P03382321 10/3/2003 4:35
CCNTCT 1AL63

P03382321 10/3/2003 4:35
CCNTCT 1AL64

P03382321 10/3/2003 4:35
CCNTCT 1AL65

P03382321 10/3/2003 4:35
CCNTCT 1CS41

P03382321 10/3/2003 4:35
CCNTCT 1SM6

P03382321 10/3/2003 4:35
CCNTCT LN6

P03382321 10/3/2003 4:35
CCNTCT 1AL41

P03382321 10/3/2003 4:37
CCNTCT 1AL40

P03382321 10/3/2003 4:42
CCNTCT 1AL60

P03382321 10/3/2003 4:50
CCNTCT IV132

P03382321 10/3/2003 4:50
CCNTCT IV51

P03382321 10/3/2003 4:51
CCNTCT SPOA1

P03382321 10/3/2003 4:51
CCNTCT STF13

P03382321 10/3/2003 4:51
CCNTCT STF14

P03382321 10/3/2003 4:53
CCNTCT 1AL42

P03382321 10/3/2003 5:08
CCNTCT 1CS30

P03382321 10/3/2003 5:22
CCNTCT IV6

P03382321 10/3/2003 5:22
CCNTCT STF9

P03382321 10/3/2003 5:26
CCNTCT IV27

P03382321 10/3/2003 5:39
CCNTCT (6055) 6CO

P03382321 10/3/2003 5:39
CCNTCT (6055) IV19

P03382321 10/3/2003 5:39
CCNTCT (6055) STF10

P03382321 10/3/2003 5:41
CCNTCT (6055) IV22

P03382321 10/3/2003 5:43
CCNTCT (6055) STF15

P03382321 10/3/2003 5:51
CCNTCT IV132

P03382321 10/3/2003 5:57
CCNTCT STF13

P03382321 10/3/2003 6:00
CCNTCT DA32

P03382321 10/3/2003 6:33
CCNTCT IV78

P03382321 10/3/2003 3:44 *
CLEAR (0439) 1AL43 AST

P03382321 10/3/2003 4:00 *
CLEAR (0712) 1JN51 AST SUP

P03382321 10/3/2003 4:01
CLEAR K97 AST

P03382321 10/3/2003 4:11 *
CLEAR (0806) 1AL53 SUP
10/3/2003 4:54 * CLEAR (0624) K97 SUP
10/3/2003 5:51 * CLEAR (0678) 1AL40 SUP
10/3/2003 5:51 * CLEAR (0320) 1AL41 SUP
10/3/2003 5:53 * CLEAR (3115) 15M6 AST
10/3/2003 5:57 * CLEAR (0475) 1AL42 AST
10/3/2003 6:30 * CLEAR (0375) 1AL65 SUP
10/3/2003 6:38 * CLEAR (8182) 1CS30 SUP
10/3/2003 6:42 CLEAR 1CS41 SUP
10/3/2003 6:44 * CLEAR (0809) 1AL64 SUP
10/3/2003 7:04 * CLEAR (0403) 1AL63 SUP
10/3/2003 7:05 * CLEAR (0596) 1AL60 SUP
10/3/2003 8:52 * CLEAR (8108) 2CS50 AST
10/3/2003 8:53 * CLEAR (8174) 2CS42 AST
10/3/2003 8:53 * CLOSE
10/3/2003 4:16 CONTCT IV27
10/3/2003 6:48 CONTCT LN10, AIR
10/3/2003 7:41 CONTCT (6000) 2CS50, RADIO
10/3/2003 7:42 CONTCT (6000) 2CS42, PER 2CS50
10/3/2003 8:51 CONTCT (6000) 2CS50, DRIVING BACK TO P/U SQUAD CAR
10/3/2003 8:51 CONTCT (6000) 2CS42, DRIVING BACK TO P/U SQUAD CAR
10/3/2003 3:26 DISPOS 1AL61 #0484 HARSHBARGER
10/3/2003 3:32 ENRTE 1CS41
10/3/2003 4:05 ENRTE (6169) IV27, ENRT
10/3/2003 6:14 * ENRTE (8123) 2CS10
10/3/2003 6:48 ENRTE BV63
10/3/2003 6:44 * INQ (0596) MDLC, , CA, LOPEZ, BICTORIANO, C, 050771, M, 6,
10/3/2003 7:51 * INQ (0596) WANTM, LOPEZ, BICTORIAN, C, M, 05071971, H, ,
10/3/2003 7:51 * INQ (8108) MREQ, , , , ,
10/3/2003 5:05 * INQ (6035) 1AL61, INQUIRY MATCH ON LIC/ , , STOLEN VEHICLEIC/ , , 1990 TOYT CAM 4D
10/3/2003 3:26 MISC PLT MISS/6230
10/3/2003 3:26 MISC
10/3/2003 3:27 MISC 1AL61, 1SM6 COPIED

10/3/2003 3:27 MISC ADDRESS/ SACRAMENTO STATE/CA ZIP/ DAY PHONE/

10/3/2003 3:27 MISC NIGHT PHONE/

10/3/2003 3:27 MISC 1AL61, SHOTS FIRED

10/3/2003 3:27 MISC (6035) 1AL61, PHONE/

10/3/2003 3:27 MISC 1AL60, W/1AL61

10/3/2003 3:29 MISC 1AL61, NORTH OF EMPTY FIELD

10/3/2003 3:29 MISC K97, DRIVER AT GUNPOINT****8

10/3/2003 3:30 MISC (6035), PAGED LT, AT SHOTS FIRED........BC D ON HL **********


10/3/2003 3:34 MISC 1AL64, MED 56 OS

10/3/2003 3:35 MISC 1AL64, ENG6 OS

10/3/2003 3:35 MISC 1AL64, THIS OCC D IN LOT AT 21ST AV*******************

10/3/2003 3:43 * MISC GONE BY MULTIPLE UNITS ALREADY 906

10/3/2003 3:48 MISC (6132), ** COP NAJERA NOTIFIED **

10/3/2003 3:49 MISC (6132) 1AL61, DC SEGURA NOTIFIED **

10/3/2003 3:52 MISC (6132) 1AL61, ** CAPT VALENZUELA ADV **

10/3/2003 3:54 MISC (6055) 1SM6, EVERYONE THAT RESPONDED NEEDS TO WRITE A SUP TO THIS

10/3/2003 3:55 MISC (6055) 1AL64, EVERYTHING EAST OF 21ST AV TO 36TH ST CANVASSED ON BOTH SIDES OF THE STREETS

10/3/2003 3:58 MISC 1SM6, EVERYONE THAT RESPONDED NEEDS TO WRITE A SUP TO THIS

10/3/2003 4:00 MISC (6035), HOMI CALL OUT COMPLETE ************

10/3/2003 4:00 * MISC (0712) 1JN51, RESP C3 FROM STOCKTON/MACK TO SCENE...NO INCIDENTS

10/3/2003 4:02 MISC THOMAS, RICHARD RAMIREZ, LIZ BRENNER AND CHUCK DALDORF

10/3/2003 4:09 MISC (6035), SPOA, KASEY CLARK, ER.....ETA 45

10/3/2003 4:29 * MISC (0624) K97, RESPONDED C3 FROM SUTTERVILLE AND FRANKLIN TO TERMINATION POINT. NO INCIDENTS.
(6132) 1AL61, ** PER SHT HARVEY IN IA ** CONTACT SGT WINTON TO RESPOND TO THE SCENE

ALSO

(0751) K98 , RESPONDED C3 FROM 12TH AVE/MLK TO THE VEH STOP...NOT INVOLVED IN THE VEH
Pursuit....AST ON SECURING CRIME SCENE....

(0563) 1AL62, NORTH SIDE OF 22ND AVE FROM 33RD ST WEST TO 22ND AVE CAVANSSED
BY AL62 AND AL63

(0563) 1AL62, SHOULDD READ...EVERYTHING WEST OF 36TH AVE.........

(0563) 1AL62, RESPONDED C3 FROM LAURENCE/STOCKTON.....NO INCIDENTS

(0403) 1AL63, CANVASS FROM 21ST AV WEST TO 21ST AV

(6132) 1AL61, TALKED TO SGT WINTON A FEW AGO ** AND HE ADV THAT SGT MARTIN WAS #1

ON THE CALL OUT LIST.

(6169) LN6, 1SM3 AND 1AL36 ARE THE PEER SUPPORT REPS ON DUTY...THEY WERE BOTH ADV D
OF THIS INC ATOC VIA TO MSG FROM POP1 AND THEY WERE NOT REQ D PER LN6 JUST TO HAVE
THEM ADV D...

P03382321 10/3/2003 3:26  NLOCER  1AL61 SB 38TH ST/16TH AV
P03382321 10/3/2003 3:26  NLOCER  1AL61 WB 21ST AV/38TH ST , 40 MPH NO TRAFFIC
P03382321 10/3/2003 3:26  NLOCER  1AL62 WB 21ST AV/38TH ST , 40 MPH NO TRAFFIC
P03382321 10/3/2003 3:26  NLOCER  1AL63 WB 21ST AV/38TH ST , 40 MPH NO TRAFFIC
P03382321 10/3/2003 3:27  NLOCER  1AL61 WB THROUGH ALLEY SOUTH OF 36TH ST
P03382321 10/3/2003 3:27  NLOCER  1AL63 WB THROUGH ALLEY SOUTH OF 36TH ST
P03382321 10/3/2003 3:28  NLOCER  1AL60 ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
P03382321 10/3/2003 3:28  NLOCER  1AL61 ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
P03382321 10/3/2003 3:28  NLOCER  1AL63 ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
P03382321 10/3/2003 3:41  NLOCER  1AL60 UCD , W/SUSP
P03382321 10/3/2003 4:20  NLOCER (6035) IV132 21ST AV
P03382321 10/3/2003 4:20  NLOCER (6035) IV19 21ST AV
P03382321 10/3/2003 4:20  NLOCER (6035) IV22 21ST AV
P03382321 10/3/2003 4:20  NLOCER (6035) IV27 21ST AV
P03382321 10/3/2003 4:20  NLOCER (6035) IV51 21ST AV
P03382321 10/3/2003 4:20  NLOCER (6035) IV78 21ST AV
P03382321 10/3/2003 4:20  NLOCER (6035) SPOA1 21ST AV
P03382321 10/3/2003 4:21  NLOCER (6035) STF13 21ST AV
P03382321 10/3/2003 4:20  NLOCOS (6035) IV6 21ST AV
P03382321 10/3/2003 4:21  NLOCOS (6035) STF9 21ST AV
P03382321 10/3/2003 5:55  NLOCOS LN6 HOJ
P03382321 10/3/2003 6:49  NLOCOS LN10 HOJ
P03382321 10/3/2003 7:55  NLOCOS (6000) IV27 HOJ
P03382321 10/3/2003 8:45  NLOCOS (6000) IV19 HOJ
P03382321 10/3/2003 3:26  ONVIEW 1AL61 503P 16TH AV /MARTIN LUTHER KING BL
LOCATION:16TH AV /MARTIN LUTHER KING BL <3800/4100>
GROUP1:P6
GROUP2:P6
DISTRICT:61
EDP:1052
FIREBOX:23373
NATURE:503P 503P STOLEN VEHICLE-IN PROGRESS
PRIORITY:2
UNITS:1AL61 1AL62 2CS42
BADGES:8174
CLEARED:ASTASTSUPSUPSUPSUPAST
ENTERED BY:POP4 6019
Dispatched by:POP4 6019
ADDITIONAL:

P03382321 10/3/2003 3:26  OPEN
P03382321 10/3/2003 6:51  PREMPT BV61
P03382321 10/3/2003 6:51  PREMPT 1AL62
P03382321 10/3/2003 3:28  REQ 1AL61 REQUEST, SEE COMMENTS POP4 TO POPS, FIRE FOR SUSP DOWN
P03382321 10/3/2003 3:29  REQ (6035) (*) REQUEST, SEE COMMENTS POPS TO POP4, FIRE ER
P03382321 10/3/2003 3:30  REQ 1AL60 REQUEST, SEE COMMENTS POP4 TO POPS, NEED FIRE TO RESP TO 21ST AV
1AL61 REQUEST, SEE COMMENTS POP4 TO POPS, NEED FIRE BEHIND 21ST AV - IN THE
P03382321 10/3/2003 3:31  REQ VACANT LOT JUST WEST
P03382321 10/3/2003 3:32  REQ (6035) (*) REQUEST, SEE COMMENTS POPS TO POP4, FIRE UPDATED
LN6 REQUEST, SEE COMMENTS POP4 TO POPS, START HOMI/I.A./MANAGEMENT/D.A.
(6169) (*) REQUEST, SEE COMMENTS POPN TO POP4, OC DA INVESTIGATORS TANGHETTI AND BRASS ARE ADV D AND ENRT ETA W/IN 60
P03382321 10/3/2003 3:47 REQ (6169) (*) REQUEST, SEE COMMENTS POPN TO SUP0, DOING CALL OUTS NOW AS OF 0337 HRS
P03382321 10/3/2003 3:53 REQ (6169) STF9 REQUEST, SEE COMMENTS POPN TO SUP0, FYI STF9 IS ADV ING DOPA
P03382321 10/3/2003 3:54 REQ (6132) (*) REQUEST, SEE COMMENTS SUP0 TO POPN, I COPY THE INFO FROM STF9
P03382321 10/3/2003 3:58 REQ (6169) STF9 REQUEST, SEE COMMENTS POPN TO POP4, IA INVESTIGATORS ARE ENRT W/IN 60
P03382321 10/3/2003 4:00 REQ (6035) (*) REQUEST, SEE COMMENTS POPS HOMI, TO POP4 CALL TO OUTS COMPLETE, EVERYONE ER ****** ETA W IN 45-60
P03382321 10/3/2003 4:09 REQ (6036) (*) REQUEST, SEE COMMENTS COMT TO POP4, CALL OUTS COMPLETE, EVERYONE ER
P03382321 10/3/2003 4:28 * REQ (6085) (*) REQUEST, SEE COMMENTS COMH TO LN14, 1AL42 ADV D
P03382321 10/3/2003 4:34 REQ (6055) 1AL40 CITY TOW, EMERGENCY SERVICE POP4 TO COMT, NEED TOW FOR VEH #9270
P03382321 10/3/2003 5:37 REQ (6036) (*) REQUEST, SEE COMMENTS COMT TO POP4, WHERE IS THE VEH FOR CITY TOW LOCATED?
P03382321 10/3/2003 5:37 REQ (6055) 1AL40 UPDATE TOW TRUCK REQUEST POP4 TO COMT, VEH WILL BE AT 21ST AV
P03382321 10/3/2003 5:38 REQ (6036) (*) REQUEST, SEE COMMENTS COMT TO POP4, ALSO NEED REASON FOR TOW. DEAD BATTERY?
P03382321 10/3/2003 5:39 REQ (6055) 1AL40 UPDATE TOW TRUCK REQUEST POP4 TO COMT, DEAD BATTERY
P03382321 10/3/2003 5:40 REQ (6055) 1AL41 CANCEL TOW TRUCK POP4 TO COMT, C4 CITY TOW
P03382321 10/3/2003 5:40 REQ (6036) (*) REQUEST, SEE COMMENTS COMT TO POP4, COPY C4 FOR CITY TOW
P03382321 10/3/2003 5:40 REQ (6000) 2CS50 TOW TRUCK(S) POP4 TO COMT, IN THE ALLEY BEHIND 21ST AVE ( EDP 1052)....
P03382321 10/3/2003 7:38 REQ (6057) 2CS50 TOW TRUCK(S) COMT TO POP4, COLLEGE OAK TOWING 20 MINS FOR THE TOYT @ 90 TOYT
P03382321 10/3/2003 7:41 REQ (6000) 2CS50 TOW TRUCK(S) POP4 TO COMT, 10/03/03 08:04:02 TO POP4 FROM 2CS50 OPER #8108:SORRY I WAS MIS-INFORMED CAN U START CAP CITY TOW FOR THE IMPOUND AND PLZ PUT COLLEGE OAK ON TOP OF THE LIST PLZ
P03382321 10/3/2003 8:04 REQ (6057) (*) TOW TRUCK(S) COMT TO POP4, CAP CITY RESPONDING FOR EVID IMPOUND....AND TOW LOG UPDATED
P03382321 10/3/2003 8:41 * REQ
(8108) VEHUP 2CS50 TO WAP8, Special Request for VEHICLE UPDATE for 2CS50 Action: IMPOUN, Report: 03-86426, License: [redacted], Year: 90, Make: TOYT, Model: CAM, Style: 4D, Color: WHITE, Status: G1N, Reason: 14602.6, Tow Company: CAP CITY, Misc: FRNT PLT MISS IMPOUND

P03382321 10/3/2003 8:53 REQ FCN/4300327502760LIC/2UDJ613VIN/UASVS CLEAR
(6208) (*) VEHICLE UPDATE WAR8 TO WAR8 , UASVS CLEAR

P03382321 10/3/2003 9:28 REQ

P03382321 10/3/2003 7:40 SUOFF (6000) 2CS42
P03382321 10/3/2003 7:40 SUOFF (6000) 2CS50
P03382321 10/3/2003 3:31 SUON LN6
P03382321 10/3/2003 3:33 SUON 1SM6
P03382321 10/3/2003 3:51 SUON 1CS30
P03382321 10/3/2003 3:51 SUON IV6
P03382321 10/3/2003 3:51 SUON IV22
P03382321 10/3/2003 3:51 SUON IV27
P03382321 10/3/2003 4:00 SUON IV132
P03382321 10/3/2003 4:00 SUON IV51
P03382321 10/3/2003 4:00 SUON IV78
P03382321 10/3/2003 4:00 SUON STF13
P03382321 10/3/2003 4:00 SUON STF14
P03382321 10/3/2003 4:00 SUON STF9
P03382321 10/3/2003 4:09 SUON STF15
P03382321 10/3/2003 5:08 SUON STF10
P03382321 10/3/2003 5:49 SUON 1CS30
P03382321 10/3/2003 5:49 SUON 1CS41
P03382321 10/3/2003 5:49 SUON 1SM6
P03382321 10/3/2003 6:11 SUON 2CS10
P03382321 10/3/2003 6:28 SUON IV90
P03382321 10/3/2003 7:07 SUON (6000) 1AL61
P03382321 10/3/2003 3:27 XREF (6035) PD03086426 1AL61
P03382321 10/3/2003 3:30 XREF (6052) #P03382324 1AL61
P03382321 10/3/2003 6:51 XREF #P03382392 1AL62 1AL61
P03382321  10/3/2003  15:01   XREF   (6087) #P03382961
P03382321  10/3/2003  17:16   XREF   (6183) #P03384505
P03382321  10/4/2003  0:11   XREF   (6004) #P03383738  CH63
LOCATION: N21ST AV / 36TH ST <3600/4600>
GROUP1: P6
GROUP2: P6
DISTRICT: 61
EDP: 1071
FIREBOX: 23356
NATURE: 503C 503C STOLEN VEHICLE-CSI
PRIORITY: 9
UNITS: CSI10 CSI13 CSI10
BADGES: 6378
CLEARED: P EB AST
ENTERED BY: POP4 6019
DISPATCHED BY: POP1 6052
ADDITIONAL: 1AL61

P03382324  10/3/2003 3:30      INC      NO ONE OUTSTANDING ..
P03382324  10/3/2003 3:30      HOLD      -6019
P03382324  10/3/2003 3:30      DISP      (6019) CSI10 #6378 BOYD
P03382324  10/3/2003 3:30      XREF      (6052) #P03382321 1AL61
P03382324  10/3/2003 3:31      ENRTE      (6378) CS110
P03382324  10/3/2003 3:31      NLOCER      CSI10 UCD
P03382324  10/3/2003 3:45      906      (6378) CS110
P03382324  10/3/2003 3:57      ASSTER      CS113 #6370 BRAVERMAN @ UCD
P03382324  10/3/2003 4:05      NLOCER      (6378) CSI10 21ST AV N 48TH ST
P03382324  10/3/2003 4:07      906      (6370) CS113
P03382324  10/3/2003 4:13      906      (6378) CS110
P03382324  10/3/2003 4:55      XREF      (6169) PD03086426 CSI10 , SPD 503RPT FROM SUSP VEH**************
P03382324  10/3/2003 5:07      CCNTCT      CS113
P03382324  10/3/2003 5:13      CCNTCT      CS110
P03382324  10/3/2003 6:46      XREF      PD03086693 CS110
P03382324  10/3/2003 7:43      NLOCER      (6370) CS113 625 H ST
P03382324  10/3/2003 7:45      NLOCER      (6378) CS110 CSI OFFICE
P03382324  10/3/2003 8:01      906      (6370) CS113
P03382324  10/3/2003  8:05  *  906 (6378) CSI10
P03382324  10/3/2003  8:28  *  CLEAR  (6370) CSI13 AST, DIAGRAMS
(6026) CSI10 CITY TOW, EMERGENCY SERVICE COM1 TO COMT, V= 8946 ... DEAD
P03382324  10/3/2003  11:32  REQ  BATTERY AT THE CSI OFFC
(6062) (*) CITY TOW, EMERGENCY SERVICE COMT TO COM1, CSI10...KINNEY GARAGE
P03382324  10/3/2003  11:40  REQ  ADVD AND WILL GIVE ARNOLDS A CALL....
P03382324  10/3/2003  11:47  *  CLEAR  (6378) CSI10 P EB
P03382324  10/3/2003  11:47  *  CLOSE
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LOCATION: 2315 STOCKTON BL -- UCD MED CENTER
GROUP1: P6
GROUP2: P6
DISTRICT: 62
EDP: 1005
FIREBOX: 16167
NATURE: 992E 992E ERRAND
PRIORITY: 6
UNITS: BV61 1AL62 EDW62
BADGES: 0619
CLEARED: FINFINAST
ENTERED BY: POP4 6019
DISPATCHED BY: POP4 6019
ADDITIONAL:
SOURCE: R *
10/3/2003 10:13  ASSTER  (6000) BV64 #0528 WALLACE @ UCD, PER 2SM6
10/3/2003 10:14  UNAVL  (6000) BV64
10/3/2003 10:14  UNAVL  (6000) BV64
10/3/2003 10:24  * 906 (0528) BV64
10/3/2003 10:31  * CLEAR  (0684) BV61 AST
10/3/2003 11:08  ASST  (6074) BV62 #0798 TROTTER @ UCD, FOR RELIEF
10/3/2003 11:08  * ENRTE  (0798) BV62
10/3/2003 11:18  * 906 (0798) BV62
10/3/2003 11:34  PREMPT  (6074) BV64
10/3/2003 12:19  UNAVL  (6074) BV62
10/3/2003 13:23  ASST  (6074) BV61 #0684 LEACH @ UCD
10/3/2003 13:24  * ENRTE  (0684) BV61
10/3/2003 13:31  * 906 (0684) BV61
10/3/2003 13:41  PREMPT  (6042) BV62
10/3/2003 14:31  UNAVL  (6074) BV61
10/3/2003 15:14  CONTCT  (6004) BV61
10/3/2003 15:39  ASSTER  (6004) CH64 #0717 GIGANTE @ UCD
10/3/2003 15:51  * 906 (0717) CH64
10/3/2003 16:08  * NLOCER  (0684) BV61 JERPF
10/3/2003 16:24  * 906 (0684) BV61
10/3/2003 16:46  909 (6054) BV61

10/3/2003 16:49  REQ  AND ADV THAT CH64 AND PRISONER ARE BACK IN TRAUMA ROOM #1023
10/3/2003 16:50  NLOCOS  (6054) CH64 UCD/TRAUMA RM #1023
10/3/2003 16:50  SUON  (6054) CH64
10/3/2003 16:50  UNAVL  (6054) CH64
10/3/2003 17:53  CONTCT  (6054) CH64 , UCD
10/3/2003 18:01  ASSTER  (6054) CH60 #0239 CUMMINGS @ UCD/TRAUMA RM #1023
10/3/2003 18:05  * 906 (0239) CH60
10/3/2003 18:35  CLEAR  (6054) CH64 FIN
10/3/2003 19:06  CONTCT  (6054) CH60
10/3/2003 19:06  SUON  (6054) CH60
(6054) CH60 REQUEST, SEE COMMENTS POP6 TO COMH, PLZ TRY TO CALL OFFCR AT UCD AND ADV EDW62 IS ERNT TO RELIEVE HER. CH60 IS IN TRAUMA ROOM #1023

P03382392 10/3/2003 19:57  REQ  (6005) EDW62 #0619 GOW @ UCD/TRAUMA RM #1023
P03382392 10/3/2003 20:05  ASSTER  (6005) EDW62
P03382392 10/3/2003 20:05  UNAVL  (6005) EDW62
P03382392 10/3/2003 20:05  UNAVL  (6005) CH60

(6042) (*) REQUEST, SEE COMMENTS COMR TO POP6, AFTER BEING TRANSFERRED AT LEAST 5 TIMES --- & ON HOLD - PRISONER/LOPEZ, BICTORIAN, DOB/050771, IS IN NURSES TRAUMA UNIT RM #1023 - THE BLDG EAST OF ER ** CH60 ADV D

P03382392 10/3/2003 20:06  REQ  (0619) EDW62
P03382392 10/3/2003 20:09 *  906  (6054) EDW62, UCD
P03382392 10/3/2003 20:25  PREMPT  (6005) CH60
P03382392 10/3/2003 21:09  CONTCT  (6054) EDW62, UCD
P03382392 10/3/2003 22:10  CONTCT  (6054) EDW62, UCD
P03382392 10/3/2003 22:42  ASSTOS  (6054) CH63 #0527 ARMSTRONG @ UCD/TRAUMA RM #1023
P03382392 10/3/2003 22:51  NLOCER  (6054) EDW62 JERPF
P03382392 10/3/2003 23:17  909  (6054) EDW62
P03382392 10/3/2003 23:43  CONTCT  CH63, UCD
P03382392 10/4/2003 0:10  PREMPT  (6004) CH63
P03382392 10/4/2003 0:13  CLEAR  (6004) (*) FIN
P03382392 10/4/2003 0:13  CLOSE
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10/4/2003 1:46 REQ LOG HIM OFF
10/4/2003 1:46 CLEAR (6025) CH63 FIN
10/4/2003 2:08 NLOCOS (6107) CH64 UCD/TRAUMA RM #1023
10/4/2003 2:08 UNAVL (6107) CH64
10/4/2003 2:14 SUON (6107) CH64
10/4/2003 3:55 ASSTER (6010) 1AL62 #0563 ENGLEFIELD @ UCD/TRAUMA RM #1023
10/4/2003 3:59 CONTCT (6010) CH64, AIR
10/4/2003 4:08 * 906 (0563) 1AL62
10/4/2003 4:31 REQ AND EOW (6055) CH64 REQUEST, SEE COMMENTS COMA TO POP1, PLEASE SHOW THIS UNIT CLR AND EOW
10/4/2003 4:31 REQ AND EOW (6055) CH64 REQUEST, SEE COMMENTS COMA TO POP4, PLEASE SHOW THIS UNIT CLR AND EOW
10/4/2003 4:31 909 (6010) CH64
10/4/2003 5:14 UNAVL (6107) 1AL62
10/4/2003 5:29 CONTCT (6019) 1AL62, UCD
10/4/2003 6:30 ASSTER (6010) BV61 #0684 LEACH @ UCD/TRAUMA RM #1023
10/4/2003 6:34 CONTCT (6010) 1AL62, AIR
10/4/2003 6:44 * 906 (0684) BV61
10/4/2003 6:54 PREMPT (6010) 1AL62
10/4/2003 8:10 CONTCT (6029) BV61
10/4/2003 8:40 UNAVL (6093) BV61, PRISONER WATCH
10/4/2003 9:19 CONTCT (6029) BV61
10/4/2003 10:19 CONTCT (6029) BV61
10/4/2003 11:11 ASSTER (6029) BV62 #0616 GRIMALDI @ UCD/TRAUMA RM #1023, TO RELIEVE BV61 FOR C7
10/4/2003 11:20 CONTCT (6029) BV61
10/4/2003 11:22 * 906 (0616) BV62
10/4/2003 11:37 * 906 (0684) BV61
10/4/2003 11:37 PREMPT (6029) BV61
10/4/2003 12:14 ASSTER (6029) BV61 #0684 LEACH @ UCD/TRAUMA RM #1023, FOR PRISONER WATCH
10/4/2003 12:22 * 906 (0684) BV61
P03383738 10/4/2003 12:23 CONTCT (6029) BV62
P03383738 10/4/2003 12:26 UNAVL (6029) BV61
P03383738 10/4/2003 12:31 UNAVL (6029) BV62
P03383738 10/4/2003 13:10 XREF (6067) #P03384241 BV61
P03383738 10/4/2003 13:14 * 909 (0616) BV62
P03383738 10/4/2003 14:24 CONTCT (6093) BV61, UCD PRISONER WATCH
P03383738 10/4/2003 15:08 ASSTER (6029) EDW65 #0855 VALENZUELA @ UCD/TRAUMA RM #1023, TO RELIEVE DAY SHIFT
P03383738 10/4/2003 15:13 * 906 (0855) EDW65
P03383738 10/4/2003 15:24 CONTCT (6029) BV61
P03383738 10/4/2003 15:31 PREMPT (6029) BV61
P03383738 10/4/2003 15:35 ASSTER (6029) CH62 #0481 CLEVERINGA @ UCD/TRAUMA RM #1023
P03383738 10/4/2003 15:47 * 906 (0481) CH62
P03383738 10/4/2003 15:49 NLOCER (6029) CH62 UCD/TRAUMA RM #1023, 906 IN ERROR
P03383738 10/4/2003 16:01 * 906 (0481) CH62
P03383738 10/4/2003 16:03 906 (6029) CH62
P03383738 10/4/2003 16:14 CONTCT (6029) EDW65
P03383738 10/4/2003 16:16 * CLEAR (0855) EDW65 AST, PRISONER WATCH
P03383738 10/4/2003 16:56 UNAVL (6029) CH62
P03383738 10/4/2003 17:02 SUON (6018) CH62
P03383738 10/4/2003 17:04 CCNCT (6018) CH62
P03383738 10/4/2003 17:16 XREF (6183) #P03384505
P03383738 10/4/2003 17:54 ASSTOS (6018) 3SM6 #3083 WALKER @ UCD/TRAUMA RM #1023
P03383738 10/4/2003 17:57 * 909 (3083) 3SM6
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21ST AVENUE (ALLEY BEHIND LOCATION)

OFFICER JOHN HARSHBARGER

5770 FREEPORT BL., #100., SACTO., CA. 95822

INJURED:
A. TAKEN TO SMC
B. TAKEN HOME
C. CORONER
D. REFUSED AID
E. OTHER:

SPECIFY EXTENT OF INJURY:

TRANSPORTED BY:

25's RELATIONSHIP TO SUSPECT:

REPORTING PARTY:

DATE OF BIRTH:

SEX:

RACE:

RESIDENT PHONE:

BUSINESS PHONE:

METHOD OF A.:

TANK:

PHYSICAL/NO WEAPON:

OTHER WEAPON:

CHECK WHERE APPLICABLE:

PUBLIC PREMISES:

HISTORY:

BANK/SAVINGS & LOAN:

CREDIT UNION:

JEWELRY STORE:

WAREHOUSE:

MANUFACTURING:

CONSTRUCTION SITE:

CONSTRUCTION SITE:

PRIVATE SCHOOL:

DOWNTOWN HALL:

BIKE TRAIL:

SHOPPING CENTER:

THEATER/DRIVE-IN:

GAS STATION/GARAGE:

CHECK WHERE APPLICABLE:

POINT OF ENTRY:

WINDOW:

DOOR:

OTHER:

LOCATION OF ENTRY:

METHOD OF ENTRY:

ALARM:

MO. TYPE:

COMPLETE THE FOLLOWING BOXES IF VICTIM'S VEHICLE OR INCIDENT OCCURRED IN A VEHICLE:

YEAR:

MAKE:

MODEL:

BODY STYLE:

COLOR(S):

LICENSE PLATE NUMBER:

STATE:

YEAR REG.

NARRATIVE:

#03-86426 / 10851 CVC  CALL#03382231
### DISTRICT ATTORNEY'S COVER SHEET

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( ) WARRANT REQUEST (x) IN CUSTODY

**ATTN:** DA Myers

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**VICTIM (S):** #1 - Ofc. John Harshbarger #484 / State of California

**SUSPECT (S):**

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<th>#1 - LOPEZ, Victoriano</th>
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**CASE SUMMARY:** (Briefly establish the factual basis of the offense and defendant's guilt, including dates, times and identify of principal witness).

- PLEASE REFER TO CASE SUMMARY -

( ) Check here if further investigation is pending and describe briefly.

**COMMENTS:** (use for description and identification of all suspects for warrant requests and for additional victims and/or defendants).

Detective: S. OLIVEIRA #0754  Detail: HOMICIDE  Phone: 433-0685

Reviewing Supervisor: Sgt. F. Guajajara  Date:
SPD CASE SUMMARY (#03-86693)

On 10-3-03 at approx. 0350 hrs, Sacramento Police Dept. Communications contacted Sgt. Enríquez and Sgt. Quinn and advised them of an officer involved shooting resulting from a vehicle pursuit. They were advised that an officer shot the driver who had fled from the stolen vehicle. Sgt. Enríquez, Sgt. Quinn, Sgt. McCloskey, Det. Oliveira, Det. Guerra, Det. Schneider, and Det. Higgins responded to the scene to investigate the shooting. The scene was located in the alley west of 36th St and south of 21st Ave. Upon the arrival of detectives, the suspect had already been transported to the UCD Medical Center and was listed in stable condition. Sgt. Walters briefed detectives on the circumstances known to him at the time. Sgt. Walters advised detectives that Ofc. Harshbarger had gotten in pursuit of a stolen Toyota Camry (CA-________). He stated that the driver stopped the Camry in the alley and fled on foot. He advised us Harshbarger shot the suspect in an empty lot adjacent to the alley. The suspect had been identified as Victoriano Lopez (DOB: 5-7-71). Lopez’s address was later determined to be [REDACTED] which was several houses away from the shooting.

The Toyota Camry was reported stolen to the Sacramento Police Department on 10-2-03 (SPD case #03-86426). [REDACTED] was the reporting party.

Det. Guerra investigated the scene. He found that the actual location of the shooting was in the alley bordered by 21st Avenue to the north, 36th Street to the east, 22nd Avenue to the south and 35th Street to the west. Ofc. Harshbarger conducted a walkthrough at approximately 0515 hours. Ofc. Harshbarger took SPD Homicide Detectives Quinn, Enríquez, Schneider, McCloskey, Oliveira and Guerra through a brief walk-through of the area where the shooting took place. Ofc. Harshbarger had been driving a black and white marked SPD patrol vehicle,
number 9227S at the time he attempted to initiate a traffic stop, which lead to a vehicle pursuit that terminated in the above described alley. Ofc. Harshbarger said that his in car camera (ICC) had been activated during this time, but the audio had not been activated. Ofc. Harshbarger’s patrol car was situated almost half way through the alley, directly behind the suspect vehicle, which was a white four door Toyota Camry (CA-000000). Two spent bullet casings were located just west of the front of the suspect vehicle and were later recovered as evidence. Blood was located on the ground, 15 to 20 feet north of the north edge of the alley, in an empty lot. The suspect’s clothing, which was left on scene by medics, was approx. 2 to 3 feet north of the blood. The following items were taken from the suspect and had been placed in the trunk of Ofc. Vigil’s patrol car: a blue fanny pack, one pair of wool/cotton gloves, a small credit card style holder and a double edged knife (dagger, approx. 4” blade) with a plastic sheath.

At approx. 0600 hours Detective Schneider canvassed the area of 21st Ave. and 35th Street in an attempt to locate any potential witnesses to this incident. Detective Schneider spoke to three subjects that live at 21st Ave. The first subject, [redacted], stated that she was sleeping in her house when she heard a police chase going down the alley to the rear of her house. When the sirens were turned off, [redacted] could hear a male voice yell “stop, get down”. [redacted] said she heard the voice yell “stop, get down” a second time and then heard 3 gunshots. The second subject, [redacted] told Detective Schneider that she was asleep in her house when she was awaken by the sound of a male voice yelling. [redacted] said that she could not hear what was being said, but it was coming from the alley to the rear of her house. [redacted] said that she then heard two gunshots and a male voice shouting “get down, get down”. [redacted] then heard the sound of several sirens come into the area. The third subject, [redacted] said that he was just falling asleep when he heard a commotion in the
alley to the rear of the house. [REDACTED] said that he heard a male voice yell "stop, get down" twice and then 2 pops that he thinks were gunshots.

On 10-3-03 at approx. 0745 hours Detective Schneider spoke to [REDACTED] at the Public Safety Center. [REDACTED] stated that he was talking on the phone in the living room of his house, [REDACTED], when he heard a police chase coming down what he thought was 36th Street. The pursuit turned onto 21st Ave. and ended up in the alley to the rear of his house. [REDACTED] said that he heard a male voice yell "stop" two times and then a good 5 seconds later he heard two shots.

Det. Oliveira observed Ofc. Harshbarger’s ICC videotape. Det. Oliveira observed the pursuit of the Camry. The Camry was seen running approx. three stop signs, cutting several corners on the wrong side of the road, and appeared to be driving at a high rate of speed for a residential neighborhood. The Camry stopped in the alley and the driver hesitated before getting out. The suspect was seen running around the front of the Camry and appeared to be reaching for his right waistband. Ofc. Harshbarger gave chase and both went out of the view of the camera. There was no audio on the videotape.

At approx. 0642 hrs, Det. Oliveira interviewed Ofc. Harshbarger at 5770 Freeport Bl. Det. Oliveira checked Ofc. Harshbarger’s Sig Sauer .40 cal. duty weapon. His duty weapon, which has a capacity of 13 rounds, was loaded with 11 rounds. His two extra magazines were fully loaded with 12 rounds. Ofc. Harshbarger stated he observed the white Camry (CA- [REDACTED] crossing 14th Ave, northbound, on to 39th St at a high rate of speed. He got behind the Camry and ran the license plate on his computer. He was advised by Dispatch that the Camry was a stolen vehicle. He followed the vehicle eastbound through an alley on to MLK Blvd and then westbound on 16th Ave, waiting for back up units to make a felony vehicle stop. The Camry turned south on 38th St and accelerated to
Sacramento Police Department

Update Datasheet

LAST NAME: LOPEZ
FIRST NAME: BICTORIANO
PHOTO #: 2154093
PHOTO DATE: 03-11-2003
ARREST LOCATION: 7TH @ S ST
AGE: 31

PHYSICAL DESCRIPTION

SEX: MALE
RACE: HISPANIC
HEIGHT: 5'10"
WEIGHT: 175
EYE COLOR: BROWN
HAIR COLOR: BLACK
HAIR STYLE: 
FACIAL HAIR: 
CIL: 
FBI: 
OCA: 
SSN: 
OLN: 

SCAR #1: 
SCAR #2: 
SCAR #3: 
TATTOO #1: 
TATTOO #2: 
TATTOO #3: 

OFFENSE #1: 1
OFFENSE #2: 2
OFFENSE #3: 
OFFENSE #4: 

DOB: 5-7-71

10/6/03
ALIAS- ___ ADDRESS- ___ REMARK- ___ O/I- ___ MH-___ LOCAL- ___
NAME- LOPEZ VICTORIANO ___
ADDR- ___ POB- ___ COB- ___ CITY- ___ PHONE- ___
DOB- 05/07/1971 SEX- M RACE- H HGT- 510 WGT- 175 HAIR- BLK EYES- BRO
IDENTIFIERS:
SSO ___ PDS ___ CII ___
FBI ___ OLN ___ OLN ___
SSN ___ CDC ___ CYA ___
TEL ___ TEL ___ TEL ___
TEL ___ POD ___ TEL ___
CAUTION- ___ PHONE- ___
SPECIAL NOTIFICATION NAME- ___ PHONE- ___
FLAGS: GUN PERMIT- N DEATH FLAG- ___ PAROLE- Y DATE- 08/07/2000
DO NOT MERGE- PC290- ___ HS11590- ___ PROB- I/S DATE- 07/28/2005
WARRANTS: FEL- 00 MIS- 00 INF- 00 CA0340000 03132003 211411
PF: 1 MENU 2 PERSON 3 ARREST 4 CRIME 5 JAIL CUST
7 PROBATION 9 BUSINESS 10 WARRANT 11 DUE DIL 12 CASE HIST
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R2911-I  *** END OF ARREST MULTIPLE HITS
PROBATION OFFICER INFORMATION

PROBATIONER NAME- (LOPEZ__________, BICTORIANO__________)

NAME- ___________________________ PHONE- _______

RADIO CALL NO- _____ ASSIGNMENT- __________________________

WORK SCHEDULE- __________________________

LOCATION- ____________________________

PARTNER NM- _______________________ PHONE _______ CLN ______

SUPERVISOR- _________________________ PHONE ______

P1801-I NOT SUPERVISED BY PROBATION   P1809-I USE ANY PF KEY OR CLEAR TO EXIT
ORIGINAL

DATA ENTRY - UPDATE -

NAME - LOPEZ  ADDRESS - BICTORIANE  O/I - C  MH -  LOCAL -
ADDR -  COB -  CITY - PHONE -
DOB - 05/07/1971  SEX - M  RACE - H  HGT - 510  WGT - 175  HAIR - BLK  EYES - BRO

ALIAS - ADDRESS - REMARK -  O/I -  MH -  LOCAL -

IDENTIFIERS:
SSO  FBI  SSN  TEL  TEL  SSO  FBI  SSN  TEL  TEL
PDS  OLN  CDC  TEL  TEL  PDS  OLN  CDC  TEL  TEL

CAUTION - SPECIAL NOTIFICATION NAME -
DO NOT MERGE -  PC457.1 -  HS11590 -  PROB - I/S  DATE - 07/28/2005
WARRANTS: PEL - 00  MIS - 00  INF - 00  CA0340000 03132003 211411
PF: 1  MENU  2  PERSON  3  ARREST  4  CRIME  5  JAIL CUST
7  PROBATION  9  BUSINESS  10  WARRANT  11  DUE DIL  12  CASE HIST
W0313-I HAS 14 NAMES, 05 ADDRESSES  W0333-I HAS REMARKS
HELP-CONDITIONS- CHANGE TO: CASE- CHG-
PF: 1 MENU  2 PERSON  3 CHARGES  4 CHG DISPO  5 CASE INFO  7 SENTENCE  9 TRACKING  11 CASE HIST  12 PERS HIST C7506-I CASE HAS 1 DEFENDANT RECORD(S)  C7507-I END OF PROBATION CONDITIONS
PROBABLE CAUSE DECLARATION FOR IN CUSTODY DETAINEE

(Do Not Attach Booking Summary to Adult Detainee)

Defendant Name: Lopez, Victorino

I declare the above named person has been arrested and is detained in the Sacramento County Jail. I am informed of and believe the facts below which establish probable cause to detain this individual: (Print in blank ink, circle description of witness, and "saw" or "heard" as appropriate).

Evidence establishing a crime was committed

Witness / Victim / Officer stated he/she saw/heard the following:

SECE ATTACHED CASE SUMMARY

(If necessary, continue below)

Evidence establishing that the arrested person committed the crime

Witness / Victim / Officer stated he/she saw/heard the following:

(If necessary, continue below)

Signature: I declare under penalty of perjury that the foregoing is true and correct

Print Name:

Date: 10/10/13

Badge No: 252

Judicial Decision Re: Probable Cause to Detain

☐ I find the declaration DOES establish probable cause to believe this arrestee committed a crime. The arrestee may be detained.

☐ I find the declaration DOES NOT establish probable cause to detain. The arrestee should be released on the charge(s).

Signature of Magistrate

Date

Time

VC 23153 (a-b) Bail/Or Information

Victim(s) Name(s):

Age

Extent of Injury:

Hospitalized:

If Yes, Where

PC 273.5 Bail/Or Information

Yes No Unk Questions (For Yes Answers, Explain Below)

Yes No Unk Questions (For Yes Answers, Explain Below)

1. Prior documented domestic violence history?

2. Documented history of violence?

3. Other temporary housing available to arrestee?

4. Was violation of a court order involved?

5. Is the victim fearful of further violence?

6. Has the victim sought alternative housing?

7. Were minor children threatened or endangered?

☐ Explanation of any "yes" answer above in 273.5 PC cases, and describe extent of injury.

☐ Continuation of answer(s) from above.

☐ (Check if applicable) Minor admitted to Officer that he/she
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Please note that the form contains sensitive information that should not be shared publicly.
**SACRAMENTO POLICE DEPARTMENT**

**ADDITIONAL PERSONS/SUSPECT VEHICLE SUPPLEMENT**

**REPORT NUMBER**

03-86693

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| 57 CASUALTY UNIT |
| 58 MODIFIED | 59 WHEELS | 60 WINDOWS |
| 61 LIGHTS OUT | 62 CONDITION |

**63 REPORTED BY**

ENGLEFIELD

**64 BADGE**

565

**65 DIV**

66 ASSISTED BY

**67 BADGE**

68 DIV

**69 APPROVED BY**

Sgt. Quiroz 3-22

**PAGE**

71 DATE

10/3/03

**72 TIME**

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**SACRAMENTO POLICE DEPARTMENT**

**ADDITIONAL PERSONS/SUSPECT VEHICLE SUPPLEMENT**

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**REPORT NUMBER:**
03-86693

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**CITATION #**

**CITATION #**

**DISPOSITION**

**ADDITIONAL DESCRIPTION / CASUALTY INFORMATION**

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**TRANSPORTING UNIT:**

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**APPROVED BY:**

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**SACRAMENTO POLICE DEPARTMENT**

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**Reported By:**  [Signature]

**Approved By:**  [Signature]
**SACRAMENTO POLICE DEPARTMENT**

**OFFICER JOHN HARSHBARGER**

**ADDITIONAL PERSONS/SUSPECT VEHICLE SUPPLEMENT**

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**never provide any I.D. and I cannot find him in the RMS / County system. It's unknown if this is a good I.D.**

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On 10-03-03/ 0326 hrs, I, Sgt G. Walters was the supervising sergeant for sector 6. Officer Harshbarger #0484 was in pursuit of a 10851 VC, which ended in a foot pursuit and an officer involved shooting. I responded to the scene and contacted officer Harshbarger. I asked him if he was alright and replied yes. I asked Harshbarger if there were any suspects still outstanding. He stated, no. I asked no additional questions at this time. I walked into the lot and observed suspect LOPEZ. LOPEZ was handcuffed and officer Vigil was patting him down for weapons. Once LOPEZ was secure, I sent officer Azevedo out to 21st Ave and I told him to have Fire come directly to him and for him to escort fire into the down suspect. I had some of the additional units on scene start setting up crime scene tape at both ends of the alley and across the front of the lot on 21st Ave. CSI and CSO’s were requested. Once Fire and Ambulance arrived and treated the suspect and departed for the hospital, I had all of the officer’s on scene carefully back out of the immediate scene.

In the interest of public safety, Lt Bernard and I asked officer Harshbarger where he was standing when he fired his weapon and how many rounds he shot. Officer Harshbarger showed us the location and he said he thinks he fired two rounds. Two casings were found in the area.

I had officers Saetern and Azevedo check with the residents who lived in the direction the rounds were fired, checking on the welfare of the occupants. All residents advised they were fine. I had the officers continue doing a neighborhood canvass.
Lt Bernard made the management page and the scene was maintained until the arrival of Investigations. I held the briefing for Investigations and later removed the ICC tape from officer Harshbarger’s patrol car # 9277. I released the tape to Sgt Enriquez at the scene.

All officers on scene were advised to complete a supplement listing their actions.
Observations:

On 10-03-03, I was assigned ISM4. At 0326 hr's I monitored a broadcast by Officer Harshbarger that he was in pursuit of a stolen vehicle. The pursuit terminated in the alley south of 21st Av and west of 36th Street. I responded to the location of the pursuit termination with arrival at approximately 0335 hours and determined my assistance at the scene was not needed. I departed the scene at approximately 0345 hours.
OBSERVATIONS (VITAL HITS)

On 10/8/03 at approx. 0226 HRS I was responding Code 3 lights and sirens in marked police car and uniform to the area of 38th St./16th Ave regarding a stolen vehicle pursuit (10857 V.C./2860 V.C.).

As I responded to assist Ofc. Harshbarger who pursued alone on radio updates via radio / Home of Ofc. Harshbarger put out they were in the alley of 21st Ave S/O of W 36th St. Upon arrival I heard via radio ofc.

Harshbarger advise shots were fired. I advised dispatch I was on scene on radio and ran in front past ofc.

Harshbarger marked patrol car #8777 as I yelled to him and he veered back (21st Ave.)

I ran west through the alley towards ofc. Harshbarger voice. With my flashlight lighting my path I ran between two heavily wooded bushes and over a couch onto an empty lot. The lot was dark and not illuminated at 4LC. Just north of the alley, approx. 20 ft. I saw ofc.

Harshbarger with a prone subject on the ground. (Later CIC ID # 8495 LOPES) Ofc Harshbarger had his duty weapon fixed on the suspect.
1. CBS VISIT CONT'D

2. 

3. I drew my weapon and waited for additional units. The suspect was laying face down with a bloodstained area on his lower right back. He was moaning. He had on black knit gloves on which he took off as he laid on his stomach.

4. DM on the ground next to him was an open/empty EASY PACK. OFC's BOLLARD #375 and AREVOO #809

5. RESPOND

6. 

7. AT THIS TIME I TOOK OVER GIVING VERBAL COMMANDS.

8. I told G. LOPEZ to put his hands on his back. He did. AT THIS TIME I OBSERVED A BLACK APPEAR 3" SWERT KNIFE ON HIS RIGHT SIDE INSTEAD OF HIS BELT. I THEN HANDCUFFED G. LOPEZ AND USED MY POCKET KNIFE TO CUT HIS BELT AND SECURE THE KNIFE. (FOR OFFICER SAFETY REASONS). DUE TO G. LOPEZ'S INJURY I WAS UNABLE TO MANIPULATE HIS BELT TO GET THE KNIFE.

9. 

10. I conducted a search of G. for more weapons and located his I.D. and wallet in his right breast pocket.

11. 

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SPD 105 (REV 8/90)
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<th>NARRATIVE</th>
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<tbody>
<tr>
<td>1 OBS VIGIL CONT'D</td>
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<tr>
<td>3 APPROX 1/4&quot; HOLE IN HIS UPPER LEFT CHEST, WHEN THEY TURNED</td>
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<tr>
<td>4 (S) LOPEZ OVER I OBSERVED A SMALL BLEEDING HOLE APPROX 1/4&quot;</td>
</tr>
<tr>
<td>5 ROUND IN HIS LOWER LEFT BACK, AS FIRE/MEDICS TURNED (S) LOPEZ</td>
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<tr>
<td>6 OVER A SPRINT ROUND FELL FROM HIS SHIRT. OFC KERNER 324</td>
</tr>
<tr>
<td>7 TOOK CONTROL OF THE ROUND.</td>
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<td>8</td>
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<td>9 MEDICS AND OFC LAMM 475 TRANSPORTED (S) LOPEZ TO UCD MED</td>
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<tr>
<td>10 CENTER. I BROKE (S) LOPEZ'S WALLET, KNIFE, GLOVES, AND BELONGINGS</td>
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<td>11 INTO J.E.P.I.F. AS EVIDENCE AND FOR BACK UP</td>
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<td>12</td>
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<tr>
<td>13 IC #30672 WAS IN MY UNIT #5591 AND COTHER NO PART OF</td>
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<td>14 THE INCIDENT AS IT OCCURRED OUT OF VIEW OR THE CAMERA.</td>
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<th>REPORTED BY</th>
<th>5 BADGE</th>
<th>6 DIV</th>
<th>7 YRS OF SERVICE</th>
<th>8 DATE</th>
<th>9 APPROVED BY</th>
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<tr>
<td>VIGIL</td>
<td>576</td>
<td>1</td>
<td>2</td>
<td>19/3/03</td>
<td>SGT GUMPER</td>
</tr>
<tr>
<td>10 ASSISTED BY</td>
<td>11 BADGE</td>
<td>12 DIV</td>
<td>13 YRS OF SERVICE</td>
<td>6/15</td>
<td>15/BADGE 3020</td>
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SPD 105 (REV 8/90)
**Observations**

10/31/03, APPROX 0326HRS, OFC Azevedo #809, WAS ON ROUTINE PATROL IN FULL POLICE UNIFORM, IN A MARKED POLICE VEHICLE.

I WAS DISPATCHED TO A RINGING ALARM CALL WITH OFC Rullard (1AL61) WHEN I HEARD VIA RADIO THAT OFC Harbaugh #484 (1AL61) WAS BEHIND AN OCCUPIED STOLEN VEHICLE. OFC Rullard AND I IMMEDIATELY PRE-EMPTED FROM OUR CALL AND RESPONDED CODE 3 FROM STOCKTON/FRUIT RIDGE TOWARD OFC Harbaugh.

WHILE ENROUTE I HEARD OFC Harbaugh BROADCAST HE WAS IN PURSUIT OF THE VEHICLE AS WELL AS SEVERAL DIRECTION CHANGES. SHORTLY AFTER I HEARD OFC Harbaugh broadcast shots had been fired.

I RESPONDED TO MID-BLOCK 36TH ST BETWEEN 21ST AV AND 22ND AV. I EXITED MY VEHICLE AND RAN W/ B/c THROUGH THE ALLEY TO THE POINT OF TERMINATION.
OBSERVATIONS CONT-

1. I OBSERVED OFC HARSHBAGER HOLDING 3-1 AT GUN POINT IN THE VACANT LOT (21ST AV). 3-1 WAS LAYING FACE DOWN ON THE GROUND. OFCE VIGIL #596 TOOK THE SUSP INTO CUSTODY INTO FURTHER ALTERCATION.

2. I THEN BEGAN A NEIGHBORHOOD CANVASS WITH THE FOLLOWING RESULTS:

1) [Redacted] 21ST AV - WIT
   WIT STATED HE HEARD A COP IN THE ALLEY YELL "STOP!", "STOP!" AND THEN HEARD TWO GUN-SHOTS.

2) [Redacted] 21ST AV -
   NO ANSWER AT DOOR

3) [Redacted] 21ST AVE - WIT
   WIT HEARD POLICE SIRENS NO FURTHER
Observations cont-

4) ___________ 21st AV - Wit ___________

Wit stated she looked outside and saw police cars w/ light/sirens, then heard 3-4 gun-shots.

5) ___________ 21st AV - Wit ___________

Wit stated he looked outside and saw police car w/ lights/sirens, then heard 3-4 shots.

6) ___________ 21st AV - No answer at door

7) ___________ 21st AV - Was sleeping and did not see/hear anything

8) ___________ 21st AV - No answer at door

9) ___________ 21st AV - Was sleeping, woke up to two gun-shots
OBSERVATIONS:

ON 10/3/03, AT APPROX. 0326 HRS, R/I HEARD VIA RADIO TRAFFIC THAT JAC. MARSHBERGER (J/A61) HAD A STOLEN VEHICLE THAT WAS OCCUPIED.

R/I RESPONDED CODE 3 FROM 58TH ST / 19TH AV. PRIOR TO R/I'S ARRIVAL, J/A61 ADVISED THAT THERE WERE SHOTS FIRED.

R/I ARRIVED AT APPROX. 0328 HRS. AT 36TH ST / 21ST AV AND OBSERVED THE FOLLOWING IN SUMMARY:

I CONDUCTED A NEIGHBORHOOD CANVASS.

21ST AV, SAC, CA 95820

STATED HE WAS SLEEPING WHEN HE WAS AWAKENED BY SIRENS. THEN HEARD THREE CONSECUTIVE GUN SHOTS COMING FROM SOUTH OF HIS HOME. STATED HE DIDN'T SEE OR HEAR ANYTHING ELSE. ADVISED THAT EVERYONE IN THE HOME WAS OKAY.
OBSErvATIONS: (CONT'D)

3. STATED SHE WAS IN THE KITCHEN
   PREPARING FOOd WHEN SHE HEARD GUN SHOTS FROM
   SOUTH OF HER LOCATION. STATED SHE DID
   NOT REMEMBER HOW MANY SHOTS SHE HAD HEARD.

8. STATED HE WAS ASLEEP AND
   DID NOT WITNESS ANYTHING.

12. STATED SHE THOUGHT SHE HEARD
    TWO GUN SHOTS. SHE STATED SHE DID NOT KNOW WHICH
    DIRECTION IT CAME FROM DID NOT HEAR
    ANY VOICE.

17. 21ST AV AND 21ST AV HAD THEIR
    GATES LOCKED. R/o WAS UNABLE TO GAIN ACCESS TO
    THE DOOR.

22. STATED THAT HE WAS PLAYING HIS
    VIDEO GAME. STATED HE DID NOT HEAR
    ANY SHOTS FIRED OR ANY VOICE.
OBSERVATIONS: (CONT'D.)

21ST AV - NO ANSWER

21ST AV

STATED SHE WAS AWARE AND BELIEVED THAT SHE HEARD TWO GUNSHOTS COMING FROM EAST OF HER LOCATION. DID NOT HEAR ANY OTHER NOISE.

22ND AV

STATED THAT SHE WAS INSIDE HER TRAILER GETTING SOME CLOTHES. THE TRAILER WAS ON THE NORTH CURB LINE OF IN FRONT OF HEARD SIRENS APPROACHING THE AREA. OBSERVED A POLICE VEHICLE STOP W/B IN THE ALLEY. SHORTLY AFTER THAT, HEARD A MALE VOICE SAY "STOP! PUT YOUR HANDS UP!" THEN HEARD THREE CONSECUTIVE GUNSHOTS. DIDN'T HEAR ANYTHING ELSE.

22ND AV

STATED ALL THE PEOPLE IN HER HOME WERE OKAY. SHE STATED THEY WERE ALL SLEEPING AND DID NOT HEAR ANYTHING.
**Observations:** (cont'd.)

22nd Av

Stated she and her children are okay. She stated they were all asleep and did not hear any gun shots.
OBSERVATIONS:

ON 10/003/03 AT APPROX 0326 HRS I OFFICER ENGLEFIELD #563 WAS DISPATCHED TO 16TH AVE AND MARTIN LUTHER KING BLVD. TO ASSIST OFFICER HARBARGER #484 IN CONDUCTING A FELONY VEHICLE STOP. I RESPONDED CODE 3 FROM THE INTERSECTION OF STOCKTON AND LAWRENCE. I ARRIVED AT THE ALLEYWAY SOUTH OF 21ST AVE. AND WEST OF 36TH ST. AT APPROX 0329 HRS. 1SM6 WAS ALREADY ON SCENE PRIOR TO MY ARRIVAL.

I ASSISTED IN SECURING THE WEST PERIMETER OF THE SCENE IN CRIME SCENE TAPE. I ASSISTED IN CONDUCTING A CANVASS 21ST AVE JUST NORTH OF THE SCENE.

AT APPROX 0535 HRS I RELIEVED OFFICER HAMM #475 AT THE UCD MED CENTER AND TOOK CHARGE OF THE SUSPECT. I TOOK CUSTODY OF THE CLOTHES THAT WERE TAKEN FROM THE SUSPECT UPON HIS ENTRY TO THE EMERGENCY ROOM FROM OFFICER HAMM AT APPROX 0545.

OFFICER LEACH #684 TOOK CHARGE OF THE SUSPECT AT APPROX 0710 HOURS AND RELIEVED ME OF PRISONER WATCH DUTIES.

CSI BRA VERMAN #6370 TOOK CUSTODY OF THE SUSPECTS CLOTHING AT APPROX. 0730 HRS.
On 10-03-03 at approx. 03:26 Hours, I was on routine patrol in a marked unit working with my K9 led. Ofc. Harshbarber #484 located a stolen Toyota Camry. Ofc. Harshbarber then advised he was in vehicle pursuit.

I responded from Sutterville & Franklin. Ofc. Harshbarber broadcast he was in the alley south of 21st Av. From 36th St., a moment later ofc. Harshbarber broadcast shots fired. I arrived in the alley and ran to ofc. Harshbarber's location, a vacant lot just east of 21st Av., ofc. Harshbarber had the suspect at gun point. The suspect was face down and appeared to be pinned out. Other officers arrived and took custody of the suspect. I walked ofc. Harshbarber back to his car and stood by with him until relieved by ofc. Vigmat #596.
OBSERVATIONS

ON 10/3/03, AT APPROXIMATELY 0326 HRS, OFC. HERSHBAGER

#484 ADVISED THAT HE WAS BEHIND A STOLEN VEHICLE AT
38th ST/16th AVE. OFC. HERSHBAGER ADVISED THAT THE STOLEN
VEHICLE (WHITE, TOYOTA, CAMRY) TURNED W/B ON 21ST AVE FROM
38th STREET.

AT APPRX. 0327 HRS, OFC. HERSHBAGER ADVISED OF SHOTS
FIRED.

AT APPRX. 0328 HRS, I (OFFC. MCTEEN) ADVISED COMMUNICATIONS THAT
I WAS ENROUTE TO THE SCENE. I RESPONDED CODE 3
FROM 12TH AVE/MLK. I PULLED MY PATROL VEHICLE IN FRONT
OF THE OPEN FIELD AT 21ST AVE. I WALKED S/B
THROUGH THE OPEN LOT, AS THE OFFICERS WERE HANDCUFFING
THE DRIVER.

AT APPRX. 0330 HRS, I ADVISED COMMUNICATIONS THAT I
WAS ON SCENE. I PLACED CRIME SCENE TIME ON THE
FENCE AT 21ST AVE TO THE FENCE AT 21ST AVE.

AT APPRX. 0334 HRS, SPD MGC 56 ARRIVED ON SCENE. I
DIRECTED THE PARAMEDICS INTO THE FIELD WHERE THE DRIVER
WAS LAYING. SPD MGCs ASKED ME TO REMOVE ONE HANCHOKE
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<tr>
<td>1. OBSERVATIONS (CONTINUE)</td>
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<tr>
<td>3. SO THAT THEY COULD PLACE THE DRIVER ON A GUARD.</td>
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<tr>
<td>5. AT APPROX 0339 hrs, I TOOK OF A REMOTE</td>
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<td>6. SPOT ON THE NORTH SIDE OF THE VACANT LOT AT</td>
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<tr>
<td>7. 21ST AVE. I DID NOT ALLOW ANY CITIZENS INTO</td>
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<tr>
<td>8. THE CRIME SCENE.</td>
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<td>9.</td>
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<td>10. AT APPROX 0403 HRS, CSO AVECSANO RELIEVED ME ON</td>
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<tr>
<td>11. 21ST AVE.</td>
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</table>
OBSERVATIONS: (BULLARD #375) 1 OF 2

ON 10-3-03, 0326 HRS, 1 OFC. BULLARD (#375)

WAS IN FULL SPD UNIFORM AND A MARKED PATROL

VEHICLE. I RESPONDED CODE 3 LIGHTS/SIREN

FROM THE AREA OF STOCKTON/FUENTEDUE TO ASSIST

1AL61 (OFC. HARSHEBARGER #484) WHO WAS BEHIND AN

OCCUPIED STOLEN VEHICLE (#   ) IN THE

AREA OF 16TH AVE/MARTIN LUTHER KING.

APPROX. 10-15 SECONDS LATER, OFC. HARSHEBARGER ADVISED

VIA RADIO THAT HE WAS IN PURSUIT OF THE VEHICLE,

TRAVELING W/B 21ST AVE AT 38TH ST.

AT 0327 HRS, OFC. HARSHEBARGER BROADCASTED, "SHOTS

FIRED" OFC. HARSHEBARGER ALSO ADVISED THAT HE

WAS IN AN ALLEY/WAY SOUTH OF 21ST AVE AND WEST

OF 36TH ST.

AT 0328 HRS, I ARRIVED ON SCENE (36TH ST SOUTH

OF 21ST AVE) AND RAN ON FOOT W/B THROUGH THE ALLEY

WHERE I SAW TWO PATROL VEHICLES FACING W/B WITH

HEADS ON. I ALSO OBSERVED THE ABOVE STOLEN VEHICLE

1/F OF THE PATROL CARS FACING W/B AND WAS APPROX

MID-WAY DOWN THE ALLEY.

REPORTED BY
BULLARD
375
DIV 21
7 YRS OF SERVICE 3
DATE 10-3-03
APPROVED BY
Sgt. Ferguson
BADGE 3020
DIV 16
13 YRS OF SERVICE 13
TIME 0615
OBS CONT'D

2

I YELLED OUT, "HARSH! WHERE ARE YOU AT?!"

4 OFC. HARSHBARGER ADVISED VIA RADIO THAT HE WAS IN A SMALL CLEARING JUST PAST THE VEHICLES.

5

7 I LOCATED OFFICERS HARSHBARGER AND VIGIL (#596) WHO WERE IN A SMALL CLEARING NORTH OF THE ALLEY AND APPRX. 10-15 FEET WEST OF THE STOLEN VEHICLE.

10 I OBSERVED A MALE ADULT LAYING FACE-DOWN APPRX. 5-7 FEET NORTH OF OFFICERS HARSHBARGER AND VIGIL WHO BOTH HAD THE SUBJECT AT GUNPOINT.

13 I PUT THE SUBJECT AT GUNPOINT AND SAW THAT HE WAS SLIGHTLY MOVING BUT STAYED IN A FACE-DOWN POSITION.

15 OFC. VIGIL ORDERED THE SUBJECT TO SHOW HIS HANDS.

16 THE SUBJECT ALREADY HAD HIS RT. HAND UP AND THEN BROUGHT HIS LEFT HAND FORWARD AND INTO VIEW.

18 OFC. VIGIL THEN PLACED THE SUBJECT IN HANDCUFFS.

19 THE SUBJECT APPEARED TO BE BLEEDING FROM THE CHEST AREA. I OBSERVED AN 8 IN. KNIFE IN IT'S SHEATH ON THE SUBJECT'S RT. WAIST STRAP WHICH OFC. VIGIL COLLECTED.

22 I PUT CRIME SCENE TAPE UP ON THE EAST SIDE OF THE ALLEY AND ASSISTED IN MAINTAINING THE ALLEYWAY PERIMETER.
OBSERVATIONS: OFC. TRIMPEY #806 (1A52)

ON 10-3-03, AT APPROX. 0827 HRS., I RESPONDED CODE 3 TO THE AREA OF 21ST AVE/36TH ST TO ASSIST OFC. HARSHBARGER #484.

IN A FOOT PURSUIT, OFC. HARSHBARGER PUT OUT "SHOTS FIRED" ON THE RADIO AFTER INITIALLY BEING IN A VEHICLE AND FOOT PURSUIT OF THE DRIVER OF A STOLEN CAR. I ARRIVED ON SCENE AT APPROX. 0332 HRS.

UPON ARRIVAL THE CRIME SCENE WAS ALREADY ESTABLISHED.

I ASSISTED WITH PREP SUPPORT OF OFC. HARSHBARGER.

I CLEARED THE SCENE AT APPROX. 0411 HRS.
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<tbody>
<tr>
<td>1. OBSERVATIONS:</td>
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<tr>
<td>2. ON 10.3.03, AT 03:27 HOURS, I WAS ASSIGNED W/NS1, AND RESPONDED TO THE AREA OF DISTANCE 38TH STREET (CECT) TO ASSIST OFFICER J. MARSHALL (N# 984) AT A TERMINATION OF A PURSUIT WITH &quot;SHOTS FIRED.&quot; I RESPONDED FROM THE AREA OF STICKER/MACK AND ARRIVED AT 03:32 HOURS.</td>
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<tr>
<td>3. UPON MY ARRIVAL, OFFICERS WERE PUTTING UP CRIME SCENE TAPE AND SEARCHING THE SCENE. OFFICER VIGIL (N# 965) AND SGT. WATERS (N# 311) INSTRUCTED ME TO TAKE NUMEROUS ITEMS OF THE SUSPECTS PERSONAL PROPERTY AND SECURE THEM IN OFFICER VIGIL'S PATROL VEHICLE TRUNK, INCLUDING THE PROPERTY WAS AN EMPTY KNIFE SHEATH (BLACK WI/ SILVER EMBLEM) AND A W/ KNIFE WITH MOLS W/TI CORD.</td>
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<tr>
<td>4. I SPOKE WITH OFFICER MARSHALL AND PROVIDED PLEAD SUPPORT UNTIL I WAS PROMPTED TO THE 6 PARKWAY AREA FOR AN INJURY ACCIDENT. I LEFT THE SCENE AT 03:51 HOURS.</td>
</tr>
<tr>
<td>NARRATIVE</td>
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<tr>
<td>1. OBSERVATIONS &amp; OFC. HERGENREDER #578 (PG. 106-1)</td>
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<td>3. 03-10-21, AT APPROX. 03:28 HRS, I, OFC. HERGENREDER</td>
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<td>4. SENT 81ALHO TO THE ALLEYWAY (OF 36TH</td>
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<td>5. SOUTH OF 71ST AVE). I OBSERVED THE FOLLOWING IN</td>
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<td>SUMMARY</td>
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<td>6.</td>
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<td>7. I RESPONDED CODE 3 FROM THE AREA OF HIGHWAY</td>
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<td>8. 99 SUTTERVILLE TO THE SCENE. WHEN I ARRIVED, I</td>
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<td>9. BEGAN LOOKING FOR SHELL CASINGS IN THE AREA</td>
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<td>10. OF THE SHOOTING. I LOCATED ONE SHELL CASING</td>
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<td>11. AND SGT. GANTIER POINTED OUT THE OTHER ON</td>
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<tr>
<td>12. I PLACED A NOTECARD OVER EACH CASING.</td>
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<td>13.</td>
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<td>14. I STOOD BY WITH OFC. HENIEL UNTIL CST 10</td>
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<tr>
<td>15. (BOYD) RESPONDED TO TAKE CUSTODY OF THE</td>
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<td>16. CASINGS. (THE CASINGS WERE NEVER TOUCHED</td>
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<td>17. BY OFFICERS WHILE ON SCENE).</td>
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<td>18. I CLEARED THE SCENE.</td>
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SACRAMENTO POLICE DEPARTMENT
REPORT SUPPLEMENT

1 REPORT NUMBER
03-86693

VICTIM OR COMPLAINANT
2 LAST NAME, FIRST, MIDDLE (FIRM NAME IF CRIME AGAINST BUSINESS)
3 CRIME CODE SECTION

REPORTED BY
HEGENREDER 578

ASSISTED BY

BADGE 11
DIV 12
YRS OF SERVICE 13

DATE 14
TIME 15
BADGE 16
DATE 17
TIME 18

SPD 105 (REV 8/90)
ON 10-3-03. AT APPROX 0328 HRS. I RESPONDED TO THE
ALLEY WAY (OF 36 1/4 SOUTH OF 21ST AV.) I OBSERVED THE FOLLOWING

IN SUMMARY,

I RESPONDED CODE 3 FROM THE AREA OF HIGHWAY 99/SUTTERVILLE
TO THE SCENE. WHEN I ARRIVED I BEGAN LOOKING FOR SHELL
CASINGS IN THE AREA, I WAS UTL ANY CASINGS.

I THEN BEGAN A NEIGHBORHOOD CANVAS. I CONTACTED THE
HOME OWNER AT [BLANK] AND OBTAINED HIS STATEMENT IN

SUMMARY (SEE WIT STATEMENT)

I THEN WAS TRANSPORTED TO UC DAVIS MEDICAL BY MEDIC #56, WITH
SUSP LOPEZ. WHILE ENROUT TO UC DAVIS SUSP LOPEZ MADE THE
SPONTANEOUS STATEMENT, "IT FUCKING HURTS, DO SOMETHING FOR THE
PAIN; I WAS RIDING." SUSP LOPEZ ADVISED 4-5 MORE TIMES ON THE
RIDE TO UC D. "DO SOMETHING ABOUT THE FUCKING PAIN"

WHEN I ARRIVED AT UC DAVIS, THE MEDICAL STAFF CUT OFF SUSP
LOPEZ'S CLOTHING. THE MEDICAL STAFF COLLECTED THE CLOTHING AND PUT IT

IN A BROWN PAPER BAG. I TOOK CUSTODY OF THE CLOTHING AT 0300 HRS. 021.

ENGLEFIELD #563 RESPONDED TO UC D AND RECEIVED ME WATCHING
<table>
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<th>OBSERVATIONS: CONT</th>
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<tr>
<td>4</td>
<td>SUSP LOPEZ, OFC ENGLEFIELD WAS ALSO GIVEN THE BAG OF CLOTHING FROM SUSP LOPEZ.</td>
</tr>
</tbody>
</table>

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4 REPORTED BY: Z. HAMM
10 ASSISTED BY: 11 BADGE 12 DIV 13 YRS OF SERVICE
14 TIME: 08:00
15 BADGE: 16 DATE: 17 TIME:
SACRAMENTO POLICE DEPARTMENT
REPORT SUPPLEMENT

VICTIM OR COMPLAINANT

2 LAST NAME, FIRST, MIDDLE (FIRM NAME IF CRIME AGAINST BUSINESS)

3 CRIME CODE SECTION

NARRATIVE

1 OBSERVATIONS: OFC. PETERSON #0487/1A43

2

3 ON 10-3-03 AT APPROX 0328 HRS.

4

5 TO 1A61'S (OFC. HARRIBARGER) CALL

6 OFF AN OCCUPIED STOLEN VEHICLE.

7 I WAS IN FULL POLICE UNIFORM

8 AND DRIVING A MARKED SPD

9 PATROL CAR.

10

11 WHILE I WAS ENROUTE I WAS

12 BLOCKED BY A TRAIN FOR APPROX.

13 4-5 MINUTES. I ARRIVED IN THE

14 AREA OF THE CALL AT APPROX 0333 HRS

15 AND WAS ADVISED NO MORE UNITS

16 WERE NEEDED. I CLEARED MYSELF

17 OFF THE CALL

18

19

20

21

22

23

24

25

REPORTED BY

5 BADGE

6 DIV

7 YRS OF SERVICE

8 DATE

9 APPROVED BY

10 ASSISTED BY

11 BADGE

12 DIV

13 YRS OF SERVICE

14 TIME

15 BADGE

16 DATE

17 TIME

SPD 105 (REV 6/90)
On 10-3-03 at approx 0328 hrs., I, OFFC Hefner #320 arrived on scene at the alley-way south of 21st Ave between 36th St and 35th St. I observed the following:

I pulled into the alley-way from 35th St and went e/b down the alley. I followed ISMG (Walters #3115) and parked behind his car just west of the scene. I went n/b into an open area and saw the suspect handcuffed on the ground. I also (Gigli #596) was standing by the suspect asking him for his name and date of birth. Fire Dept arrived on scene and began working on the suspect, when they were turning the suspect over I observed a bullet (copper colored with a red substance on it) drop from the suspect's lower back area onto his shirt. I grasped the bullet in a piece of plastic provided to me by one of the medics. I stood south of the crime scene behind the crime tape to protect the scene. CSI 10 (Boyd #6378) arrived on scene and took custody of the bullet at 0543 hrs.
ON 10-03-03 AT APPROXIMATELY 0330 HRS, I CSI BOYD #6378, RESPONDED TO UCDMC (2315 STOCKTON BL) FOR PHOTOGRAPHS OF THE SUSPECT. I ARRIVED AT APPROXIMATELY 0345 HRS. AND CONTACTED THE MEDICAL STAFF. AT APPROXIMATELY 0400 HRS. CSI BRAVERMAN #6370 AND I RESPONDED TO THE ABOVE LOCATION TO PROCESS THE SCENE. BRAVERMAN ARRIVED AT APPROXIMATELY 0407 HRS. AND I ARRIVED AT APPROXIMATELY 0413 HRS. THE SCENE WAS SECURED BY UNIFORMED OFFICERS AND CRIME SCENE TAPE. THE SCENE WAS PROCESSED UNDER THE DIRECTION OF DET HUSTED #562.

PHOTOGRAPHS

I TOOK (5) FIVE ROLLS OF 35MM, COLOR FILM OF THE FOLLOWING:

OVERALL OF THE SUSPECT: LOPEZ, VICTOR
WOUND TO THE LEFT UPPER CHEST
WOUND TO THE LEFT RIB CAGE AREA

OVERALL OF THE SCENE (IN ALLEY BEHIND 21ST AV AND ON THE PROPERTY)

OVERALL OF EVIDENCE ITEMS

OVERALL OF STOLEN VEHICLE:
A WHITE TOYOTA CAMRY (CA) (EXTERIOR AND INTERIOR)
OVERALL OF CITY VEHICLE (9277S)
BLK / WHT PATROL VEHICLE (CA) EXEMPT 1087166

EVIDENCE

I COLLECTED, PACKAGED AND BOOKED ITEMS OF EVIDENCE (SEE OFFICER’S FIELD RELEASE AND BOOKING FORM FOR DESCRIPTIONS) ASSISTED BY CSI BRAVERMAN.

WE DEPARTED THE SCENE AT APPROXIMATELY 0744 HRS.
Diagram #3
Overall of Scene w/ Measurements

North

21st Ave

Vacant Lot

21st Ave

372' 6"

-372' 6"

34th St.

4th St.

21st/22nd Ave AV.

651'4"

361 5th St.

21st Ave

133'3"

36'2"

17'4"

Alley

Alley

PREPARED BY
J. Braverman
BADGE # 6370

ASSISTING OFFICER
K. Boyd
BADGE # 6378

REVIEWED BY
A. Schiele
BADGE # 6369

C11
97
1
10/06/03

CSI
DIV
YRS OF SERVICE
DATE
TIME

C5
97
3
10/06/03

C5
13
12/21/07
SACRAMENTO POLICE DEPARTMENT
DIAGRAM AND PHYSICAL EVIDENCE SHEET

CLASS: Casualty

VICTIM: Lopez, Victor

LOCATION: 21st. Ave.

Diagram #4
Position and Description of Vehicles W/ East/West Measurements

= Blk/Whi Patrol Vehcile
  Equip # 9277S Ca Lic # 1087166

= Whi Toyota Camry
  Ca Lic # [redacted]

Fence Line

21st./22nd Ave AY

55'8" 37'11"
38'7" 55'5"
27'8"
13'6"
15'0"
29'3"

PREPARED BY
J. Braverman
BADGE #: 6370
UNIT: CSI
DIV: 97
YRS OF SERVICE: 1
DATE: 10/06/03
TIME:

ASSISTING OFFICER
K. Boyd
BADGE #: 6378
UNIT: CSI
DIV: 97
YRS OF SERVICE: 3
DATE: 10/06/03
TIME:

REVIEWED BY
A. Schuele
BADGE #: 6369
UNIT: 155
DIV: 97
YRS OF SERVICE: 13
DATE: 10/06/03
TIME:
Diagram #6
Overall of
21st. Ave.

Dimensions of
Couch = 8'2" x 2'11"
"couch was turned upside down

North

Fence Gate

Fence

21st. Ave.

Brush
Couch

14' 2"
9' 2"
10' 3"
3' 0"

Thick Brush
Patrol Vehicle
Suspect Vehicle
Diagram #7
Overall of Alley and 21st. Ave.
W/ Evidence

Item #    Description
1  .40 Cal Casing
2  .40 Cal Casing
3  Clothing
4  Piece of Cloth
5  Grn/Blk Electric Strap

Patrol Vehicle

Suspect Vehicle
SACRAMENTO POLICE DEPARTMENT
OFFICER'S BOOKING AND FIELD RECEIPT

REPORT # 03-86693

LOCATIONS OF OCCURRENCE: 1315 S. 34TH ST (SO ALIVE)

VICTIM(S) FULL NAME
LAST
FIRST
MIDDLE
DOB
ADDRESS
ZIP
EVIDENCE
FIND PROPERTY
PERSONAL PROPERTY
SAFEKEEPING
$150 HOLD
FIELD RECEIPT

DEFENDANT(S) FULL NAME
LAST
FIRST
MIDDLE
DOB
ADDRESS
ZIP
BOOKED
SUSPECT
CITED

REPORTING OFFICER
BADGE #

DATE
RECEIVED DATE
TIME
IN LOCKER DATE
TIME

DESCRIBE PROPERTY BELOW IN THE FOLLOWING SEQUENCE, ITEM TYPE
# OF PIECES - COLOR - BRAND - MODEL - SIZE - ETC - DESCRIPTION - CHECK IF OWNER IS UNKNOWN
CHECK IF OWNERSHIP IS DENIED
CHECK IF PRINT REQUESTED
SMODIFIED FOR PROPERTY

<table>
<thead>
<tr>
<th>ITEM #</th>
<th>VALUING&lt;br&gt;RESULT</th>
<th>ITEM TYPE&lt;br&gt;WEIGHT</th>
<th>OWNERS NAME AND ADDRESS&lt;br&gt;NAME</th>
<th>ADDRESS</th>
<th>DESCRIPTION</th>
<th>OWNER UNKNOWN</th>
<th>OWNERSHIP DENIED</th>
<th>CHECK IF PRINT REQUESTED</th>
<th>SMODIFIED FOR PROPERTY</th>
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</thead>
<tbody>
<tr>
<td>1&lt;br&gt;40 CAL S/9 WINCHESTER&lt;br&gt;BULLET, CASING&lt;br&gt;</td>
<td>VALUING&lt;br&gt;RESULT</td>
<td>ITEM TYPE&lt;br&gt;WEIGHT</td>
<td>OWNERS NAME AND ADDRESS&lt;br&gt;NAME</td>
<td>ADDRESS</td>
<td>DESCRIPTION</td>
<td>OWNER UNKNOWN</td>
<td>OWNERSHIP DENIED</td>
<td>CHECK IF PRINT REQUESTED</td>
<td>SMODIFIED FOR PROPERTY</td>
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<tr>
<td>2&lt;br&gt;40 CAL 3/4 WINCHESTER&lt;br&gt;BULLET, CASING&lt;br&gt;</td>
<td>VALUING&lt;br&gt;RESULT</td>
<td>ITEM TYPE&lt;br&gt;WEIGHT</td>
<td>OWNERS NAME AND ADDRESS&lt;br&gt;NAME</td>
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<td>CHECK IF PRINT REQUESTED</td>
<td>SMODIFIED FOR PROPERTY</td>
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<tr>
<td>3&lt;br&gt;JK RANCH BLUE/YELLOW&lt;br&gt;POLO - ZIPPER, FLAMMO&lt;br&gt;SHIRT&lt;br&gt;</td>
<td>VALUING&lt;br&gt;RESULT</td>
<td>ITEM TYPE&lt;br&gt;WEIGHT</td>
<td>OWNERS NAME AND ADDRESS&lt;br&gt;NAME</td>
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<tr>
<td>4&lt;br&gt;GREY T-SHIRT&lt;br&gt;MARKED BLOODY&lt;br&gt;</td>
<td>VALUING&lt;br&gt;RESULT</td>
<td>ITEM TYPE&lt;br&gt;WEIGHT</td>
<td>OWNERS NAME AND ADDRESS&lt;br&gt;NAME</td>
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<td>5&lt;br&gt;WHITE SLEEVELESS T-SHIRT&lt;br&gt;</td>
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<td>6&lt;br&gt;WHITE T-SHIRT&lt;br&gt;</td>
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<td>ITEM TYPE&lt;br&gt;WEIGHT</td>
<td>OWNERS NAME AND ADDRESS&lt;br&gt;NAME</td>
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<td>DESCRIPTION</td>
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<td>OWNERSHIP DENIED</td>
<td>CHECK IF PRINT REQUESTED</td>
<td>SMODIFIED FOR PROPERTY</td>
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<tr>
<td>7&lt;br&gt;GREEN/BLACK &quot;REI&quot;&lt;br&gt;SHIRT WITH GREEN&lt;br&gt;PLASTIC &quot;LIGHT&quot;&lt;br&gt;</td>
<td>VALUING&lt;br&gt;RESULT</td>
<td>ITEM TYPE&lt;br&gt;WEIGHT</td>
<td>OWNERS NAME AND ADDRESS&lt;br&gt;NAME</td>
<td>ADDRESS</td>
<td>DESCRIPTION</td>
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<td>CHECK IF PRINT REQUESTED</td>
<td>SMODIFIED FOR PROPERTY</td>
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<tr>
<td>8&lt;br&gt;SPENT BULLET, RECEIVED&lt;br&gt;</td>
<td>VALUING&lt;br&gt;RESULT</td>
<td>ITEM TYPE&lt;br&gt;WEIGHT</td>
<td>OWNERS NAME AND ADDRESS&lt;br&gt;NAME</td>
<td>ADDRESS</td>
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<td>OWNERSHIP DENIED</td>
<td>CHECK IF PRINT REQUESTED</td>
<td>SMODIFIED FOR PROPERTY</td>
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<tr>
<td>9&lt;br&gt;BLUE PANTS - W34 L32&lt;br&gt;&quot;MUNSINGWEAR&quot;&lt;br&gt;</td>
<td>VALUING&lt;br&gt;RESULT</td>
<td>ITEM TYPE&lt;br&gt;WEIGHT</td>
<td>OWNERS NAME AND ADDRESS&lt;br&gt;NAME</td>
<td>ADDRESS</td>
<td>DESCRIPTION</td>
<td>OWNER UNKNOWN</td>
<td>OWNERSHIP DENIED</td>
<td>CHECK IF PRINT REQUESTED</td>
<td>SMODIFIED FOR PROPERTY</td>
</tr>
</tbody>
</table>

OFFICER
CITIZEN

PROCESSED BY
CLEARED BY

IF FIELD RECEIPT, HAVE CITIZEN SIGN

1 WHITE - PROPERTY
2 WHITE - REPORT
2 PINK - INVESTIGATIONS
4 GOLDENROD - FIELD RECEIPT

SPD 779 (4/99)
LOCKERS USED: 
CHARGE(S): 
REPORT #: 03-26693
NARCOMONEY BOOKING: 
CITATION #: 
LARGE PROPERTY BOOKING: 
SEARCH WARRANT #: 
PREVIOUS BOOKING PR #: 
LOCATION OF OCCURRENCE: 215th Ave / 34th St (So. Atley) 
VICTIM: 
DEFENDANT: Lopez, Victor

<table>
<thead>
<tr>
<th>REPORTING OFFICER</th>
<th>BADGE #</th>
<th>DIV</th>
<th>RECEIVED DATE</th>
<th>TIME</th>
<th>IN LOCKER DATE</th>
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<tbody>
<tr>
<td>K. Bond</td>
<td>6378</td>
<td>G1</td>
<td>10-3-03</td>
<td>0413</td>
<td>10-3-03</td>
<td>1230</td>
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**VALUTOX**

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<tr>
<th>ITEM</th>
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<tbody>
<tr>
<td>7A</td>
<td>Black Belt w/ Silver Buckle</td>
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</tr>
<tr>
<td>7C</td>
<td>Black Shoes w/ Blk Laces - Sz 10</td>
<td></td>
</tr>
<tr>
<td>7D</td>
<td>Dirty Condition</td>
<td></td>
</tr>
<tr>
<td>7F</td>
<td>Dirty Condition</td>
<td></td>
</tr>
<tr>
<td>7G</td>
<td>Brown, Paper Bag Items</td>
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</table>

**OWNERS NAME AND ADDRESS**

- Received From UDMC
- Suspect’s
- Owner Unknown
- Ownership Denied

**CHECK IF OWNERSHIP IS DENIED**

**CHECK IF PROPERTY IS ONLY**

**SHARED AREAS**

**SPD 788 (1997)**

**10 of 10**
ON 10/3/03, AT APPROX. 03:37 HRS., I, CSO OVIEDO #8178, WAS DISPATCHED TO THE ALLEYWAY AT 21ST AVE. TO CRIME SCENE RECORD.

I STOOD AT THE EAST SIDE OF THE ALLEYWAY, SOUTH OF 21ST AVE AND RECORDED ALL PD/RESPONDING UNITS WHO ENTERED THE CRIME SCENE.

(SEE ATTACHED PAGES)
# Crime Scene Log

<table>
<thead>
<tr>
<th>Name</th>
<th>Badge #</th>
<th>Agency</th>
<th>Entry Time</th>
<th>Reason for Entry</th>
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<tbody>
<tr>
<td>BOYD BRAVERMAN</td>
<td>0370</td>
<td>SAC PD</td>
<td>0400</td>
<td>CSI UNITOS</td>
</tr>
<tr>
<td>NAJERA</td>
<td></td>
<td>SAC PD</td>
<td>0410</td>
<td>CHIEF</td>
</tr>
<tr>
<td>SEGURA</td>
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<td>SAC PD</td>
<td>0410</td>
<td>DEPUTY CHIEF</td>
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<tr>
<td>VALENCIEZUELA</td>
<td>5120</td>
<td>SAC PD</td>
<td>0443</td>
<td>RESPONDING CAPT</td>
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<tr>
<td>ENRIQUEZ</td>
<td>3020</td>
<td>SAC PD</td>
<td>0424</td>
<td>IVY - DETECTIVE</td>
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<tr>
<td>QUINN</td>
<td>3089</td>
<td>SAC PD</td>
<td>0441</td>
<td>IVY - DETECTIVE</td>
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<tr>
<td>LOUIE</td>
<td>5120</td>
<td>SAC PD</td>
<td>0419</td>
<td>IA</td>
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<td>BRAY</td>
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<td>OLIVEIRA</td>
<td>0764</td>
<td>SAC PD</td>
<td>0444</td>
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<td>MARTIN</td>
<td>3048</td>
<td>SAC PD</td>
<td>0430</td>
<td>DETECTIVE / IA</td>
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<tr>
<td>GUERRA</td>
<td>0252</td>
<td>SAC PD</td>
<td>0430</td>
<td>DETECTIVE</td>
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<tr>
<td>HARVEY</td>
<td>3024</td>
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<td>0457</td>
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<td>SCHNEIDER</td>
<td>0701</td>
<td>SAC PD</td>
<td>0450</td>
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<td>TOPAZ CLARK</td>
<td>0539</td>
<td>SAC PD</td>
<td>0450</td>
<td>SPD A</td>
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<td>HARGADON</td>
<td>3109</td>
<td>SAC PD</td>
<td>0443</td>
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<td>MCLOUGHEY</td>
<td>3955</td>
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<td>0133</td>
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<td>DOWDEN</td>
<td>0427</td>
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<td>REASON FOR ENTRY</td>
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<tr>
<td>HARSHBARGER</td>
<td>0484</td>
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<td>03:29</td>
<td>INVOLVED OFFICER</td>
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<tr>
<td>ENGLEFIELD</td>
<td>0542</td>
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<tr>
<td>SAEDEJN</td>
<td>0603</td>
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<td>VIGIL</td>
<td>0594</td>
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<td>ALLEEVEO</td>
<td>0809</td>
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<td>BULLARD</td>
<td>0373</td>
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<td>03:30</td>
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<td>SGT WALTERS</td>
<td>3115</td>
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<td>BERNARDO</td>
<td>3038</td>
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<tr>
<td>JOY</td>
<td>0424</td>
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<td>03:32</td>
<td>K9 UNIT</td>
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<td>MEDIC SU ENGU</td>
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<td>SAC PD</td>
<td>03:34</td>
<td>FIRST AID RESPONDERS</td>
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<td>CHIPP</td>
<td>0712</td>
<td>SAC PD</td>
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<tr>
<td>HEFNER</td>
<td>0320</td>
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<td>HAMM</td>
<td>0475</td>
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<td>HERLENREDER</td>
<td>0678</td>
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<td>LIMPY</td>
<td>0804</td>
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<td>OVIEDO</td>
<td>8173</td>
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<td>CRIME SCENE RECORDER</td>
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<tr>
<td>LT MOIR</td>
<td>4004</td>
<td>SAC PD</td>
<td>02:40</td>
<td>RESPONDING LT</td>
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</table>
OBSERVATIONS: CONT'D

CANVASS:

0343 HRS:

21ST AVE

I HEARD SIRENS AND SAW POLICE LIGHTS OUT OF MY WINDOW. I GOT OUT OF THE BED AND LOOKED OUT OF THE WINDOW. IT WAS ABOUT 0330 HRS. I HEARD A MALE VOICE SAY "HE'S OVER HERE, HE'S OVER HERE!" I HEARD A MALE VOICE SAY SOMETHING LIKE "STOP" OR "HALT" AT LEAST TWICE. THEN I HEARD TWO OR THREE SHOTS. I HEARD A DOG BARKING AND SAW FLASHLIGHTS.

0422 HRS:

22ND AVE

--- STATED THAT HE DID NOT SEE OR HEAR ANYTHING ---

0424 HRS:

22ND AVE

--- STATED THAT HE DID NOT SEE OR HEAR ANYTHING ---

<table>
<thead>
<tr>
<th>REPORTING OFFICER</th>
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<th>DIV</th>
<th>DATE</th>
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<tr>
<td>A. ENGLEFIELD</td>
<td>0563</td>
<td>1</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>0745</td>
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OBSERVATIONS: CONT'D

0427 HRS:

22ND AVE

AT APPROX 0315 TO 0345 HRS THIS MORNING I HEARD ABOUT THREE TO FOUR SHOTS OUTSIDE. FIVE MINUTES LATER I HEARD A BUNCH OF POLICE SIRENS. I DID NOT SEE ANYTHING.

0432 HRS:

22ND AVE

AT ABOUT 0330 HRS THIS MORNING I HEARD ABOUT TWO GUNSHOTS. THEN ABOUT 5 MINUTES LATER A WHOLE BUNCH OF COPS SHOWED UP.
WITNESS STATEMENT:

ON 10-3-03 AT APPROX 0345 HRS, I CONTACTED WIT

AT [BLANK] AND OBTAINED HIS STATEMENT IN SUMMARY.

I WAS SLEEPING IN MY ROOM WHEN I HEARD SOMEONE YELLING.

I Couldn't hear what was said because I was just waking up.

THE NEXT THING I HEARD WAS 2-3 SHOTS FROM A GUN

THAT'S ALL I KNOW.
SACRAMENTO POLICE DEPARTMENT
SUPPLEMENTARY INVESTIGATION REPORT

CRIME CODE SECTION
148 PC/ 12020 PC/ 2800.2 VC

REPORT NUMBER
03-86693

VICTIM: STATE OF CA

DETECTIVE SUPPLEMENT: RESPONSE TO HOMICIDE CALL-OUT (Det. Oliveira)

NOTIFICATION:

On 10-3-03 at approx. 0350 hrs, I, Det. Oliveira, was notified by SPD Communications of a homicide call-out for an officer involved shooting. I was advised to respond to the area of blank 21st Ave to conduct a shooting investigation.

ARRIVAL:

At approx. 0446 hrs, I arrived in the area of blank 21st Ave. Upon my arrival, I observed the scene to be secured by crime scene tape and officers.

BRIEFING:

At approx. 0453 hrs, I attended the briefing presented by Sgt. Walters. He briefed us on the circumstances known to him at the time. We were informed that Ofc. Harshbarger was the officer involved in the shooting. He also advised that a canvas of the neighborhood for witnesses and collateral damage was being done by patrol officers. At the time of the briefing, the suspect who was shot, Victoriano Lopez, was said to be in stable condition and expected to survive his injuries.

After the briefing, Ofc. Harshbarger showed myself and other detectives, from the alley, where the shooting occurred and gave us a synopsis of the events that transpired.

OBSERVATIONS:

At approx. 0527 hrs, I responded to SPD Headquarters at 5770 Freeport Blvd.

At approx. 0639 hrs, Sgt. Quinn and I met with Ofc. Harshbarger and Attorney Kasey Clark in interview room #3. The meeting was audio/video recorded. Sgt. Quinn obtained Ofc. Harshbarger’s Sig Sauer P226 .40 cal. handgun (duty weapon) and his two extra magazines on his belt. Sgt. Quinn counted 12 rounds in each extra magazine for a total of 24. Sgt. Quinn counted the rounds in Ofc. Harshbarger’s handgun. Ofc. Harshbarger had 1 round in the chamber and 10 rounds in the magazine that was removed from his handgun. The handgun is designed to carry a maximum of 12 in the magazine and 1 in the chamber for a

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Page 1 of 2
VICTIM: STATE OF CA

DETECTIVE SUPPLEMENT: RESPONSE TO HOMICIDE CALL-OUT (Det. Oliveira)

total of 13. I later booked the handgun, magazines, and ammunition for evidence.

At approx. 0643 hrs, I interviewed Ofc. Harshbarger. Attorney Kasey Clark was present for the interview. The interview was audio/video recorded. Refer to his statement and the tapes for the complete details of the interview.
ON 10-3-03, I, CSO ARELLANO #2182, WAS DISPATCHED TO 21ST AVE NEAR 26TH ST.

TO ASSIST IN CRIME SCENE PRESERVATION, I CONDUCTED THE FOLLOWING:

I WAS POSTED ALONG THE SCL OF 21ST AVE TO PRESERVE THE CRIME SCENE.
Crime Scene Summary

NOTIFICATION:

10/03/03  Approx. 0400 hours

I was notified by the Sacramento Police Department Communications Center that an officer involved shooting had occurred at 21st Avenue. I am currently assigned to the Sacramento Police Departments Homicide Unit.

ARRIVAL ON SCENE:

Approx. 0510 hours

When I arrived, I saw the following personnel on scene:

- Lt. BERNARD
- Lt. BRAY
- Sgt. HARVEY
- Sgt. MARTIN
- Sgt. WINTON
- Sgt. REHM
- Sgt. QUINN
- Sgt. ENRIQUEZ
- Sgt. McCLOSKEY
- Det. SCHNEIDER
- Det. OLIVEIRA
- D.A. Inv. GARDELLA
- D.A. Inv. TANGHETTI

REPORTING OFFICER  BADGE  DIV  DATE  APPROVED BY
Guerra  0252  32  10/14/03  [Signature]

ASSISTING OFFICER  BADGE  DIV  TIME  BADGE
SACRAMENTO POLICE DEPARTMENT
SUPPLEMENTARY INVESTIGATION REPORT

CRIME CODE SECTION
12020 P.C./2800 V.C.

VICTIM: State of California

Crime Scene Summary (cont)

ARRIVAL ON SCENE (cont):
The scene was actually located in the alley bordered by 21st Avenue/22nd Avenue/35th Street/36th Street.

RECORDED:
CSO OVIEDO (ICS41) was assigned as the crime scene recorder.

BRIEFING:
Approx. 0520 hours
Sgt. QUINN conducted the briefing for myself and SCHNEIDER and OLIVEIRA and provided the information that was known to him at the time. The victim, Ofc. HARSHBARGER, was nearby, accompanied by his legal counsel, Kasey CLARK. The suspect, later identified as Bictoriano LOPEZ, had been transported to the U.C.D.M.C. Suspect LOPEZ survived his wounds.

WEATHER CONDITIONS:
The weather was cool, clear and dry.

LIGHTING:
In this particular part of the alley, there was no artificial lighting and no natural or ambient lighting. The only illumination came from Ofc. HARSHBARGER’S patrol car headlights, flashlights and other patrol vehicle. The only street light in the area was located at the east end of the alley, near 36th Street.
Crime Scene Summary (cont):

WALK THROUGH:

Approx. 0525 hours

QUINN, SCHNEIDER, OLIVEIRA and I were taken through the scene and a brief sequence of events by HARSHBARGER and CLARK.

CSI PERSONNEL:

CSI Kathy BOYD and Jason BRAVERMAN processed the crime scene and collected items of evidentiary value. For details, refer to supplemental reports submitted by BOYD and BRAVERMAN.

VIDEO TAPING:

Approx. 0550 hours

I began video taping the scene. At this time, Lt. BERNARD had removed the In Car Camera (ICC) from HARSHBARGER’S patrol vehicle, SPD unit 9227S. I had other police personnel move their vehicles out of the alley so that I could video tape the scene using only the light provided by HARSHBARGER’S patrol vehicle, so as to accurately record how dark the area was where the pursuit terminated.

AREAS OF CONCERN:

The area of the shooting was of concern, primarily because it was so dark and covered over by weeds, bushes, and unpruned trees. The two casings ejected from HARSHBARGER’S handgun were located in front of and just north of HARSHBARGER’S squad car. Bloody clothing removed by SFD personnel were located approximately 15-20 feet
Crime Scene Summary (cont):

AREAS OF CONCERN (cont):

north of the ejected casings. At sunrise, (approx. 0730) Sgt. ENRIQUEZ and I walked north from the area where LOPEZ had been shot and began to look for any indication that one of the bullets fired from HARSHBARGER’S handgun had lodged in any houses or vehicles along 21st Avenue. We could not find any such signs.

EVIDENCE ITEMS:

Along with the items marked, photographed and collected by BOYD and BRAVERMAN, O/c. VIGIL had collected the following items from suspect LOPEZ:

1- One blue fanny pack
2- One pair wool/cotton gloves
3- One small plastic card holder
4- One double edge silver dagger with a black plastic sheath

At approximately 0745 hours, I looked through the vehicle that had been driven by suspect LOPEZ, a white 1990 Toyota Camry. I saw that the stereo console had been pried away from the dashboard area and papers belonging to [redacted] and [redacted] were strewn through-out the right front passenger area of the car. At approximately 0830 hours, Capital City Towing arrived and removed the Camry.

DEPARTURE:

Approx. 0845 hours

I left the scene and returned to the Hall of Justice.
NOTIFICATION:

On 10-3-03 at approx. 0400 hrs. I received a call at home from SPD communications regarding a homicide unit call-out. I was advised that there had been an officer involved shooting in the area of 21st Ave. / 36th St. and was told to respond.

ARRIVAL:

On 10-3-03 at approx. 0453 hrs. I arrived at 21st Ave. / 36th St.. The scene was secured with crime scene tape and uniformed patrol officers.

BRIEFING:

On 10-3-03 at approx. 0453 hrs. Sgt. Walters #3115 gave responding detectives a briefing of the circumstances known to us at the time.

DETECTIVE FOLLOW-UP:

After completing the crime scene walk-through I began a canvass of the neighborhood looking for potential witnesses.

At approx. 0622 hrs. I knocked on the door at 21st Ave. several times but got no answer.

At approx. 0624 hrs. I contacted three subjects (W-[] W-[] and W-[] at 21st Ave.. I explained to them that I was investigating a shooting that occurred in the alley to the rear of their residence during the night. All three subjects said that they heard the shooting and some commotion prior to the shooting. I asked the three witnesses if they would be willing to come down to the police station and give a statement and they all refused. I explained that I would make arrangements for their transportation and would keep their stay brief and they still refused. All three subjects were adamant that
they would not come down to the police department to talk to me. Faced with this, I interviewed all three subjects separately in the driveway of the residence.

At approx. 0644 hrs. I contacted W-____ at his residence, ____21st Ave.. W-____ agreed to come to the Public Safety Center for an interview and drove himself down. W-____ was later interviewed by me at approx. 0745 hrs..

At approx. 0645 hrs. I contacted the resident, W-____ at ____21st Ave.. W-____ told me that she only heard the shooting and had already provided a statement to a uniformed officer.

At approx. 0650 hrs. I contacted a Hispanic female at ____21st Ave. who spoke absolutely English.

At approx. 0655 hrs. I contacted the resident, W-____ at ____21st Ave.. W-____ stated that she only heard the gunshots and had already provided a statement to a uniformed officer.

At approx. 1533 hrs. I interviewed W-____ at the Public Safety Center regarding this case. W-____ had voluntarily rode down to the Public Safety Center with me to provide her statement.
INVESTIGATIVE FOLLOW-UP:

Approximately 0555 hours, 10/03/03, I (Detective Higgins) received a call from Sergeant McClosky asking me to respond to UC Davis Hospital to contact suspect Lopez. Suspect Lopez had been shot by an officer and was in custody at the hospital. I responded to the hospital, arriving at about 6:15.

Upon arrival I was informed that the suspect was in surgery and would be coming out of surgery shortly.

Approximately 0640 hours, I contacted Dr. [Redacted]. She was the surgeon who had operated on suspect Lopez. Suspect Lopez was in the recovery room at that time. Dr. [Redacted] told me that Lopez had a single gunshot wound that entered into the upper left chest and exited in the left flank (the lower portion of the upper back). She stated that she had found blood in the chest, a pulmonary contusion, and three to four broken ribs.

At approximately 0705 hours, at my request, Nurse [Redacted] moved the felony blood sample from suspect Lopez’s right arm. Nurse [Redacted] gave me the blood sample. I signed and sealed the box containing the blood sample and subsequently transported it to the Sacramento County Main Jail where I put it in the evidence locker.

At approximately 0745 hours, I contacted suspect Lopez. Suspect Lopez had an oxygen mask on and was difficult to understand at times. However, he appeared coherent, but sleepy. I obtained a Mirandized tape recorded statement from him.
DETECTIVE SUPPLEMENT:  (Det. Eric J. Schneider #701)

RECEIVED FROM:    OFFICER JOHN HARSHBARGER

STATEMENT:  (W- [redacted])

On 10-03-03 at approx. 0624 hrs. I contacted W-[redacted] at [redacted] 21st Ave. regarding this case. I told him that I was investigating a shooting and asked him if he would be willing to come down to the Public Safety Center with me to provide a statement. W-[redacted] told me that he was getting his life straightened out and didn't want to get involved. I told W-[redacted] that I would keep him only briefly and he still said that he didn't want to come down to the station. I then interviewed W-[redacted] privately on the porch of his residence and he provided me with the following statement:

W-[redacted] said that he was sitting inside his house when he heard a commotion in the alley to the rear. He said that he heard the sound of cars and sirens and then they shut off. Once the sirens shut off, W-[redacted] heard a male voice yell "stop, get down". W-[redacted] then heard "2 pops" (gunshots) and more sirens coming into the area.

W-[redacted] said he never left the house and didn't see what happened. He also didn't hear anything else after the gunshots.
SACRAMENTO POLICE DEPARTMENT
SUPPLEMENTARY INVESTIGATION REPORT

CRIME CODE SECTION
245(C) PC

REPORT NUMBER
03-66693

VICTIM: OFFICER JOHN HARSHBARGER

DETECTIVE SUPPLEMENT: (Det. Eric J. Schneider #701)

STATEMENT: (W-__

On 10-03-03 at approx. 0624 hrs. I contacted W-__ at 21st Ave. regarding this case. I told her that I was investigating a shooting and asked if she would be willing to come down to the Public Safety Center with me to provide a statement. W-__ said that she was not willing to come down to the station and provide a statement. I then told her that I would make arrangements for her transportation and I would keep her stay brief. W-__ was adamant that she would not come down to the station and talk to the police. I then spoke to W-__ privately on the driveway of her residence and obtained the following statement:

W-__ stated that she was inside her residence when she heard sirens and what sounded like a police chase in the alley to the rear. W-__ stated that the sirens shut off and she heard a male voice shout “stop, get down”. Moments later she heard 3 gunshots. W-__ stated that she had a similar traumatic experience so she blacked out everything after the gunshots.

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REPORT NUMBER
03-86693

SACRAMENTO POLICE DEPARTMENT
SUPPLEMENTARY INVESTIGATION REPORT

CRIME CODE SECTION
245(C) PC

ORIGINAL

VICTIM: OFFICER JOHN HARSHBARGER

DETECTIVE SUPPLEMENT: (Det. Eric J. Schneider #701)

STATEMENT: (W- [redacted])

On 10-03-03 at approx. 0624 hrs. I contacted W- [redacted] at [redacted]21st Ave. regarding this case. I told her that I was investigating a shooting and asked her if she would be willing to come down to the Public Safety Center with me to provide a statement. W- [redacted] said that she was not willing to come down to the station and provide a statement. I then told her that I would make arrangements for her transportation and I would keep her stay brief. W- [redacted] was adamant that she would not come down to the station and talk to the police. I then spoke to W- [redacted] privately on the driveway of her residence and obtained the following statement:

W- [redacted] stated that she was sleeping inside her house when she was awaken by the sound of a man's voice yelling. (W- [redacted] said that she couldn't tell what was being yelled since she was just waking up.) She then heard 2 gunshots and the same male voice yelling “get down, get down”. After the shots were fired the neighborhood was flooded with the sound of sirens. W- [redacted] never left her house and didn’t see anything.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

On 10-3-03 at approx. 0643 hrs, I, Det. Oliveira, interviewed Ofc. Harshbarger at 5770 Freeport Bl. Attorney Kasey Clark was present for the interview. The interview was audio/video recorded. Refer to the tapes for the complete details and exact wording used in the interview. The following is a summary of what was stated:

OLIVEIRA: Okay. Well, I'm Detective Oliveira and I'll be doing the interview. And I just need to get your information first, okay. The time is 0642. Okay. How do you spell your last name?

HARSHBARGER: H-a-r-s-h-b-a-r-g-e-r.

OLIVEIRA: Okay. And how do you spell your first name?

HARSHBARGER: John.

OLIVEIRA: Okay. Do you have a middle initial?

HARSHBARGER: Yes. S.

OLIVEIRA: S. Okay. How about your birth date?

HARSHBARGER: It's __.__.__.

OLIVEIRA: And your age?

HARSHBARGER: __

OLIVEIRA: Okay. And what's your current work address?

HARSHBARGER: Is, uh...

OLIVEIRA: Or what station are you out of?

HARSHBARGER: The JERPF Station on Franklin Blvd.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Okay. How long have you been... how long have you been sworn?

HARSHBARGER: Two years and ten months.

OLIVEIRA: Have those two years and ten months been with the Sacramento Police Department?

HARSHBARGER: Yes.

OLIVEIRA: Okay. And what is your current assignment?

HARSHBARGER: Patrol.

OLIVEIRA: Okay. Alright. And what's your title? Officer?

HARSHBARGER: Yes.

OLIVEIRA: Okay. What area are you working? What sector and shift?

HARSHBARGER: Sector 6, graveyard shift.

OLIVEIRA: Okay. And what days off do you have?

HARSHBARGER: Monday, Tuesday, Wednesdays.

OLIVEIRA: Okay. Alright. How long have you been assigned to that shift?

HARSHBARGER: Since January.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Okay. Prior assignments? Have you had any other assignments besides patrol?

HARSHBARGER: The wagon.

OLIVEIRA: The wagon. Okay. How long did you work that?

HARSHBARGER: Three months.

OLIVEIRA: Okay. Do you recall when that was?

HARSHBARGER: January till April 2002.

OLIVEIRA: Okay. Okay. Well, I just kinda wanna go into some of your training that you have had. I know, let's start with the police department. You went through the academy so we can start with that. When did you go through the academy and which academy did you go through?

HARSHBARGER: I was 2000 BR2.

OLIVEIRA: Okay. And that's with the Sacramento Police Department Academy?

HARSHBARGER: Yes.

OLIVEIRA: And when was that or when did it start, the academy?

HARSHBARGER: July 10, 2000, I believe is the day.
CODE: 148 PC / 12020 PC / 2800.2 VC

VICTIM: State of CA

REPORT # 03-86693

DATE: 10-3-03

WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Okay. And do you remember when you graduated?


OLIVEIRA: Okay. Alright. In the academy was there any kind of special training that you took in regards to weapons or handling incidents?

HARSHBARGER: Yes.

OLIVEIRA: Okay. While you were in the academy, were you required to train with your weapon?

HARSHBARGER: Yes.

OLIVEIRA: Okay. How often do...do you remember about how often you were required to do that?

HARSHBARGER: Uh...

OLIVEIRA: Was it on a weekly basis? Was it...?

HARSHBARGER: Pretty much a daily basis.

OLIVEIRA: Daily basis.

HARSHBARGER: Yes.

OLIVEIRA: And that's going out to the range and firing your weapon.

HARSHBARGER: Oh, no. No, not to the range.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Okay.

HARSHBARGER: The range was a weekly basis.

OLIVEIRA: Okay. Okay. Since the academy, have you been through any other training classes?

HARSHBARGER: No.

OLIVEIRA: Okay. Prior to coming here did you have any law enforcement experience?

HARSHBARGER: No.

OLIVEIRA: Okay. Once you graduated from the academy, you didn't go straight onto the streets alone, correct?

HARSHBARGER: Uh-uh.

OLIVEIRA: I mean you had a...you went through the Field Training Program?

HARSHBARGER: Yes.

OLIVEIRA: Do you recall how long that was?

HARSHBARGER: Five months.

OLIVEIRA: Five months. Okay. And then to get off Field Training, what was it that you had to do?
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

HARSHBARGER: You had to demonstrate specific tasks and pass basic training tests given by the training personnel.

OLIVEIRA: Okay. Your last week, were you required to basically ride as a one officer unit with someone supervising you?

HARSHBARGER: Yes.

OLIVEIRA: And that was to get off of Field Training and to become a solo officer, is that correct?

HARSHBARGER: Yes.

OLIVEIRA: Okay. Okay. Alright. Well, I kinda wanna go into a couple other things. Uniform...the uniform that I see right now, you’re wearing your shirt...blue shirt, pants, your Sam Browne, your badge, and everything. Is that the way you were in uniform today during your shift?

HARSHBARGER: Yes.

OLIVEIRA: Okay. Has anything changed since this incident tonight?

HARSHBARGER: No.

OLIVEIRA: Okay. You didn’t have a jacket on? Anything covering your uniform?

HARSHBARGER: No.
WITNESS STATEMENT:  OFFICER HARSHBARGER #0484

CONTINUED:

STATEMENT OF:  OFFICER HARSHBARGER

OLIVEIRA:  Okay. And what weapon do you carry?

HARSHBARGER:  The Sig Sauer .40 caliber.

OLIVEIRA:  Okay. Do you remember when you were issued that weapon?

HARSHBARGER:  It was earlier this year.

OLIVEIRA:  Okay. Did you have to qualify with the weapon?

HARSHBARGER:  Yes.

OLIVEIRA:  Okay. And you did qualify?

HARSHBARGER:  Yes.

OLIVEIRA:  Okay. Do you recall the last time you went to qualifications?

HARSHBARGER:  It was during our last quarterly shoot several months ago.

OLIVEIRA:  Okay. And you passed that shoot also?

HARSHBARGER:  Yes.

OLIVEIRA:  Okay. Do you recall offhand how many times you’ve had to qualify with a .40 caliber?

HARSHBARGER:  I believe it was just that one time.

OLIVEIRA:  Just the one time. Since the time you were issued...
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

HARSHBARGER: Issued it...yes.
OLIVEIRA: Okay. Okay. The weapon you carried before, do you recall what that was?
HARSHBARGER: It was a Sig Sauer 9mm.
OLIVEIRA: Okay. And did you regularly qualify quarterly with that handgun?
HARSHBARGER: Yes.
OLIVEIRA: Okay. Do you carry any other firearms?
HARSHBARGER: No.
OLIVEIRA: How about nonlethal weapons? Do you carry anything on you?
HARSHBARGER: Yes.
OLIVEIRA: Okay. What are those?
HARSHBARGER: OC Spray.
OLIVEIRA: Okay.
HARSHBARGER: And a baton.
OLIVEIRA: Okay. Did you have OC Spray on you tonight?
HARSHBARGER: Yes.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Baton?

HARSHBARGER: No.

OLIVEIRA: Did you have it available to you? Was it in the vehicle?

HARSHBARGER: It was in the vehicle.

OLIVEIRA: Okay. So when you got out of the vehicle, it stayed in the vehicle, correct?

HARSHBARGER: It stayed in the vehicle.

OLIVEIRA: Okay. A taser? Did you have that on you?

HARSHBARGER: In the vehicle.

OLIVEIRA: In the vehicle. Okay. And where in the vehicle is that located?

HARSHBARGER: It's in a bag I carry on the front seat, passenger seat.

OLIVEIRA: Okay. And these are the weapons...so for a firearm, the Sig Sauer .40 cal. was the only firearm that you had on you this evening, correct?

HARSHBARGER: Yes.

OLIVEIRA: And was there a shotgun in the vehicle?

HARSHBARGER: Yes.
WITNESS STATEMENT: OFFICER HARSBARGER #0484

CONTINUED:
STATEMENTOF: OFFICER HARSBARGER

OLIVEIRA: Okay. Your .40 cal., was it fully loaded?

HARSBARGER: Yes.

OLIVEIRA: Okay. Were you the last one to load it?

HARSBARGER: Yes.

OLIVEIRA: You recall when that was?

HARSBARGER: I cleaned it a couple weeks ago at the station before roll call and then that was the last time I loaded it.

OLIVEIRA: Okay. And you did say you loaded it yourself.

HARSBARGER: Yes.

OLIVEIRA: Okay. The magazines, offhand, do you recall how many they carry?

HARSBARGER: Twelve.

OLIVEIRA: Twelve. And how about your handgun, total?

HARSBARGER: Thirteen.

OLIVEIRA: Thirteen. And is that twelve in the magazine, one in the chamber?

HARSBARGER: Yes.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENTOF: OFFICER HARSHBARGER

OLIVEIRA: Okay. And that's the way you had it tonight, correct?

HARSHBARGER: Yes.

OLIVEIRA: Okay. Do you have any special equipment on your gun, such as laser, night sights, anything like that?

HARSHBARGER: No.

OLIVEIRA: No. Okay. Alright. How about your... your last shift? When did you work last, besides this shift that you are on currently?

HARSHBARGER: It was Sunday night/ Monday morning.

OLIVEIRA: Okay. And the hours?

HARSHBARGER: It was 2100 to 0700.

OLIVEIRA: Okay. And that's the regular graveyard shift?

HARSHBARGER: Yes.

OLIVEIRA: Okay. And that night you just worked your regular patrol shift?

HARSHBARGER: Yes.

OLIVEIRA: Okay. Alright. So that was Sunday night to Monday night, so did you just get off your days off?

HARSHBARGER: Yes.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Okay. And that was three days off?

HARSHBARGER: Yes.

OLIVEIRA: Okay. And was...so tonight was the first night back to your shift since your days off?

HARSHBARGER: Yes.

OLIVEIRA: Okay. What time did you start your shift tonight?

HARSHBARGER: 2100.

OLIVEIRA: Okay. Did you do anything special to prepare for your shift this evening?

HARSHBARGER: No.

OLIVEIRA: Alright. You attended roll call at 2100 hours?

HARSHBARGER: Yes.

OLIVEIRA: Okay. And what time do you think you actually went out on the streets?

HARSHBARGER: About 2130.

OLIVEIRA: Okay. Alright. Well, I kinda want to go into the...the incident that happened tonight so if you can kinda start...I know it it wasn't a call, it was a self-initiated activity.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED

STATEMENT OF: OFFICER HARSHBARGER

HARSHBARGER: Yes.

OLIVEIRA: So if you can kind of just start what you were doing just prior to that and how you came about this incident.

HARSHBARGER: Well, I was on my way to a call in District 60, where a person had called the fire department saying they were sick and nothing else so they wanted us to go along with them. I was driving westbound on 14th Avenue and as I was approaching Martin Luther King, I saw a white Toyota Camry come off of a street, I don’t know the name of the street offhand, but it was on the north side of 14th.

OLIVEIRA: Okay.

HARSHBARGER: And it drove southbound across 14th and south onto 39th Street in a kind of a hasty manner, kind of fast. Not too fast, but you can tell the car was kinda bouncing across 14th Avenue.

OLIVEIRA: Okay. Now was the car stopped before going across or you just not...

HARSHBARGER: No, it just jetted across.

OLIVEIRA: Across 14th Avenue?

HARSHBARGER: Yeah. I was driving westbound.

OLIVEIRA: Okay. Was there a stop sign for that car...for that vehicle?

HARSHBARGER: I don’t recall if there’s a stop sign there or not.
CONTINUED:

STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Okay.

HARSHBARGER: I imagine if it was coming out onto 14th Avenue, I know there's not a stop sign for west or eastbound traffic.

OLIVEIRA: Okay. But should there be...so what you're saying is...when that vehicle crossed, it never stopped at the intersection there before it crossed 14th Avenue?

HARSHBARGER: Yeah, it just...just drove across.

OLIVEIRA: Okay.

HARSHBARGER: So I turned southbound to run the plate on it. I ran the plate on my MDC and Dispatch informed me it was a reported stolen vehicle.

OLIVEIRA: Okay.

HARSHBARGER: It continued south on 39th and at that part of 39th it kinda dead ends to an alley, but that alleyway leads out toward MLK.

OLIVEIRA: Okay. Now, at this point when...so it comes back 10851 (VC for stolen vehicle), on the radio did you advise dispatch of anything else?

HARSHBARGER: I advised them it was occupied...

OLIVEIRA: Do you know how many people?

HARSHBARGER: Uh, by...I didn't get a chance to say, but I...I knew it was one from when he had made that corner onto the little alleyway that leads to
WITNESS STATEMENT:  OFFICER HARSBARGER #0484

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STATEMENTOF:  OFFICER HARSBARGER

Martin Luther King, I could see through the passenger side windows.

OLIVEIRA: Okay. Do you recall about what time this was, when you ran the license plate?

HARSBARGER: Around 3:30.

OLIVEIRA: Okay. Will it help to look at the call just to refresh your memory?

HARSBARGER: Yes. It shows I onviewed it at 3:26.

OLIVEIRA: Okay. And that would be about the time you ran a license plate?

HARSBARGER: Yes.

OLIVEIRA: Okay. I'm sorry, that was 0326?

HARSBARGER: Yes.

OLIVEIRA: Okay. So...so just...you ran the license plate, it comes back that it's a stolen vehicle. What do you advise dispatch of?

HARSBARGER: I advised 'em it was occupied...

OLIVEIRA: Okay.

HARSBARGER: And that we were driving across MLK onto 16th Avenue westbound.

OLIVEIRA: Okay. Okay. So...go ahead, continue.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

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STATEMENT OF: OFFICER HARSHBARGER

HARSHBARGER: He immediately...the driver immediately turned south on 38th Street and it was obvious to me that he was accelerating. Dust was flying up from the back of the car and at that point I activated my overhead lights and siren and put out that I was in pursuit of it.

OLIVEIRA: Okay. And when you say put out, that’s...you broadcasted it on the radio.

HARSHBARGER: I broadcasted on the radio.

OLIVEIRA: Okay. Now were units already en route to assist you?

HARSHBARGER: Yes.

OLIVEIRA: Is that customary for...

HARSHBARGER: It’s customary. I think dispatch usually dispatches units and, but everybody else that’s available will head that way anyway.

OLIVEIRA: Okay. And just to clarify, and the reason you went ahead and activated your lights was because?

HARSHBARGER: He was...

OLIVEIRA: Your lights and sirens?

HARSHBARGER: He was accelerating away.

OLIVEIRA: Was he exceeding the speed limit?
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

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STATEMENT OF: OFFICER HARSHBARGER

HARSHBARGER: Yes.

OLIVEIRA: You recall about how fast he was going at that point?

HARSHBARGER: It was about 45 miles an hour.

OLIVEIRA: Okay. Do you know what the speed limit is in that area?

HARSHBARGER: It's 25.

OLIVEIRA: Okay. Okay. Had he done any other illegal vehicle code violations or anything up to that point?

HARSHBARGER: There is a stop sign that he ran on 38th Street.

OLIVEIRA: Okay.

HARSHBARGER: And it's, uh, I know there's one at 21st Avenue.

OLIVEIRA: Okay.

HARSHBARGER: And I believe there was one further up on 38th at about, I think it would be 19th Avenue.

OLIVEIRA: Okay. But now, once he turned on 38th Street and started accelerating and you activated your lights, basically him exceeding the speed limit was the first, or I guess the initial violation that you activated your lights for?

HARSHBARGER: Yes.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Okay. Alright. So, okay, so go ahead. You're southbound on 38th Street, you've activated your lights and siren, you advised you're in pursuit.

HARSHBARGER: Yes.

OLIVEIRA: Correct? Okay. And then go ahead and continue.

HARSHBARGER: We continued south on 38th Street and approached on 21st Avenue. He turned his vehicle westbound on 21st Avenue.

OLIVEIRA: Now, is there a stop sign there that he ran? Is this the one you're talking about?

HARSHBARGER: Yes.

OLIVEIRA: Okay. Okay.

HARSHBARGER: Then I followed him, continued to broadcast my location for assisting units.

OLIVEIRA: Okay.

HARSHBARGER: We were traveling at about 40 miles an hour. It was, I think a speed that I last put out.

OLIVEIRA: Okay.

HARSHBARGER: And made another immediate turn on southbound 36th Street from 21st Avenue and that's another stop sign.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: I'm sorry. Another turn onto 36th Street?

HARSHBARGER: Southbound, yes.

OLIVEIRA: Southbound. Okay. And ran a stop there?

HARSHBARGER: Yes.

OLIVEIRA: Now, this whole neighborhood you're in, speed limit in that...?

HARSHBARGER: Is 25.

OLIVEIRA: Okay. Okay. So now you're southbound 36th Street?

HARSHBARGER: Yes.

OLIVEIRA: Okay.

HARSHBARGER: Then the driver turned into an alleyway just south of 21st Avenue heading east...I'm sorry, west of 36th Street, heading westbound down the alley.

OLIVEIRA: Okay. And which way was he going down the alley?

HARSHBARGER: He was Heading west bound.

OLIVEIRA: Okay. Okay. Was anybody with you at this point yet? Any backup units?

HARSHBARGER: No. I was alone.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENTOF: OFFICER HARSHBARGER

OLIVEIRA: Okay. Okay. So now westbound down the alley your lights and sirens are still on?

HARSHBARGER: Yes.

OLIVEIRA: Do you know how fast he was going down the alley?

HARSHBARGER: I didn’t get a chance to look at my speedometer, but I knew we were still traveling at about 25 or so.

OLIVEIRA: Okay. Okay. So you’re going through the alley?

HARSHBARGER: Then he, uh, the driver comes to a stop about midway down the alley. Um, so I stopped my vehicle approximately ten feet behind his. Um, canting my car to use the engine as cover. (Excuse me.) Um, I opened my door. I saw his door had opened.

OLIVEIRA: His door had already opened before you had a chance to open yours?

HARSHBARGER: His door had opened.

OLIVEIRA: Okay.

HARSHBARGER: And I opened mine, um...

OLIVEIRA: Okay.

HARSHBARGER: I noticed he hesitated for a split second before he got out of the car so at the time I drew my gun, um, thinking I would just hold him at
WITNESS STATEMENT:  OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF:  OFFICER HARSHBARGER

...gunpoint and await, you know, assisting units to, uh, call him back to the vehicle.

OLIVEIRA:  Okay. Now, he was out of the car?

HARSHBARGER:  Um, as his door opened, he...there was a split second where he wasn't out of the car...

OLIVEIRA:  Okay.

HARSHBARGER:  And I was getting...stepping out of my car...

OLIVEIRA:  Okay.

HARSHBARGER:  And I was just gonna stand behind the door, you know, order him to...to stay...

OLIVEIRA:  Okay.

HARSHBARGER:  In the car, keep his hands in sight.

OLIVEIRA:  Right.

HARSHBARGER:  And await another unit. But then he did end up exiting the vehicle.

OLIVEIRA:  Okay. Alright. So he exited the vehicle and what happened next?

HARSHBARGER:  I yelled to him to Stop! Police!

OLIVEIRA:  Now were your lights and sirens still going at this point?
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENTOF: OFFICER HARSHBARGER

HARSHBARGER: The siren shut off because I put the car in park, but the lights were still fully activated.

OLIVEIRA: Okay. And the siren off...the siren shuts off when you...automatically when you put the car in park?

HARSHBARGER: Yes.

OLIVEIRA: Okay. Did you have any spotlights on or your headlights?

HARSHBARGER: Headlights were on.

OLIVEIRA: Okay.

HARSHBARGER: I didn't have a chance to use my spotlight.

OLIVEIRA: Okay. Okay. So you both are out of the vehicle now?

HARSHBARGER: And, uh, so at this point, I'm thinking he's...I know he's gonna run, so he...he does. He rounds around his drivers side door heading toward the front of his vehicle and so, uh, you know, I...I moved toward him. Um, getting ready to holster my gun thinking this is gonna be a foot pursuit down the alley.

OLIVEIRA: Okay.

HARSHBARGER: Before I holster my gun, I see the suspect turned his torso and reached with both hands...the right hand closer to the right hip near his waistband...
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Okay.

HARSHBARGER: And his left hand appeared to be going in that same general direction.

OLIVEIRA: Okay.

HARSHBARGER: Um, which alarmed me so, uh...

OLIVEIRA: Could you see what was there?

HARSHBARGER: I saw there was an object.

OLIVEIRA: Okay.

HARSHBARGER: I couldn't see it too clearly, but, you know, I was afraid it was a knife or a gun cause he was reaching right for his hip where all of those items are commonly held.

OLIVEIRA: Okay.

HARSHBARGER: So, at that point, I didn't holster my gun back up. I kept it out and, uh, you know, telling him to Stop! Police! Show me your hands!

OLIVEIRA: Okay. Um, is he saying anything?

HARSHBARGER: He's not saying anything.

OLIVEIRA: Okay. Okay. So you're uh, so you said you didn't holster your gun out. Did you draw on him, at that point, or...
WITNESS STATEMENT: OFFICER HARBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARBARGER

HARBARGER: I just...I just kept it out.

OLIVEIRA: Okay.

HARBARGER: And, uh, aimed in the direction in front of me. Um, as I continued to run after him also.

OLIVEIRA: Okay. Okay. Where did he run to?

HARBARGER: He ran around the front of his vehicle, uh, in a northerly direction. Um, toward a field that was on the north side of the alleyway there.

OLIVEIRA: Okay.

HARBARGER: The entire time he was doing it though, he...he didn't remove his hands from his waist or hip side near his waistband and, uh, the whole time I was thinking that he's gonna pull a gun out or he's gonna...he's gonna draw a knife and, uh, uh, challenge me.

OLIVEIRA: Okay.

HARBARGER: So I...I continued to...to pursue him, but not as fast as I normally could trying to take in everything.

OLIVEIRA: Okay. So you pursued...did you actually pursue him into this field or did you stay in the alley or...?

HARBARGER: Well, this is...this is all still heading into the field. I'm still, I'd say seven feet behind him maybe.
WITNESS STATEMENT:  OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF:  OFFICER HARSHBARGER

OLIVEIRA:  Okay.

HARSHBARGER:  Um, watching him getting ready to go into this field and I'm still in the alleyway.

OLIVEIRA:  Okay.

HARSHBARGER:  He's turning and his body is kinda bladed and he's...he's no longer really running away anymore.

OLIVEIRA:  Okay.

HARSHBARGER:  I just notice he's more...more bladed trying to, what I thought was, get this...this weapon out of his holster or sheath, whatever it was.

OLIVEIRA:  Now, when you say bladed, you mean is he turning?

HARSHBARGER:  Well, his upper torso was turning around toward me.

OLIVEIRA:  Okay.

HARSHBARGER:  His lower torso could have been construed as part bladed.

OLIVEIRA:  Okay.

HARSHBARGER:  Part still trying to keep distance between me and him.

OLIVEIRA:  Okay.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

HARSHBARGER: But he didn't seem to be running like to runaway. He just seemed to be moving away to continue to keep a cushion.

OLIVEIRA: Okay.

HARSHBARGER: You know, between he and I.

OLIVEIRA: So, at this point, you're not running up on him, you're...

HARSHBARGER: I'm not running up on him, I'm just keeping...I'm trying to keep him close enough to where I'll be able to take him into custody. Close enough so I can, um, see what he's doing and he seems to be keeping me just far enough away to try to retrieve this object on his hip.

OLIVEIRA: Okay.

HARSHBARGER: But not...he's not...I'm not seeing him full stride away. I'm not seeing elbows or anything and him hightailing it through the field.

OLIVEIRA: Okay. And he's still reaching down to his side?

HARSHBARGER: He's still...he's still going to his side.

OLIVEIRA: Now, his clothing, was he wearing baggy clothing? Was it a shirt...?

HARSHBARGER: It looked...it looked like it was some kind of jacket, dark jacket, or Pendleton.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

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STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Okay.

HARSHBARGER: But it...it had kinda been moved back slightly.

OLIVEIRA: Okay.

HARSHBARGER: You like...like if, uh, somebody were going to draw a weapon.

OLIVEIRA: Okay.

HARSHBARGER: Their...it would fly back slightly on that side.

OLIVEIRA: So it was unbuttoned?

HARSHBARGER: It was unbuttoned.

OLIVEIRA: So it was able to flap back.

HARSHBARGER: Yes.

OLIVEIRA: And whatever he's reaching for now. At any...at this point, are you able to still see what it is?

HARSHBARGER: I'm...I'm still...the lights getting worse.

OLIVEIRA: Okay.

HARSHBARGER: You know, the field's very dark. I'm going...I have the light from his car and from all my strobes and...and red and blue lights going.
WITNESS STATEMENT: OFFICER HARSBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSBARGER

OLIVEIRA: Okay.

HARSBARGER: And, uh, I'm just seeing his figure turning around and, uh, I'm afraid that he's gonna produce this gun or a knife.

OLIVEIRA: Okay.

HARSBARGER: And, uh, challenge me with it.

OLIVEIRA: Okay.

HARSBARGER: So as he moves into the field a few feet, I'm on the very border of where the dirt alleyway would end on the north side just before entering the field.

OLIVEIRA: Okay.

HARSBARGER: And there's some...some overhanging, uh, branches from a nearby tree, the grass is tall, it's dark, you know, so thinking that he's gonna pull this weapon out and use it on me, I discharged my...my firearm at him.

OLIVEIRA: At this point, had he stopped or was he still moving? Or was he still doing the thing where he's staring back at you?

HARSBARGER: He was just...he was just turning his body. I thought it was gonna become a complete turnaround and, uh, some kind of action would be taken against me with a weapon.

OLIVEIRA: Okay.
WITNESS STATEMENT: OFFICER HARSBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARSBARGER

HARSBARGER: It wasn't a full runaway anymore.

OLIVEIRA: Right.

HARSBARGER: Or it wasn't a runaway.

OLIVEIRA: Okay.

HARSBARGER: It was just to me I was thinking he's trying to keep distance between me and him so I can't grab him and he's gonna use a weapon if he gets it.

OLIVEIRA: Okay.

HARSBARGER: And so...

OLIVEIRA: Was he...he was looking at you when this occurred?

HARSBARGER: It...he could have easily get...his head was turned to the point where he would have been looking eastbound, you know.

OLIVEIRA: Right.

HARSBARGER: His shoulders, you know, I don't know if there was a bulky shirt.

OLIVEIRA: Right.

HARSBARGER: But I know he was blading and he could have been looking at me. His hands were still down at his hip and I...I was afraid that he was gonna use a weapon on me.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Okay. Were you saying anything to him at this...prior to this?

HARSHBARGER: Well, it all happened so quickly, but I had initially told him Stop! Police! you know, show me your hands! And, uh, that’s about all I could get out. I think it may be one time.

OLIVEIRA: Okay.

HARSHBARGER: As it just unfolded like that.

OLIVEIRA: Okay. Do you think he saw you with your weapon drawn? Would he have been in a position to see that?

HARSHBARGER: I think so.

OLIVEIRA: Okay. Okay. So he’s doing this, um, you’re afraid he’s going to use his weapon on you. At this point, you...you discharge your weapon, correct?

HARSHBARGER: Yes.

OLIVEIRA: Okay. Do you recall how many times?

HARSHBARGER: Two times.

OLIVEIRA: Okay. And how far do you think he was from you?

HARSHBARGER: I’d estimate seven to ten feet.
WITNESS STATEMENT: OFFICER HARBKARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARBKARGER

OLIVEIRA: Okay. And, uh, did you fire two consecutive shots quickly or was it... do you recall?

HARBKARGER: It was two, quickly.

OLIVEIRA: So once you fire the shots, what happened?

HARBKARGER: I heard him yell in pain.

OLIVEIRA: Okay.

HARBKARGER: Um, I still didn’t enter the field. I had to retrieve my mag light from my sap pocket. Um, when I did, I illuminated the... the field and I saw him laying on the ground, um, several feet into the field there. And when I illuminated him, I told him to lay flat, keep his hands where I could see ‘em, and he continued... he tried to get up on his elbows in some kind of manner and scurry... scurry along the ground.

OLIVEIRA: So when he was getting up on his elbows... how was he laying on the ground when you saw him?

HARBKARGER: He was... he was laying on his belly, I believe.

OLIVEIRA: Okay.

HARBKARGER: Or just... just maybe on his side, but he was getting up onto his elbows, looking back at me, and he started scurrying along the ground still kind of in a north... northerly direction.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: So... so he's laying on his belly, kinda like this. Is his feet pointing towards you or his head?

HARSHBARGER: Feet...feet are kind of, uh, yeah, pointing towards my direction.

OLIVEIRA: His feet are pointing toward your direction?

HARSHBARGER: In a, uh, southwest direction, I believe.

OLIVEIRA: Okay. So feet are southwest direction. He starts to get up on his elbows and when you say scurry, is he actually getting up on his feet or is he...

HARSHBARGER: No, he's not getting on his feet, but he's just still trying to keep movement going.

OLIVEIRA: Okay.

HARSHBARGER: And I told him, I said lay flat. Keep your arms out where I can see 'em. Keep your arms out where I can see 'em and he said... he said, "You shot me." And, uh, I didn't really say anything other than just tell him to stay flat and keep... keep his hands where I can see 'em. And, uh, I broadcast, you know, shots had been fired, that I'm in the same location in the alleyway, and, uh, just kept him there, um, and I didn't approach him. I just kept him at gunpoint until the first unit arrived.

OLIVEIRA: Okay. And who was that?

HARSHBARGER: That was Officer Vigil.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Okay. So Officer Vigil arrives. What's the next thing that happens?

HARSHBARGER: Officer Vigil arrives and, uh, I think simultaneously Officer Joy arrives.

OLIVEIRA: Okay.

HARSHBARGER: And several more units rolled up, but, um, I kept him covered while Vigil handcuffed him.

OLIVEIRA: Okay.

HARSHBARGER: And, uh, I already asked for Code 3 Fire.

OLIVEIRA: At what point did you do that?

HARSHBARGER: I believe it was before Vigil arrived or right as he was arriving.

OLIVEIRA: Okay. Okay. Um, he's still down there on his stomach with his feet in a southwest direction, right? At this point when you were calling?

HARSHBARGER: Yeah.

OLIVEIRA: Okay. But he had moved somewhat?

HARSHBARGER: He was still kinda, um, he wasn't trying to scurry anymore.

OLIVEIRA: Okay.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

HARSHBARGER: Um, but he was just...just kind of teeter-tottering from side-to-side, um...

OLIVEIRA: From where you shot at him and he went down, he had moved somewhat from that location?

HARSHBARGER: Yes.

OLIVEIRA: Do...do you know about how far?

HARSHBARGER: I'd estimate three feet or so.

OLIVEIRA: Okay. Alright. So Officer Vigil approaches while you...you cover him and he handcuffs him.

HARSHBARGER: Yes.

OLIVEIRA: Um, he's still on his stomach, through...how does he handcuff him? Does he put his hands behind his back or how did that go?

HARSHBARGER: I...I think he just told him to get his hands behind his back and...and, um, put 'em on as quickly as he could.

OLIVEIRA: Okay. Um, did you see any weapons around there, in that area?

HARSHBARGER: I saw a sheath on his right hip. Some kind of snap around the handle of what looked like a knife.

OLIVEIRA: Okay. How, uh, describe the sheath. How...how big was it?
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

HARSHBARGER: Well...

OLIVEIRA: Or long?

HARSHBARGER: Approximately six inches or so.

OLIVEIRA: Okay. What color?

HARSHBARGER: It was black.

OLIVEIRA: It was just a sheath, so there’s no cover over the top of it, for this knife. It was just open, I mean, the handle was exposed?

HARSHBARGER: I...I never got any closer than when I was covering him.

OLIVEIRA: Okay.

HARSHBARGER: But when he was on the ground, I could still see his right hip. It looked like it was a sheath style knife that had a snap.

OLIVEIRA: Okay.

HARSHBARGER: You know, that went part way up the handle and snapped around the handle, is what it looked like from...I never got any closer than that.

OLIVEIRA: Okay. So you...and you could tell there was a knife in there, though?

HARSHBARGER: Yes.
WITNESS STATEMENT: OFFICER HARSBARGER #0484
CONTINUED:
STATEMENT OF: OFFICER HARSBARGER

OLIVEIRA: But you personally never pulled the knife out to look at it?

HARSBARGER: No.

OLIVEIRA: Okay. Do you remember what color...you could only see the handle?

HARSBARGER: The handle and...and part of the sheath.

OLIVEIRA: Correct...but as for the knife, the only part of the knife you could see was the handle?

HARSBARGER: Yes.

OLIVEIRA: Okay. Do you recall what color that was?

HARSBARGER: Brownish kind of color.

OLIVEIRA: Okay. And you talk about the snap on the sheath, was it...was it still snapped together or was it...

HARSBARGER: I don't know if it was still snapped or unsnapped but just kind of overlaying.

OLIVEIRA: Okay.

HARSBARGER: But I think I remember seeing a silver like, would be a...a button top.

OLIVEIRA: Okay.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARSHBARGER

HARSHBARGER: And I...I remember I kept trying to make it out when he was...when we were still alone. I kept trying to focus in on what it...what it was.

OLIVEIRA: So you...and you're talking about when you're having the gun pointed and you're waiting for your backup?

HARSHBARGER: Yes.

OLIVEIRA: He's already been shot?

HARSHBARGER: He's already been shot and he's still...I'm still kind of focused in on...on the weapon and, you know, just want to keep his hands up and away from it.

OLIVEIRA: So you...from your position still there in the alley, you could see something on his hip?

HARSHBARGER: Well, after he had been shot, I moved into the field.

OLIVEIRA: Okay.

HARSHBARGER: So I was at a closer, um...

OLIVEIRA: How many feet do you think? Approximately?

HARSHBARGER: I'd estimate five feet.

OLIVEIRA: Okay.

HARSHBARGER: And I had him illuminated and just waited.
WITNESS STATEMENT:  OFFICER HARSHBARGER #0484

CONTINUED:

STATEMENT OF:  OFFICER HARSHBARGER

OLIVEIRA:  And you could see...you can actually see...you didn't have to lift his shirt or anything from his position?

HARSHBARGER:  I could see there was that handle with the snap right there.

OLIVEIRA:  Okay.

HARSHBARGER:  Excuse me.

OLIVEIRA:  And did you know, at that point, what it was?  The handle went to?

HARSHBARGER:  I was pretty sure it was a knife.

OLIVEIRA:  Okay.  Okay.  And is this the same area he was reaching for when he was running from his car and running from you?

HARSHBARGER:  Yes.

OLIVEIRA:  Okay.  Alright.  Okay.  So, you get him handcuffed, uh, you're covering him, uh, what's the next thing that happens?

HARSHBARGER:  I just decocked my gun, holstered, and I remember, Sgt. Walters, you know, got there and he just kind of had me step back out toward my car and, uh, there I waited.

OLIVEIRA:  Alright.  Uh, did the fire department arrive there while you were...

HARSHBARGER:  They arrived.  They parked on 21st Street and had good access to that field to get to him.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: 21st Avenue?

HARSHBARGER: Yeah, 21st Avenue.

OLIVEIRA: Okay. And, uh, so you...were you still there with Officer Vigil when the fire department...

HARSHBARGER: No. They were all with the suspect. Um, I was over at the...where the stop initially occurred, uh, with Officer Joy and Sergeant Walters for a brief amount of time, but Joy stayed with me, um, for quite a while until the suspect was taken to the hospital and...and, uh, everything kind of settled down.

OLIVEIRA: Okay. So your last contact with him was after he was handcuffed, you decocked, holstered, and then Sgt. Walters took you away?

HARSHBARGER: Yeah.

OLIVEIRA: And after that the fire department arrived and the other officers dealt with the suspect?

HARSHBARGER: Yes.

OLIVEIRA: Okay. Okay. Um, I just want to go back on a couple of things. Um, in car camera, was it activated?

HARSHBARGER: Yes.

OLIVEIRA: Okay. Do you know at what point it was activated?
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED: STATEMENT OF: OFFICER HARSHBARGER

HARSHBARGER: It was when I was making the...when we were already southbound 38th and I had activated it.

OLIVEIRA: So this is before you turned your lights or siren on...

END OF SIDE A (AUDIO TAPE)
BEGINNING SIDE B (AUDIO TAPE)

HARSHBARGER: No, it...it turned on when I activated my lights.

OLIVEIRA: Okay. So once you activated your lights it automatically came on?

HARSHBARGER: Yes.

OLIVEIRA: Okay. Okay. Um...so going back to the pursuit, you're going through the alley now. Um, are you...are you able to give the update that you're in the alley?

HARSHBARGER: Yes.

OLIVEIRA: Okay. And what...what was the update that you gave? Do you recall?

HARSHBARGER: I know that there was air traffic going on and I remember I needed the air so I didn't get a chance to say we made the southbound 36th Street turn.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Okay.

HARSHBARGER: But I did get out that we're westbound through the alley south of 21st.

OLIVEIRA: Okay.

HARSHBARGER: And west of 36th Street.

OLIVEIRA: So you got that out. And you guys were still moving, at that point?

HARSHBARGER: Yeah, we're still moving.

OLIVEIRA: Okay. And then once the car came to a stop, and it stopped on it's own, there wasn't any...anything from...that you could tell was a malfunction with the vehicle?

HARSHBARGER: No, it just stopped on its own.

OLIVEIRA: Okay. Were you able to broadcast that the vehicle stopped?

HARSHBARGER: No.

OLIVEIRA: Okay. What...what was your next broadcast? Do you remember what you were able to get out once the car stopped?

HARSHBARGER: Yes. I think, shots had been fired.

OLIVEIRA: Okay. So you didn't even have a chance to put out that you were going on a foot pursuit or anything?
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENTOF: OFFICER HARSHBARGER

HARSHBARGER: No.

OLIVEIRA: Okay. From the time the car stopped till the time shots were fired, do you have kind of an estimate of time. I know it's probably hard to recall, but...did it seem quick or...

HARSHBARGER: It seemed very quick. It seemed two seconds to three seconds.

OLIVEIRA: Okay. Now, when you fired, did you know you hit him before he even told you that he...

HARSHBARGER: The only way...the only reason I knew I did was cause he yelled in pain.

OLIVEIRA: And he fell to the ground too?

HARSHBARGER: Yes.

OLIVEIRA: So he was still upright when you fired the shots?

HARSHBARGER: Yes.

OLIVEIRA: Okay. Okay. Um, light...were there any lights in that alley that you remember?

HARSHBARGER: Only our vehicle lights.

OLIVEIRA: So pretty much the only light. You didn't see any, uh...
WITNESS STATEMENT:  OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF:  OFFICER HARSHBARGER

HARSHBARGER:  There was a house to the south where the stop occurred that had some porch lights on.

OLIVEIRA:  Would that be back porch lights? Cause...

HARSHBARGER:  Well the way that...I think...I didn’t get a good look at the house, but I think the way it was set up, it was actually a front porch light, but it would be facing, uh, east.

OLIVEIRA:  Oh.

HARSHBARGER:  Cause the house was kind of at the back of the property. It would have been an 22nd Street, 22nd Avenue address.

OLIVEIRA:  Got it. Okay. And, like you said, your headlights were still on, your overheads were going...

HARSHBARGER:  Strobes.

OLIVEIRA:  Strobes. Suspect car, did...were there headlights on.

HARSHBARGER:  Headlights on.

OLIVEIRA:  Okay. So you run through the alley. Did you have a good view of him. I mean, was lighting conditions good enough that while you guys are still in the alley, before he goes in the field, that you had a pretty good vision of him?

HARSHBARGER:  Yes. Yes.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Okay. And then that tended to decrease, you said, once you...

HARSHBARGER: As we started entering to the field.

OLIVEIRA: Okay. Was it a lot darker or just...

HARSHBARGER: It got dark quickly.

OLIVEIRA: Okay.

HARSHBARGER: Had the not...the lights not been on on the vehicles, it probably would have been pitch dark, but, um..

OLIVEIRA: Okay. Alright. Alright. And was it your intention to shoot him when you fired your gun?

HARSHBARGER: Yes.

OLIVEIRA: Okay. And were you aiming for?

HARSHBARGER: I was aiming for the large part of his body, the center of mass.

OLIVEIRA: Okay. Alright. Want to take a break?

ATTORNEY: Let me just ask one question here and then you can check with the others.

OLIVEIRA: Sure.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENTOF: OFFICER HARSHBARGER

ATTORNEY: You were not able to confirm what it was at his waistband prior to discharging the weapon, correct?

HARSHBARGER: No.

MALE: Just so we have for the record why...why is it that you didn't wait to confirm whether he, in fact, had a weapon before discharging your firearm?

HARSHBARGER: I didn't think I had any time. I thought he was going to produce a weapon and use it against me, at that time.

ATTORNEY: Okay. I know you had training in regards to how...how quickly a weapon, either a gun or a knife, can be used on you from the time that it's produced from a waistband...

HARSHBARGER: Yes.

MALE: What kind of training?

HARSHBARGER: Uh, academy training, through arrest control baton scenario training in the academy.

ATTORNEY: Okay. At the time you discharged your weapon this evening, you were pretty confident that he had a...some sort of weapon in his waistband?

HARSHBARGER: Yes.

ATTORNEY: And it turned out to be true, correct?
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARSHBARGER

HARSHBARGER: Yes.

ATTORNEY: You want to take a break?

OLIVEIRA: Okay. Sounds good.

HARSHBARGER: Is there a restroom?

OLIVEIRA: Yeah. You can actually use the one right back here.

HARSHBARGER: Okay.

OLIVEIRA: Go straight through that door.

BREAK:

REENTERING INTERVIEW ROOM (approx. 0741 hrs)

OLIVEIRA: Several more questions just to clarify some things. The suspect...could you, uh, when you're in the car, could you tell his description if he was a male...?

HARSHBARGER: Yes.

OLIVEIRA: Okay. You could tell he was a male?

HARSHBARGER: Yes.

OLIVEIRA: Okay. Could you tell how old he was by...from the...just from your view of him in the car?

ATTORNEY: From when he had first observed him crossing....
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: Correct. Anytime during the pursuit, before he got out of the car and started chasing him, could you tell how old you thought he was or...

HARSHBARGER: I could tell that, you know, he...he looked to be in his later 20's, 30's, early 30's maybe. I knew he was an adult.

OLIVEIRA: Okay. Okay. And, uh, once he got out of the car and you start pursuing him, um, did you get a better description of him. I mean, did you get a better view of him?

HARSHBARGER: Yes.

OLIVEIRA: Okay. And you still felt he was in his 20's or early 30's?

HARSHBARGER: Um, yeah.

OLIVEIRA: Okay. Okay. And, uh, how tall would you say he was?

HARSHBARGER: 5'11"-6'0" maybe.

OLIVEIRA: Okay. How much you think he weighed if you had to estimate?

HARSHBARGER: Maybe 175-180, kinda slender.

OLIVEIRA: Okay. Okay. His clothing? You talked about the...you thought it was more like a Pendelton type shirt?

HARSHBARGER: Pendelton or a jacket, but definitely a...something over another shirt.
WITNESS STATEMENT:  OFFICER HARSHBARGER #0484

CONTINUED:

STATEMENT OF:  OFFICER HARSHBARGER

OLIVEIRA:  Okay. And you said it was open?
HARSHBARGER:  It was open.
OLIVEIRA:  And what color? Do you remember?
HARSHBARGER:  Dark brown or black or...
OLIVEIRA:  Okay. A dark color?
HARSHBARGER:  Dark color.
OLIVEIRA:  Okay. Did you recognize the person at all from any prior contacts?
HARSHBARGER:  No.
OLIVEIRA:  Okay. Okay. When he was in the car and you guys...you're still in the pursuit, before he gets out, at anytime during the pursuit was he doing anything in the car other than just driving the car? Was he making any kind of movements or...
HARSHBARGER:  Well, the first...the first time on 39th or 39th Street, just after he crossed 14th Avenue...
OLIVEIRA:  Okay.
HARSHBARGER:  He had made some kind of weird movement onto the corner. It had been the northwest corner of 39th in that alleyway.
OLIVEIRA:  Northwest corner?
WITNESS STATEMENT: OFFICER HARSCHBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARSCHBARGER

HARSCHBARGER: Yeah.

OLIVEIRA: Okay.

HARSCHBARGER: It's not really an intersection, but there's the alleyway at 39th.

OLIVEIRA: Okay.

HARSCHBARGER: And it was kinda...

OLIVEIRA: The alleyway that comes out on MLK, correct?

HARSCHBARGER: Yeah.

OLIVEIRA: Okay.

HARSCHBARGER: He just kind of pulled in tight to that corner. Um, with a little bit of slowing down or whatnot and then pulled back away, then crossed MLK and then, um, as I was...as the pursuit first began on 38th Street, um, I remember he was kind of just close to the shoulder of the road.

OLIVEIRA: Okay.

HARSCHBARGER: It was kind of just a normal pursuit from there.

OLIVEIRA: Okay. How about in the car? Was he...

HARSCHBARGER: I couldn't tell if he was doing anything up front. I could just see his, you know, his head and, uh, the times when I could see, uh, any kind of side view would have been on the corners.
WITNESS STATEMENT: OFFICER HARSBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSBARGER

OLIVEIRA: Okay.

HARSBARGER: You know, the windows weren’t tinted, they were clear and, uh, I didn’t really see him doing anything funny up front that kind of alarmed me at the time.

OLIVEIRA: So the first time he started making movements was after he got out of the car and you said he was reaching for his right side.

HARSBARGER: Yeah. Well, there was a split second hesitation. He did something when he opened the door. He didn’t jump...just jump out and bail.

OLIVEIRA: Okay.

HARSBARGER: Um, he was doing something for a split second. It wasn’t as fast as he could get out.

OLIVEIRA: Okay.

HARSBARGER: And then he got out and rounded the front of his car into the field.

OLIVEIRA: Okay. And his car was in park and didn’t keep rolling or anything?

HARSBARGER: It didn’t keep rolling. I assumed it was in park.

OLIVEIRA: Okay. And as you...I just kinda wanna get a little bit more detail as you’re pursuing him and he’s turning...prior to you shooting him, he’s in the field, uh, and you said he was turning, correct?

HARSBARGER: Yes.
WITNESS STATEMENT:  OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF:  OFFICER HARSHBARGER

OLIVEIRA: And his shirt was kinda open and he's going for his right side?

HARSHBARGER: Yes.

OLIVEIRA: I'll just have you stand up like right here and just kinda, like you're running away from me. Say I'm you. I just kind of want you to demonstrate how you were, uh, how he was, what he was doing.

HARSHBARGER: It was kind of this motion.

OLIVEIRA: So he's turning to his right?

HARSHBARGER: Yes.

OLIVEIRA: Okay.

HARSHBARGER: He's kind of going to his right and just kind of turning his upper torso where he was still moving, but turning.

OLIVEIRA: Okay.

HARSHBARGER: And, uh, but not totally running from me.

OLIVEIRA: Right.

HARSHBARGER: But keeping a good...trying to keep a gap between he and I.

OLIVEIRA: Okay. And so...and would you say being behind him, were you directly behind him, were you off to the right or off to the left?
NARRATIVE SECTION

WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

HARSHBARGER: I think I...I...I did. I know I moved off to the, uh, would have been my left.

OLIVEIRA: Your left?

HARSHBARGER: Yeah. I was more west of his body in that alleyway.

OLIVEIRA: Okay. Alright.

HARSHBARGER: I moved out a little bit.

OLIVEIRA: Alright. Slightly or a lot?

HARSHBARGER: I think just slightly.

OLIVEIRA: Okay. And...and once you entered that field, did you have pretty much a clear view or was there anything blocking your view?

HARSHBARGER: Well, there was the trees hanging over.

OLIVEIRA: Okay.

HARSHBARGER: Um...

OLIVEIRA: Were you able to walk under...would your head...

HARSHBARGER: Yeah, your head would hit those, um, you know, but he was going through it, um, I...I had a silhouette, you know, I could still see him turning. The lights were going, he was still moving forward, I was still moving forward.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENTOF: OFFICER HARSHBARGER

OLIVEIRA: Okay.

HARSHBARGER: And...

OLIVEIRA: And the branches come down...I'm just trying...did...I mean, the branches didn't come down to the ground?

HARSHBARGER: They...they don't come down to the ground. To tell you the truth, I...I didn't get a good look if it was a tree or if it was some overgrown bush.

OLIVEIRA: Okay.

HARSHBARGER: But they...they didn't have leaves on 'em or anything. They were just kind of hanging in...hanging over where you...where he went through.

OLIVEIRA: Underneath it?

HARSHBARGER: Kinda underneath it.

OLIVEIRA: Okay.

HARSHBARGER: You didn't have to really duck too hard to get under.

OLIVEIRA: Okay.

HARSHBARGER: But they were just there.

OLIVEIRA: So other than that, up high there's nothing else blocking your view?
WITNESS STATEMENT: OFFICER HARSBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARSBARGER

HARSBARGER: No.

OLIVEIRA: Okay. Alright. And when you were keeping your distance, what...what was going through your mind? What made you decide to start keeping distance instead of by continuing to run up on him?

HARSBARGER: Well, I wanted to keep...keep a gap, you know, um, for any kind of attack that he may make against me.

OLIVEIRA: Okay. And what made you, I guess, I know you mentioned it before. It was him reaching for what you thought was a weapon on the side. And that's the attack...and that's why you started to keep your distant from him?

HARSBARGER: Yeah. I still was keeping him in sight, keeping the space, um, you know, just evaluating everything in my head. Him going to his waistband. I'm fearing that he's gonna bring a weapon out, a gun or knife.

OLIVEIRA: Okay.

HARSBARGER: And, uh, you know, use it against me.

OLIVEIRA: Okay.

HARSBARGER: Um, I kept that distance until I decided that, you know, I felt it was dangerous for me to, um, to wait any longer.

OLIVEIRA: Okay.
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:

STATEMENT OF: OFFICER HARSHBARGER

HARSHBARGER: That he may make some kind of action against me with a weapon.

OLIVEIRA: Okay. Um, you fired twice, correct? What made you stop after the second round?

HARSHBARGER: I...I heard him yell, um, I felt that, um, I fired twice and that...that it was enough. It just kind of...his reaction, um...

OLIVEIRA: And what was his reaction? Him yelling?

HARSHBARGER: It was a yell, yeah.

OLIVEIRA: Okay. And did he fall?

HARSHBARGER: And he kinda...just kinda went off into the, yeah, fell off into the, uh, it was tall grass there.

OLIVEIRA: Okay.

HARSHBARGER: And I still stayed out in the alleyway, right on the edge until I got my light. So I didn’t see him for a few seconds or not a few seconds, for a split second.

OLIVEIRA: Okay.

HARSHBARGER: Until I got my light out to illuminate my way all the way into the field.

OLIVEIRA: Okay.

HARSHBARGER: And that’s when I found him, you know, laying down there.
WITNESS STATEMENT:  OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF:  OFFICER HARSHBARGER

OLIVEIRA:  Okay. And was he making any more movements for his right side at once...after you fired that second shot?

HARSHBARGER:  Um, no, cause he was...he was on his stomach area and did the first initial try to crawl away on his elbows and then, uh, I just kept telling him, Keep your hands out! Keep your hands out!

OLIVEIRA:  Okay.

HARSHBARGER:  And, uh, lay...Lay flat.

OLIVEIRA:  Alright. Uh, I know we went over the ICC that did turn on, correct?

HARSHBARGER:  Yes.

OLIVEIRA:  Okay. And you said it came on automatically. Um, you...officers now, I guess have mikes?

HARSHBARGER:  Microphones.

OLIVEIRA:  Do you know if that was activated?

HARSHBARGER:  No, it wasn't.

OLIVEIRA:  Okay. When you turn on the ICC camera, does the mike on the actual camera itself, does that normally come on or is it a separate button or how does that work?

HARSHBARGER:  The mike on the camera?
WITNESS STATEMENT: OFFICER HARSHBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSHBARGER

OLIVEIRA: On the...yeah, the in-car camera itself.

HARSHBARGER: There's two different models of these cameras.

OLIVEIRA: Okay.

HARSHBARGER: The model I had is an older version.

OLIVEIRA: Okay.

HARSHBARGER: Um, that has an on and off switch.

OLIVEIRA: Okay.

HARSHBARGER: But I guess there was a point in which I assumed that they bypassed that switch so it can no longer be shut off.

OLIVEIRA: Oh.

HARSHBARGER: And then there's a newer model where there's no switch at all. It just come...my mike in the car comes on all the time.

OLIVEIRA: Okay. Once the lights are activated....

HARSHBARGER: Once the lights are activated, the mike should...should, uh, start up.

OLIVEIRA: Okay. But the older models have a separate switch for the microphone?

HARSHBARGER: Yes.
WITNESS STATEMENT: OFFICER HARSBARGER #0484

CONTINUED:
STATEMENT OF: OFFICER HARSBARGER

OLIVEIRA: Okay.

HARSBARGER: They should...I...I assumed it was bypassed.

OLIVEIRA: Okay.

HARSBARGER: Um, just, uh, I don't know if I got the info from a roll call or whatnot, but, um...

OLIVEIRA: So it was in your belief that the microphone button had been bypassed and there's no need to turn it on and off?

HARSBARGER: Yes.

OLIVEIRA: Okay. Alright. And then...and how is microphone on your person, how is that activated?

HARSBARGER: You can manually activate it on and off with a button.

OLIVEIRA: Okay.

HARSBARGER: Um, with this particular model, you have to have it on a...there's an F2 selector and an F1 selector, I think that's what they're called.

OLIVEIRA: Okay.

HARSBARGER: And then you have to...there's a selector on the in-car camera part and I think that they coincide.

OLIVEIRA: Okay.
CONTINUED:
STATEMENT OF:  OFFICER HARSHBARGER

HARSHBARGER:  And then it all comes together.

OLIVEIRA:  Okay. Uh, and, but it wasn't on your personal microphone?

HARSHBARGER:  No.

OLIVEIRA:  Okay. And, uh, I don't...I guess, when are you...required to use it, I guess, is the question I have?

HARSHBARGER:  Um, during, uh, proactive stops when, uh, you can reasonably activate everything.

OLIVEIRA:  Okay. Did you feel it was reasonable time to activate it during this incident?

HARSHBARGER:  No.

OLIVEIRA:  Okay. Okay. Alright. That should do it. Do you have any other questions?

MALE:  No.

OLIVEIRA:  Okay.

MALE:  Thanks.

END OF INTERVIEW (at approx. 0753 hrs)
EXITING INTERVIEW ROOM
REPORTING OFFICER  BADGE  DIV  DATE  APPROVED BY
Det. Eric J. Schneider  0701  32  10-7-03  SGT. VARGAS

ASSISTING OFFICER  BADGE  DIV  TIME  "BADGE"
  1420  3020
STATEMENT OF SUSPECT VICTORIANO LOPEZ:

Approximately 0745 hours, 10/03/03, I (Detective Higgins) contacted suspect Lopez in the recovery room on the second floor of the UC Davis Hospital. I tape recorded my contact with suspect Lopez. For complete details, please see the tape recording. I read suspect Lopez his rights verbatim from SPD Form #133. After each right, I asked him if he understood them. Each time he replied, "Yes sir." Suspect Lopez told me the following in summary:

He (the police) pulled behind me. I don't know whose car I was in. I pulled over. I believe that was the end. I stayed in the car. I had a pocket knife. It was on my (suspect Lopez then pointed to his waist area).

Detective Higgins said, "Your waist? On your belt?"

Suspect Lopez continued:

Yes. It was an open knife. I didn't reach towards the knife. I don't know how I got shot.

At this point suspect Lopez appeared to fall asleep.

I re-contacted suspect Lopez at approximately 0805 hours. I identified myself again and told him that I wanted to finish asking him some questions and asked him if that was okay. Suspect Lopez stated it was. Suspect Lopez then made the following statement in summary:

The police got behind me. They turned on the lights and siren. I was in a black Cadillac. I pulled over right away. I don't think I got out or tried to run. I had not used any drugs and hadn't been drinking. I don't remember getting out of the car. The car is my partner's. (When Detective Higgins tried to ask who his partner was, suspect Lopez would not answer me.)
On 10-3-03 at approx. 1430 hrs, I, Det. Oliveira, arrived at the SPD Property Building. I checked out the suspect’s dagger that had been booked as evidence by Ofc. Vigil. I unsealed the envelope and removed the dagger which was in a hard plastic sheath. There was white/red evidence tape wrapped around the dagger and sheath. I removed some of the evidence tape to remove the dagger. I had to press a lock button on the side of the sheath to release the dagger. I removed the dagger and took digital photos of it. I placed the dagger back in the sheath and returned the evidence back to SPD Property personnel.
DAGGER TAKEN FROM SUSPECT
BICTORIANO LOPEZ.
Photo taken by Det. Oliveira 10-3-03.
SUSPECT'S KNIFE (DAGGER) AND BLACK PLASTIC SHEATH.

ORIGINAL
SACRAMENTO POLICE DEPARTMENT
SUPPLEMENTARY INVESTIGATION REPORT

CRIME CODE SECTION
245(C) PC

ORIGINAL

REPORT NUMBER
03-86693

VICTIM: OFFICER JOHN HARSHBARGER

DETECTIVE SUPPLEMENT:
(Det. Eric J. Schneider #701)

STATEMENT:
(W- [redacted])

On 10-3-03 at approx. 1533 hrs. I interviewed W-[redacted] at the Public Safety Center regarding this case. W-[redacted] had volunteered to come down to the station to provide her statement. The interview was recorded on both audio and video tape. The following is a summary of the interview. The tapes were retained and can be viewed for the exact content of the interview. W-[redacted] provided me with the following statement in summary:

W-[redacted] stated that on today’s date at approx. 0315 hrs. she was inside her trailer when she heard a lot of sirens that sounded to her like they were coming from Martin Luther King Jr. Blvd. (W-[redacted] parks her trailer on the street directly in front of [redacted].) The sirens then got really loud and W-[redacted] figured that they were coming from 21st Ave. She heard a impact like a car hitting another car and looked out her window to see lights coming from the alley between 21st and 22nd Avenues. W-[redacted] saw a car go by westbound through the alley and then saw its brake lights come on. The sirens then shut off and a police officer ran by towards the area where the car had stopped. W-[redacted] heard a male voice yell “stop, put your hands up now” and then heard 3 pops (gunshots), maybe 2.

W-[redacted] stated that after she heard the gunshots she went outside and walked over to the alley to see what was going on and saw all the police cars coming into the area.
CONTINUED:

STATEMENT OF SUSPECT VICTORIANO LOPEZ:

I (Detective Higgins) then read suspect Lopez back his statement. After I read it back to him, I asked him if I had gotten the statement correct, and he stated that I had.

At approximately 1630 hours, 10/03/03, I, Detective Higgins, re-contacted suspect Lopez in the X-ray department of the UC Davis Hospital. I asked him if he remembered talking to me earlier and he stated that he did. I then told him that I wanted to make sure that I had gotten the statement correct from earlier. I then read him his Miranda rights verbatim from SPD #133 again. Suspect Lopez stated that he understood his rights. Suspect Lopez then stated he’d rather not talk to me and he would like an attorney.
LOCKERS USED: H.O.J. CHARGE(S): 245G PC REPORT #: 03-86693
NARCO/MONEY BOOKING □ CITATION #: LARGE PROPERTY BOOKING □
LOCATION OF OCCURRENCE: 35TH ST. / 21ST AVE.
PREVIOUS BOOKING PR #: VICTIM: HARSHBARGER, JOHN DEFENDANT:

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OFFICER: E.J. SCHNEIDER SIGNATURE AND BADGE NUMBER: 701
CITIZEN IF FIELD RECEIPT, HAVE CITIZEN SIGN: DATE 11.7.03

PROCESSED BY: WHITE - PROPERTY DATE 11/7/03
PROCESSED BY: WHITE - REPORT
PROCESSED BY: PINK - INVESTIGATIONS
PROCESSED BY: GOLDENROD - FIELD RECEIPT

SFD 709 (08/01)
**SACRAMENTO POLICE DEPARTMENT**

**OFFICER'S BOOKING AND FIELD RECEIPT**

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<td>075</td>
<td>80-9921</td>
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**NARCOMONEY BOOKING**

**LARGE PROPERTY BOOKING**

**LOCATION OF OCCURRENCE**

**PREVIOUS BOOKING PR #**

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<tr>
<th>VICTIM(S) FULL NAME</th>
<th>LAST</th>
<th>FIRST</th>
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<th>DOB</th>
<th>ADDRESS</th>
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<td>10:00</td>
<td>10/2/102</td>
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**PROPERTY**

- **ITEM #1**: Sun Video Cassette (1), original
  - Valuation: $25
  - Location: Hardecore
  - Owner: Unknown
  - Ownership: Unknown

- **ITEM #2**: VHS Cassette (1), original
  - Valuation: $20
  - Location: Hardecore
  - Owner: Unknown
  - Ownership: Unknown

- **ITEM #3**: VHS Cassette (1), original
  - Valuation: $15
  - Location: Hardecore
  - Owner: Unknown
  - Ownership: Unknown

- **ITEM #4**: VHS Cassette (1), original
  - Valuation: $10
  - Location: Hardecore
  - Owner: Unknown
  - Ownership: Unknown

**OFFICER**

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<th>Signature and Badge Number</th>
<th>Citizen</th>
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**Processed By**

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**Clearance**

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1. White - Property
2. White - Report
3. PNT - Investigations
4. Goldenrod - Field Receipt

**SPD 790 (1/99)**
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<th>OWNERS NAME AND ADDRESS</th>
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<th>CHECK IF PROPERTY IS BOUGHT</th>
<th>ATTACH ADDITIONAL PAGE FOR PROPERTY OR物</th>
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<tr>
<td>1</td>
<td>AUDIO TAPE</td>
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<td>VIDEO TAPE - COPY OF ICC TAPE FROM OFF HURST</td>
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<td>3</td>
<td>FLOPPY DISK</td>
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**REPORTING OFFICER:**

**BADGE #:**

**DEV:**

**RECEIVED DATE:** 10/12/03

**TIME:**

**IN LOCKER DATE:** 10/25/03

**TIME:**

**REMARKS:**

**CHECK IF PRINT REQUESSED:**

**ATTACH ADDITIONAL PAGE FOR PROPERTY ONLY:**

**OFFICER:**

**SIGNATURE AND BADGE NUMBER:**

**CITIZEN:**

**DATE:** 10/23/03

**FIELD RECEIPT, HAVE CITIZEN SIGN:**

**PROCESSED BY:**

**WHT - PROPERTY DATE:**

**CLEARED BY:**

**WHT - REPORT DATE:**

**COOPERATE WITH INVESTIGATIONS DATE:**

**GOLDENBOY - FIELD RECEIPT DATE:**
### Sacramento Police Department

**Officer's Booking and Field Receipt**

**Location of Occurrence:** 21 Ave

**Victim(s) Full Name:**
- **Last:** Lopez
- **First:** Salazar
- **Middle:**
- **DOB:**
- **Address:**
- **Zip:**

**Defendant(s) Full Name:**
- **Last:**
- **First:**
- **Middle:**
- **DOB:**
- **Address:**
- **Zip:**
- **Booked:**
- **Suspect:**
- **Cited:**

**Reporting Officer:**
- **Badge #:**
- **Div.:**
- **Received Date:** 02/07/93
- **Time:** 00:36
- **In- Locker Date:** 02/07/93
- **Time:** 00:49

**Description of Property:**

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<th>Item</th>
<th>Value</th>
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<th>Owner(s) Address</th>
<th>Owner(s) Name</th>
<th>Owner(s) Address</th>
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<th>Owner(s) Name</th>
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<tbody>
<tr>
<td>1</td>
<td>Knife 4&quot; Blade - w/ Sheath</td>
<td>FOX</td>
<td>Lopez, Salazar</td>
<td>512 S. 11th St.</td>
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**Police:**
- **Signature and Badge Number:**
- **Date:** 02/07/93

**Processed By: 1 White - Property 2 White - Report 2 Pink - Investigations 4 Goldenrod - Field Receipt**
**ACRACAMENTO POLICE DEPARTMENT**  
**OFFICER'S BOOKING AND FIELD RECEIPT**  
**SUPPLEMENTAL PAGE**

**LOCKERS USED:** 129  
**CHARGE(S):** 245(c) RE  
**REPORT #:** 03-86693  
**NARCO/MONEY BOOKING:**  
**LARGE PROPERTY BOOKING:**  
**LOCATION OF OCCURRENCE:** Alley - 25th/26th St  
**PREVIOUS BOOKING PR #:**  
**VICTIM:** HashiCarber (Off.)  
**DEFENDANT:**  

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**DESCRIPTION OF PROPERTY BELOW IN THE FOLLOWING SEQUENCE:**  
**ITEM # 1:** Sig Sauer .40 Cal  
**WEIGHT:**  
**ITEM # 2:** .40 Cal Winchester  
**WEIGHT:**  
**ITEM # 3:** Magazine with .40 Cal Rounds - Winchester  
**WEIGHT:**  
**ITEM # 4:** Magazine with 12 .40 Cal Rounds - Winchester  
**WEIGHT:**  
**ITEM # 5:** Magazine with 12 .40 Cal Rounds - Winchester  
**WEIGHT:**  

**OWNER/KNOWLEDGE:**  
**ADDRESS:**  

**NOTE:** IF FIELD RECEIPT, HAVE CITIZEN SIGN  
**SIGNATURE AND BADGE NUMBER:**  
**DATE:** 10-3-03  
**PROCESSSED BY:**  
**WHITE - PROPERTY**  
**WHITE - REPORT**  
**PINK - INVESTIGATIONS**  
**GOLDENROD - FIELD RECEIPT**
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OWNER UNKNOWN ☐ OWNERSHIP DENIED ☐

OFFICER ___________________________ SIGNATURE AND BADGE NUMBER

CITIZEN ___________________________

IF FIELD RECEIPT, HAVE CITIZEN SIGN

DATE 10/22/03

SPD 760 (03/01)

PROCESSED BY 1 WHITE - PROPERTY 2 WHITE - REPORT

CLEARED BY 2 PINK - INVESTIGATIONS 4 GOLDENROD - FIELD RECEIPT
**SACRAMENTO POLICE DEPARTMENT**
**OFFICER'S BOOKING AND FIELD RECEIPT**

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<td>LOCATION OF OCCURRENCE</td>
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**EVIDENCE**
- FOUND PROPERTY    □
- PERSONAL PROPERTY □
- SAFEKEEPING        □
- 5150 HOLD          □
- FIELD RECEIPT      □

**VICTIM(S) FULL NAME**
- LAST: Smith
- FIRST: John
- MIDDLE: Doe
- DOB: 12/31/1990
- ADDRESS: 123 Main St.
- ZIP: 94110

**DEFENDANT(S) FULL NAME**
- LAST: Garcia
- FIRST: Jane
- MIDDLE: Rodriguez
- DOB: 01/01/2020
- ADDRESS: 456 Oak Ave.
- ZIP: 94110

**REPORTING OFFICER**
- BADGE #: 253
- DIV: 10A
- RECEIVED DATE: 06/12/2023
- TIME: 10:10 AM
- IN LOCKER DATE: 06/12/2023
- TIME: 10:10 AM

**DESCRIBE PROPERTY BELOW IN THE FOLLOWING SEQUENCE: ITEM TYPE**
- METAL/PLASTIC/LIGHTWEIGHT/HEAVY/BLACK/WHITE/CLOTH/ETC.
- CALIBER/WEIGHT/DRUG TYPE/DRUG TYPE/EQUIPMENT/SAFE/ETC.

<table>
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<td>123</td>
<td>TANDEM FROM IGNITION KEY</td>
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<td>PLASTIC BOTTLE OPENER</td>
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<td>1990 TOYOTA CAMRY</td>
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**SHARED AREAS FOR PROPERTY USE ONLY**

**OFFICER**
- SIGNATURE AND BADGE NUMBER: 272
- DATE: 06/12/2023

**CITIZEN**
- DATE: 06/12/2023

**PROCESSED BY**
- DATE: 06/12/2023

**CLEARED BY**
- DATE: 06/12/2023

1 WHITE - PROPERTY
2 WHITE - REPORT
2 PINK - INVESTIGATIONS
4 GOLDENROD - FIELD RECEIPT
## SACRAMENTO POLICE DEPARTMENT
### OFFICER'S BOOKING AND FIELD RECEIPT

**NARCO/MONEY BOOKING □**
**LARGE PROPERTY BOOKING □**

**LOCATION OF OCCURRENCE:**

<table>
<thead>
<tr>
<th>VICTIM(S) FULL NAME</th>
<th>FIRST</th>
<th>MIDDLE</th>
<th>DOB</th>
<th>ADDRESS</th>
<th>ZIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>STATE OF CALIF.</td>
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<table>
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<tr>
<th>DEFENDANT(S) FULL NAME</th>
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</tr>
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<tbody>
<tr>
<td>LOPEZ, VICTORINO</td>
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</tbody>
</table>

**EVIDENCE:**
- FOUND PROPERTY □
- PERSONAL PROPERTY □
- SAFEKEEPING □
- 5150 HOLD □
- FIELD RECEIPT □

**REPORTING OFFICER:**

<table>
<thead>
<tr>
<th>BADGE #</th>
<th>DIV</th>
<th>RECEIVED DATE</th>
<th>TIME</th>
<th>IN LOCKER DATE</th>
<th>TIME</th>
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<tr>
<td>257</td>
<td>31</td>
<td>10/16/03</td>
<td>4:10</td>
<td>10/16/03</td>
<td>4:10</td>
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</tbody>
</table>

**DESCRIPTION PROPERTY BELOW IN THE FOLLOWING SEQUENCE:**

- ITEM TYPE:
  - OF PIECES:
  - COLOR:
  - LOOK:
  - SIZE:
  - DESCRIPTION:
  - CALIBER:
  - MONEY AMT:
  - PLATES/REAR:
  - LENGTH:
  - DEGREE:

- VERY LARGE/REALLY ITEMS BOOKED AT #8 SEQUOIA PACIFIC ONLY

- VALUTO:</br>REVIEW</br>IDENTITY</br>WORTH

- OWNERS NAME AND ADDRESS:
  - OWNER UNKNOWN □
  - OWNERSHIP DENIED □

- ITEM NUMBER:

1. **INDICIA IN NAME OF:**
   - NAME OF BROADIN, VICTORINO
   - ADDRESS
   - TAKEN FROM CLIPBOARD IN
   - OWNERSHIP DENIED □

2. **INDICIA IN NAME OF:**
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**OFFICER:**

<table>
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<tr>
<th>SIGNATURE AND BADGE NUMBER</th>
<th>CITIZEN</th>
<th>IF FIELD RECEIPT, HAVE CITIZEN SIGN</th>
<th>DATE</th>
<th>PROCESSED BY</th>
<th>DATE</th>
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**SPD 770 - L900**
10/06/03 09:09:51 PRINT REQUESTED BY TERMINAL OMT3 Oper #8111
CASE NUMBER PD-03086426, INITIALLY ENTERED ON 10/02/03
HAS THE FOLLOWING CROSS REFERENCED INFORMATION:

CALL - #P03381109 10:25 10/02
CALL - #P03382321 03:27 10/03
CALL - #P03382324 04:55 10/03 ,SPD 503RPT FROM SUSP VEH ******************

*
Police call #03381109 (Case #PD03086426)
Entered 10/02/03 10:25:50 by RPW8 /0785
Closed 10/02/03 10:25:50
Disposition(s) RTF

Type: RPTNUM (REPORT NUMBER ASSIGNMENT) Pri: A
Group: P3   EDP: 0823 Dist: 35  FMap: 8D   Source: Phone
Locn: 40TH ST NEAR E ST
Name: (NO CONTACT) Addr:   Phone: 

/1025 ADVISD AUTOMATIC REPORT NUMBER 10851 CVC Lic 
/1025 INQ  ILIC,#P1109,  
/1025 CASE  #PD03086426
10/06/03 09:10:28 PRINT REQUESTED BY TERMINAL OMT3 Oper #8111
INCIDENT HISTORY INQUIRY

Police call #03382321  (Case #PD03086693)
Entered 10/03/03 03:26:28 by POP4 / 6019
Dispatched 03:26:28 by POP4 / 6019
Enroute 03:26:29
Onscene 03:26:29
Closed 10/03/03 08:53:23 by 2CS42 (#8174)
Disposition(s) AST AST SUP SUP SUP SUP SUP SUP SUP AST AST

Type: 503P (STOLEN VEHICLE-IN PROGRESS) Pri: 2P
Locn: 16TH AV /MARTIN LUTHER KING BL <3800/4100>

/0326 ONVIEW 1AL61 503P 16TH AV /MARTIN LUTHER KING BL
/0326 DISPOS 1AL61 #0484 HARSHBARGER
/0326 NLOCER 1AL61 SB 38TH ST/16TH AV
/0326 MISC (6035) 1AL61 , INQUIRY MATCH ON LIC/STOLEN VEHICLE LIC/STOLEN VEHICLE STATE/CA
1990 TOYT CAM 4D WHI VIN/05637771 FRNT PLT MISS/6230
/0326 ASST 1AL62 #0563 ENGLEFIELD @ SB 38TH ST/16TH AV
/0326 ASST 1AL63 #0403 SAETURN @ SB 38TH ST/16TH AV
/0326 MISC (6035) 1AL61 , REPORTING AGENCY/CA0340400 CASE NO/030086426 DATE/20
031002FCN/4300327502760 NIC/ENTERED/ON CA
LIF AND NCIC FILE IMMEDIATELY CONFIRM WITH ORI/CA0340400 SACRAMENTO PD MNE/PDSOT
ELEPHONE 911 433-0620 * * * * * * VICTIM DATA
* * * * * * * * * * * VICTIM/STATION
/0326 NLOCER 1AL61 WB 21ST AV/38TH ST , 40 MPH NO TRAFFIC
/0326 NLOCER 1AL62 WB 21ST AV/38TH ST , 40 MPH NO TRAFFIC
/0326 NLOCER 1AL63 WB 21ST AV/38TH ST , 40 MPH NO TRAFFIC
/0327 MISC 1AL61 , 1SM6 COPIED
/0327 MISC (6035) 1AL61 , ADDRESS/STCITY/SACRAMENTO STATE/CA ZIP/9581
9DAY PHONE/ NIGHT PHONE /
/0327 XREF (6035) PD03086426 1AL61
/0327 NLOCER 1AL61 WB THROUGH ALLEY SOUTH OF 36TH ST
/0327 NLOCER 1AL62 WB THROUGH ALLEY SOUTH OF 36TH ST
/0327 NLOCER 1AL63 WB THROUGH ALLEY SOUTH OF 36TH ST
/0327 MISC 1AL61 , SHOTS FIRED
/0327 MISC (6035) 1AL61 , 10/02/03 DOJ STOP POSSIBLE FILE CODES: A S
REG VALID FROM: 08/20/03 TO 08/20/04LIC#:101491793999799499945
RM:90 MAKE:TOYT BTN:4D VIN:NULL R/O: NULL CITY:
C.C.:48 ZIP#: 9581
/0327 MISC 1AL61 , SHOTS FIRED****
/0327 ASSTOS 1AL60 #0596 VIGIL @ WB THROUGH ALLEY SOUTH OF 36TH ST
/0328 ASSTOS (6052) K98 #0751 MERTEN @ WB THROUGH ALLEY SOUTH OF 36TH ST
/0328 NLOCER 1AL60 ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0328 NLOCER 1AL61 ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0328 NLOCER 1AL62 ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0328 NLOCER 1AL63 ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0328 NLOCER K98 ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0328 ASSTOS 1AL42 #0475 HAMM @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0328 ASSTOS 1AL43 #0439 PETERSON @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0328 MISC 1AL60 , W/1AL61
/0328 ASSTER (6052) 1AL40 #0678 HERGENREDER @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0328 *906 (0403) 1AL63
/0328 REQ 1AL61 REQUEST, SEE COMMENTS POP4 TO POP5 , FIRE FOR SUSP DOWN
/0329 MISC 1AL61 , NORTH OF EMPTY FIELD
/0329 *906 (0475) 1AL42
/0329 REQ (6035) (*) REQUEST, SEE COMMENTS POPS TO POP4 , FIRE ER
/0329 ASSTOS K97 #0624 JOY @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0329 MISC K97 , DRIVER AT GUNPOINTER***8
/0329 *906 (0563) 1AL62
/0329 ASSTOS 1SM6 #3115 WALTERS @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV , REDU
CE CODE

/0330 ASSTER LN6 #3038 BERNARD @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0330 ASSTER 1JN51 #0712 CHIPP @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0330 ASSOS 1AL41 #0320 HEFNER @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0330 MISC (6035) , PAGED LT, AT SHOTS FIRED...........BC'D ON HL

/0330 906 K98
/0330 ASSTER 1AL53 #0860 TRIMPEY @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0330 MISC (6035) , LOCATION VERIFIED: 21ST AV /36TH ST <3600/4600> EDP/PBOX:
1071 23356 DIST: 61 GRP: P6/82 MAP: 42C
/0330 REQ 1AL60 REQUEST, SEE COMMENTS POP4 TO POPS , NEED FIRE TO RESP TO 21
ST AV
/0330 XREF (6052) #P03382324 1AL61
/0331 REQ 1AL61 REQUEST, SEE COMMENTS POP4 TO POPS , NEED FIRE BEHIND 3520 2
1ST AV - IN THE VACANT LOT JUST WEST
/0331 SUON LN6
/0331 906 LN6
/0332 ASST 1CS41 #8173 OVIEDO @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0332 ENRT 1CS41
/0332 REQ (6035) (*) REQUEST, SEE COMMENTS POP4 TO POP4, FIRE UPDATED
/0332 906 (6035) 1AL61
/0332 *906 (0806) 1AL53
/0332 906 (6035) 1AL60
/0332 *906 (0712) 1JN51
/0333 SUON 1SM6
/0333 ASSTER (6052) LN14 #4004 MOIR @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0333 *906 (0439) 1AL43
/0334 ASSOS 1AL64 #0809 AZEVEDO @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0334 ASSOS 1AL65 #0375 BULLARD @ ALLEYWAY WEST OF 36TH SOUTH OF 21ST AV
/0334 MISC 1AL64 MED 56 OS
/0335 *909 (0439) 1AL43
/0335 MISC 1AL64 ENG6 OS
/0335 NLOCOS 1AL40 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS 1AL41 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS 1AL42 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS 1AL53 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS 1AL50 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS 1AL61 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS 1AL62 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS 1AL63 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS 1AL64 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS 1AL65 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS 1CS41 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS 1JN51 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS 1SM6 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS K97 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS K98 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS LN14 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 NLOCOS LN6 3520 21ST AV, IN VACANT LOT WEST OF THIS
/0335 MISC 1AL64, THIS OCC'D IN LOT AT

*****

/0336 909 (6052) 1AL40
/0336 ASSTER (6052) 1AL40 #0678 HERGENREHER @ 21ST AV, PREEMPTED IN ERROR
/0337 REQ LN6 REQUEST, SEE COMMENTS POP4 TO POPS , START HOMI/I.A./MANAGEN
/T.D.A. INVESTIGATORS/S.P.O.A./PEER SUPPORT
/0338 ASSTER 1AL43 #0439 PETERSON @ 21ST AV
/0340 *906 (4004) L1N14
/0341 NLOCER 1AL60 HCD W/SUSP
/0342 NLOCOS 1AL60 21ST AV
/0343 *MISC (0439) 1AL43 , GOT STUCK BY A TRAIN AT FRUITRIDGE, E OF 24TH....BY
THE TIME TRAIN HAD GONE BY MULTIPLE UNITS ALREADY 9
/0344 *CLEAR (0439) 1AL43 AST
/0345 ASSTER (6035) IV27 #3020 ENRIQUEZ, ETA 45
/0347 REQ (6169) (*) REQUEST, SEE COMMENTS POPN TO POP4, OC DA INVESTIGATOR
S TANGHETTI AND BRASS ARE ADV'D AND ENRT ETA W/IN 60
/0348 ASSTER (6035) IV6 #4102 BRAY
/0348 MISC (6132) , ** COP NAJERA NOTIFIED **
/0349 MISC (6132) 1AL61 , DC SEGURA NOTIFIED **
/0349 ASSTER 1CS30 #8182 ARELLANO @ 21ST AV
/0350 REQ (6169) (*) REQUEST, SEE COMMENTS POPN TO SUP0 , DOING CALL OUTS NO W AS OF 0337 HRS
/0351 909 1JN51
/0351 SUON 1CS30
/0351 ASSTER (6035) IV22 #3089 QUINN
/0351 SUON IV6
/0351 SUON IV22
/0351 SUON IV27
/0352 MISC (6132) 1AL61 , ** CAPT VALENZUELA ADV **
/0352 NLOCOS 1AL42 UCD
/0353 ASSTER (6169) STF9 #5120 LOUIE
/0353 REQ (6169) STF9 REQUEST, SEE COMMENTS POPN TO SUP0 , FYI STF9 IS ADV'ING DOPA
/0354 OFFMSG (6169)
/0354 REQ (6132) (*) REQUEST, SEE COMMENTS SUP0 TO POPN , I COPY THE INFO FROM STF9
/0354 ASSTER (6035) IV78 #0754 OLIVEIRA
/0354 MISC (6055) 1SM6 , EVERYONE THAT RESPONDED NEEDS TO WRITE A SUP TO THIS
/0355 ASSTER (6169) STF14 #3098 MARTIN
/0355 MISC (6055) 1AL64 , EVERYTHING EAST OF 21ST AV TO 36TH ST CANVASSED ON BOTH SIDES OF THE STREETS
/0357 ASSTER (6035) IV51 #0252 GUERRA
/0358 MISC 1SM6 , EVERYONE THAT RESPONDED NEEDS TO WRITE A SUP TO THIS
/0358 ASSTER (6169) STF13 #3034 HARVEY
/0358 *909 (4004) LN14
/0358 REQ (6169) STF9 REQUEST, SEE COMMENTS POPN TO POP4 , IA INVESTIGATORS ARE ENRT W/IN 60
/0359 ASSTER 1JN51 #0712 CHIPP @ 21ST AV
/0359 ASSTER (6035) IV132 #0701 SCHNEIDER
/0400 *906 (0712) 1JN51
/0400 MISC (6035) , HOMI CALL OUT COMPLETE **************
/0400 *MTSC (0712) 1JN51 , RESP C3 FROM STOCKTON/MACK TO SCENE..NO INCIDENTS
/0400 SUON IV132
/0400 *CLEAR (0712) 1JN51 AST SUP
/0400 SUON IV51
/0400 REQ (6035) (*) REQUEST, SEE COMMENTS POPS TO POP4 , HOMI CALL OUT COMP LETE, ETA'S W IN 60
/0400 SUON IV78
/0400 SUON STF13
/0400 SUON STF14
/0400 SUON STF9
/0401 CLEAR K97 AST
/0402 MISC (6132) , ALL MANAGEMENT PAGE COMPLETED AND A GROUPWISE SENT TO
/0403 *906 (8182) 1CS30
/0405 ASSTER K97 #0624 JOY @ 21ST AV
/0405 ENRTC (6169) IV27 , ENRT
/0408 ASSTER (6035) SPOA1 #0539 TOPAZ
/0409 MISC (6035) , SPOA, KASEY CLARK, ER....ETA 45
/0409 ASSTER (6169) STF15 #3109 HARGADON
/0409 ASSTER (6169) IV19 #3055 MCCLOSKEY
/0409 SUON STF15
/0409 REQ (6035) (*) REQUEST, SEE COMMENTS POPS TO POP4 , ALL CALL OUTS COMP LETE, EVERYONE ER ***** ETA W IN 45-60
/0411 *CLEAR (0806) 1AL53 SUP
/0412 ASSTOS LN14 #4004 MOIR @ UCD
/0412 ASSTER (6035) 6CO #5130 VALENZUELA
/0416 CONTACT IV27
/0417 906 IV6
/0419 906 STF9
/0420 NLOCER (6035) IV132 21ST AV
/0420 NLOCER (6035) IV19 21ST AV
/0420 NLOCER (6035) IV22 21ST AV
/0420 NLOCER (6035) IV27 21ST AV
/0420 NLOCER (6035) IV51 21ST AV
/0420 NLOCER (6035) IV78 21ST AV
/0420 NLOCOS (6035) IV6 21ST AV
/0420 NLOCER (6035) SPOA1 21ST AV
/0421 NLOCER (6035) STF13 21ST AV
/0421 NLOCER (6035) STF14 21ST AV
/0421 NLOCER (6035) STP15 21ST AV
/0421 NLOCOS (6035) STP9 21ST AV
/0421 NLOCER (6035) 6CO 21ST AV
/0424 906 IV27
/0424 *906 (0624) K97
/0428 *REQ (4004) LN14 REQUEST, SEE COMMENTS LN14 TO COMH, OFFICER HAMM IS W/T THE SUSPECT AT UCDMC. I ADV UCDMC STAFF TO BUG THE SUSPECT'S CLOTHING FOR EVIDENCE. PLEASE CALL AND ENSURE THAT OFC. HAMM COLLECTS THE EVIDENCE. I WAS UTL OFC. ONCE HE LEFT THE BR W/T THE SUSPECT.
/0428 *909 (4004) LN14
/0429 *MISC (0624) K97, RESPONDED C3 FROM SUTTERVILLE AND FRANKLIN TO TERMINATION POINT. NO INCIDENTS.
/0430 MISC (6132) 1AL61, ** PER SHT HARVEY IN IA ** CONTACT SGT WINTON TO RESPOND TO THE SCENE ALSO
/0430 MISC (0751) K98, RESPONDED C3 FROM 12TH AVE/MLK TO THE VEH STOP...NOT INVOLVED IN THE VEH PURSUIT...AST ON SECURING CRIME SCENE...
/0433 *909 (0751) K98
/0433 906 IV19
/0433 906 6CO
/0434 REQ (6085) (*) REQUEST, SEE COMMENTS COMH TO LN14, 1AL42 ADV'D
/0435 CCNCTC 1AL61
/0435 CCNCTC 1AL62
/0435 CCNCTC 1AL63
/0435 CCNCTC 1AL64
/0435 CCNCTC 1AL65
/0435 CCNCTC 1LS64
/0435 CCNCTC 1AN6
/0435 CCNCTC 1AL41
/0437 CCNCTC 1AL40
/0441 906 (6035) IV22
/0441 *MISC (0563) 1AL62, NORTH SIDE OF 22ND AVE FROM 33RD ST WEST TO ND AVE CANVASSED BY AL62 AND AL63
/0442 CCNCTC 1AL60
/0443 906 STF15
/0443 *MISC (0563) 1AL62, SHOULD READ...EVERYTHING WEST OF 36TH AVE........
/0444 *MISC (0563) 1AL62, RESPONDED C3 FROM LAWRENCE/STOCKTON.....NO INCIDENTS
/0445 *MISC (0403) 1AL63, CANVASS FROM 21ST AV WEST TO 21ST AV
/0446 906 IV78
/0448 MISC (6132) 1AL61, TALKED TO SGT WINTON A FEW AGO ** AND HE ADV THAT SG T MARTIN WAS #1 ON THE CALL OUT LIST.
/0450 CCNCTC IV132
/0450 CCNCTC IV51
/0450 906 IV132
/0451 CCNCTC SPOA1
/0451 CCNCTC STF13
/0451 CCNCTC STF14
/0453 CCNCTC 1AL42
/0454 *CLEAR (0624) K97 SUP
/0457 906 STF13
/0500 ASTROS DA32 @ 21ST AV
/0501 ASTTER (6169) STP10 #3107 WINTON @ 21ST AV
/0505 *INQ (0596) MLDC, LOPEZ, BICTORIANO, C, 050771, M, 6, 6
/0505 *INQ (0596) WANTM, LOPEZ, BICTORIAN, C, M, 05071971, H
03.86693

/0508 CCNTCT 1CS30
/0508 SUON STP10
/0518 NLOCER 1AL62 UCD
/0519 MISC (6169) LN6, 1SM3 AND 1AL36 ARE THE PEER SUPPORT REPS ON DUTY...THE
Y WERE BOTH ADV'D OF THIS INC ATOC VIA "TO" MSG FROM
POP1 AND THEY WERE NOT REQ'D PER LN6 JUST TO HAVE THEM ADV'D...
/0522 CCNTCT IV6
/0522 CCNTCT STP9
/0523 *906 (0563) 1AL62
/0526 CCNTCT IV27
/0527 NLOCER IV78 HOJ
/0533 905 (6055) IV78
/0534 909 (6169) STP14
/0537 *NLOCER (0375) 1AL65 UCD
/0537 REQ (6055) 1AL40 CITY TOW, EMERGENCY SERVICE POP4 TO COMT, NEED TOW F
OR VEH #9270
/0537 REQUEST (6036) (*) REQUEST, SEE COMMENTS COMT TO POP4, WHERE IS THE VEH F
OR CITY TOW LOCATED?
/0538 REQ (6055) 1AL40 UPDATE TOW TRUCK REQUEST POP4 TO COMT, VEH WILL BE A
T 21ST AV
/0539 CCNTCT (6055) 6CO
/0539 CCNTCT (6055) IV19
/0539 CCNTCT (6055) STP10
/0539 REQ (6036) (*) REQUEST, SEE COMMENTS COMT TO POP4, ALSO NEED REASON F
OR TOW... DEAD BATTERY?
/0540 REQ (6055) 1AL40 UPDATE TOW TRUCK REQUEST POP4 TO COMT, DEAD BATTERY
/0540 REQ (6055) 1AL41 CANCEL TOW TRUCK POP4 TO COMT, C4 CITY TOW
/0540 REQ (6036) (*) REQUEST, SEE COMMENTS COMT TO POP4, COPY C4 FOR CITY T
OW
/0541 CCNTCT (6055) IV22
/0543 CCNTCT (6055) STP15
/0546 *NLOCER (0375) 1AL65 21ST AVE/36TH
/0547 ASSTOS LN10 #4087 DOWDEN @ 21ST AV
/0549 SUON 1CS30
/0549 SUON 1CS41
/0549 SUON 1SM6
/0551 *906 (0375) 1AL65
/0551 *CLEAR (0578) 1AL40 SUP
/0551 *CLEAR (0320) 1AL41 SUP
/0551 CCNTCT IV132
/0553 *CLEAR (3115) 1SM6 AST
/0555 NLOCOS LN6 HOJ
/0557 CCNTCT STP13
/0557 *CLEAR (0475) 1AL42 AST
/0558 909 6CO
/0600 CCNTCT DA32
/0610 ASST 2CS10 #8123 RICE @ 21ST AV
/0611 SUON 2CS10
/0612 ASSTER IV90 #0447 HIGGINS @ UCD
/0613 906 IV90
/0613 ASSTER 2CS50 #8108 LY @ 21ST AV
/0614 ASSTER 2CS42 #8174 HOWELL @ 21ST AV
/0614 *ENRTE (8123) 2CS10
/0617 *906 (8108) 2CS50
/0621 *906 (8174) 2CS42
/0624 ASST BV63 #0221 MULLIGAN #8157 RICHTER @ 21ST AV
/0624 ENRTE BV63
/0624 CASE #PD03066693 IV19, WILL CLASSIFY LATER
/0625 909 BV63, BOU
/0628 SUON IV90
/0630 *CLEAR (0375) 1AL65 SUP
/0632 *NLOCOS (0596) 1AL60 JERF
/0633 CCNTCT IV78
/0637 *909 (3038) LN6
/0637 *906 (8123) 2CS10
/0638 *CLEAR (8182) 1CS30 SUP
/0642 CLEAR 1CS41 SUP
/0644 *CLEAR (0809) 1AL64 SUP
/0648 CONTACT LN10, AIR
/0649 NLOCOS LN10 HOJ
/0649 ASST BV61 #0684 LEACH @ JERF
/0651 PREMPT BV61
/0652 PREMPT 1AL62
/0651 XREF #P03382392 1AL62 1AL61
/0704 *CLEAR (0403) 1AL63 SUP
/0705 *CLEAR (0596) 1AL60 SUP
/0707 SUON (6000) 1AL61
/0717 *909 (4807) LN10
/0738 REQ (6000) 2CS50 TOW TRUCK(S), POP4 TO COMT, IN THE ALLEY BEHIND 21ST AVE (EDP 1052).... 503....@90 TOYT
/0740 909 (6000) 2CS10
/0740 SUOFF (6000) 2CS42
/0740 SUOFF (6000) 2CS50
/0741 REQ (6057) 2CS50 TOW TRUCK(S), COMT TO POP4, COLLEGE OAK TOWING 20 MI NS FOR THE TOYT @900
/0741 CONTACT (6000) 2CS50, RADIO
/0742 CONTACT (6000) 2CS42, PER 2CS50
/0751 *INQ (8108) MREQ, ..................
/0752 NLOCOS (6000) IV27 HOJ
/0804 REQ (6000) 2CS50 TOW TRUCK(S), POP4 TO COMT, 10/03/03 03:04:02 TO POP 4 FROM 2CS50 OPER #8108: SORRY I WAS MIS-INFORMED CAN U START CAP CITY TOW FOR THE IMPOUND AND PLZ PUT COLLEGE OAK ON TOP OF THE LIST PLZ
/0808 REQ (6057) (*) TOW TRUCK(S), COMT TO POP4, CAP CITY RESPONDING FOR BV ID IMPOUND....AND TOW LOG UPDATED
/0814 NLOCER (6098) IV90 HOJ
/0845 NLOCOS (6000) IV19 HOJ
/0846 NLOCER (6000) IV51 HOJ
/0846 NLOCER (6000) IV132 HOJ
/0847 NLOCER (6000) IV6 HOJ
/0847 NLOCER (6000) SFCA1 HOJ
/0847 NLOCER (6000) SF10 HOJ
/0847 NLOCER (6000) SF13 HOJ
/0847 NLOCER (6000) SF15 HOJ
/0847 NLOCER (6000) SF9 HOJ
/0847 909 (6000) SFCA1
/0847 909 (6000) SF10
/0847 909 (6000) SF13
/0847 909 (6000) SF9
/0847 909 (6000) SF15
/0850 909 (6000) 1AL61, PER IV51 EVERYONE IS CLEAR THE SCENE
/0850 909 (6000) DA32, PER IV51 EVERYONE IS CLEAR THE SCENE
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/0850 909 (6000) IV78, PER IV51 EVERYONE IS CLEAR THE SCENE
/0850 909 (6000) IV90, PER IV51 EVERYONE IS CLEAR THE SCENE
/0851 CONTACT (6000) 2CS50, DRIVING BACK TO P/U SQUAD CAR
/0851 CONTACT (6000) 2CS42, DRIVING BACK TO P/U SQUAD CAR
/0852 *CLEAR (8108) 2CS50 AST
/0853 *CLEAR (8174) 2CS42 AST
/0853 *CLOSE
OBSERVATIONS:

10/06/03  Approx. 1100 hours

4949 Florin-Perkins Road

I arrived at the Evidence/Impound garage for Capital City Towing to examine the stolen vehicle driven by LOPEZ. During my search of the car, a 1990 white Toyota Camry four door, Cal., license [redacted], I saw that there was no front license plate. I also found that the console housing the stereo had been damaged as a result of the stereo having been removed. I also found numerous items of indicia in the name of [redacted] and [redacted] of [redacted].

At approximately 1225 hours, CSI32, T. ATKINSON #6371 arrived to process the car. I directed ATKINSON to photograph the car and to conduct a latent print examination of the exterior/interior of the driver door and the driver area inside the car. ATKINSON did so and obtained six latent prints. I removed a key from the ignition of the car, which was attached to a plastic bottle cap opener. I later booked the key and key-holder into evidence.

At approximately 1305 hours, ATKINSON and I left the garage and it was then secured by an employee from Capital City Towing prior to my departure.

On my way to the impound garage, I stopped by [redacted] to see if anyone was home at the address of record for Victoriano LOPEZ. Myself and Dets. OLIVEIRA and STIGERTS were going to conduct a probation search on LOPEZ'S bedroom. When I approached the house, I was met by a female who was later identified as [redacted]. I explained why I was there and [redacted] told me that LOPEZ’S father was not home and that she was not allowed to permit anyone into the house. I explained that since LOPEZ is on searchable probation I did not need permission to enter the house and search his room. However, I told [redacted] that we would wait until LOPEZ’S father returned. I did ask [redacted] to point out LOPEZ’S bedroom and she did so, indicating that the southwest bedroom belonged to LOPEZ.

At approximately 1350 hours, myself and Dets. OLIVEIRA and STIGERTS returned to [redacted] to conduct the probation search. LOPEZ’S father, [redacted] was present and initially objected to our entry into the house to conduct the search, telling us that LOPEZ no longer lived at the house. However, as STIGERTS and I
located numerous items of personal property that belonged to LOPEZ. I removed several items of indicia in the name of Victoriano LOPEZ and [redacted] addressed to [redacted] and two of the items had been sent by the State of California Department of Human Services and were dated September 17th and 19th, 2003. I took those items and later booked them into evidence. I gave LOPEZ'S father a copy of the items I removed for evidence. I had located these items on a clipboard that I found on a dresser along the east wall of LOPEZ'S bedroom. STIGERTS found a small plastic baggy that contained what appeared to be powdered methamphetamine in the drawer of a small jewelry box located along the west wall of LOPEZ'S room. Neither [redacted] nor LOPEZ'S father could explain how the possible narcotic could have gotten into LOPEZ'S room.

After we left LOPEZ'S house, we went to the Rooney police facility to book the items into evidence. STIGERTS conducted a Valtox test on the powder and it tested presumptive positive for the presence of methamphetamines.
ON 10/06/03 AT APPROXIMATELY 1228 HOURS, I ARRIVED ON SCENE AT THE ABOVE LOCATION TO PROCESS A WHITE TOYOTA CAMRY (4D) CA I MADE CONTACT WITH DETECTIVE GUERRA #252.

PHOTOGRAPHS

I TOOK ONE (1) ROLL OF 35MM COLOR FILM OF THE OVERALL INTERIOR AND EXTERIOR CONDITION OF THE ABOVE VEHICLE.

LATENTS

I PROCESSED THE INTERIOR AND EXTERIOR OF THE FRONT DRIVER SIDE DOOR AND THE REAR VIEW MIRROR.

LATENTS #1,2,6  DEVELOPED ON THE EXTERIOR DRIVER SIDE FRONT DOOR WINDOW.
LATENTS 3,4  DEVELOPED ON THE INTERIOR DRIVER SIDE FRONT DOOR WINDOW.
LATENT #5  DEVELOPED ON THE REAR VIEW MIRROR.
LATENTS #1-6  WERE LIFTED AND PLACED ON TO LATENT LIFT CARDS.

I DEPARTED THE SCENE AT APPROXIMATELY 1309 HOURS.
On 10-6-3 at approx. 1355 hrs, Det. Guerra, Det. Stigerts, and I, Det. Oliveira, conducted a probation search at suspect Bictoriano Lopez’s residence at [redacted]. I had previously conducted record checks on suspect Bictoriano Lopez. A county record check showed him to be on informal searchable probation until 7-28-05. His address of record as of 3-13-03 was [redacted]. A DMV license check also showed his current address to be [redacted]. A SPD RMS record check showed that suspect Lopez used [redacted] as his address when contacted by officers on 9-4-03 at 11th Ave/ Franklin Bl. Det. Guerra had also contacted [redacted] at the house earlier in the day and pointed out suspect Lopez’s bedroom. Refer to Det. Guerra’s supplement for the details.

Upon arrival we contacted several people outside including the suspect’s father, [redacted] and the suspect’s girlfriend, [redacted]. [redacted] stated that his son no longer lived in his house and that he had kicked him out a month before. [redacted] told us we needed a search warrant. We explained to him that his son was on searchable probation and that this was his address of record. [redacted] did not physically attempt to stop us from entering the residence. We entered the residence and went to suspect Lopez’s bedroom located on the southwest corner of the house. [redacted] and [redacted] both asked us for our names and badge numbers. [redacted] already had Det. Guerra’s business card. I wrote mine and Det. Stigert’s name and badge number on the back of his card for them. Det. Guerra and Det. Stigerts searched the bedroom. Photos of the room were taken by Det. Stigerts. [redacted] got on the phone with someone he claimed was his attorney and was telling the person we were searching his “son’s” bedroom. He told the person he got our names and badge numbers.

While they searched, I spoke with [redacted] and [redacted] [redacted] had an empty long brown leather sheath on his hip. He stated that Bictoriano Lopez was his son. He stated that he kicked him out a month ago. He stated that he hadn’t seen him in a while. I asked him how long it had been and he stated that he couldn’t think of how long it had been. He stated he couldn’t think that hard because it hurt his brain. I asked him if he had seen his son with a knife and he stated that he didn’t carry one. [redacted] also stated that his other son, [redacted] had been killed when he was run over by a car on MLK Blvd. He asked why we weren’t investigating his case.

[redacted] stated she was Bictor’s (suspect Lopez’s) girlfriend and that she took care of his father because he was ill. She stated she cooked for [redacted] and would stay the night a couple of times a week. She
STATE OF CA

DETECTIVE SUPPLEMENT: PROBATION SEARCH AT S-LOPEZ’S RESIDENCE (Det. Oliveira)

stated she hadn’t seen Bictor in over a month. She stated they were still together, but that they fought a lot. She stated they’ve together for 5 years. When I asked her about suspect Lopez carrying a knife, she stated he didn’t carry any weapons.

Det. Stigerts advised me that she had located what appeared to be narcotics in the bedroom. I observed what appeared to be methamphetamine in a purple wrapper in a drawer. I pointed it out to [Redacted] and [Redacted] and both denied knowledge of it. [Redacted] stated that no one was using the room and that his son had used drugs in the past. He stated that it might belong to his son. [Redacted] then accused us of planting the narcotics. [Redacted] admitted to coming into the room, but denied any knowledge of the narcotics.

At approx. 1453 hrs, we left the residence. Det. Guerra left a receipt listing the items we took. Refer to his supplements for the details of the search.
**SACRAMENTO POLICE DEPARTMENT**
**OFFICER'S BOOKING AND FIELD RECEIPT**

**LOCKER(S) USED**

**NARCO/MONEY BOOKING □**

**CHARGE(S)**

**LARGE PROPERTY BOOKING □**

**LOCATION OF OCCURRENCE**

**PREVIOUS BOOKING NR #**

**EVIDENCE □**

**FOUND PROPERTY □**

**PERSONAL PROPERTY □**

**SAFEKEEPING □**

**$150 HOLD □**

**FIELD RECEIPT □**

**VICTIMS**

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**STATE OF CALIF**

**DEFENDANT(S)**

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**DESCRIBE PROPERTY BELOW IN THE FOLLOWING DETAIL**

**ITEM**

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**OFFICER**

**SIGNATURE AND BADGE NUMBER**

**CITIZEN**

**DATE**

**IF FIELD RECEIPT, HAVE CITIZEN SIGN**

**PROCESSED BY**

**DATE**

**CLEARED BY**

**DATE**

1 WHITE - PROPERTY  
2 WHITE - REPORT  
2 PINK - INVESTIGATIONS  
4 GOLDENROD - FIELD RECEIPT
VICTIM: State of CA

DETECTIVE SUPPLEMENT: OFC. HARSHBARGER’S ICC VIDEOTAPE (Det. Oliveira)

SACRAMENTO POLICE DEPARTMENT
OFFICER'S BOOKING AND FIELD RECEIPT
SUPPLEMENTAL PAGE

LOCKERS USED: ______________ CHARGE(S): ______________ REPORT #: ______________
NARCO/MONEY BOOKING ☐
LARGE PROPERTY BOOKING ☐
CITATION #: __________________
SEARCH WARRANT #: __________________
PREVIOUS BOOKING PR #: __________________

LOCATION OF OCCURANCE: __________________
VICTIM: __________________
DEFENDANT: __________________

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**DESCRIPTION OF PROPERTY**

- **DMCN** - COLOR - BRAND - MOD - SER - GUN - DESCRIPTION - CALIBER
- MONEY AMT - WEAPON/BARREL/OVERALL LENGTH - SHELL TYPE
- VERY LARGE/HEAVY ITEMS BOOKED AT 55 SEQUOIA PACIFIC ONLY

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**OFFICER** ___________________ **SIGNATURE AND BADGE NUMBER** ___________________
**DATE** ___________________

**CITIZEN** ___________________ **IF FIELD RECEIPT, HAVE CITIZEN SIGN** ___________________
**DATE** ___________________

**PROCESSED BY** ___________________ **DATE** ___________________
**CLEARED BY** ___________________ **DATE** ___________________

1 WHITE - PROPERTY
2 WHITE - REPORT
3 PINK - INVESTIGATIONS
4 GOLDENROD - FIELD RECEIPT

SPD 780 (11/97)
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**LOCATION OF OCCURRENCE**
Defendant: **VICTORIANO WANG**

**Deploy STAGING OF EVIDENCE**

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**LOCKERS USED**

**CHARGE(S)**

**REPORT #**

**CITATION #**

**SEARCH WARRANT #**

**PREVIOUS BOOKING PR #**

**SPD 780 (11/97)**

**OFFICER**

**SIGNATURE AND BADGE NUMBER**

**CITIZEN**

**IF FIELD RECEIPT, HAVE CITIZEN SIGN**

**DATE**

**PROCESSED BY**

**DATE**

**CLEARED BY**

**DATE**

1 WHITE - PROPERTY 2 WHITE - REPORT 3 PINK - INVESTIGATIONS 4 GOLDENROD - FIELD RECEIPT
SACRAMENTO POLICE DEPARTMENT  
OFFICER'S BOOKING AND FIELD RECEIPT  
SUPPLEMENTAL PAGE  
LOCKERS USED ___________________________ CHARGE(S) ___________________________ REPORT # 03-86693  
NARCO/MONEY BOOKING □  
LARGE PROPERTY BOOKING □  
LOCATION OF OCCURANCE ___________________________ DEFENDANT: Lopez, Victoriano  
VICTIM: ___________________________  

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DATE: 10-20-03  
CITIZEN: [Signature]  
IF FIELD RECEIPT, HAVE CITIZEN SIGN: [Signature]  
DATE: 10-20-03  

PROCESSED BY:  
DATE: 10-20-03  
CLEARED BY:  
DATE: 10-20-03  

1 WHITE - PROPERTY  
2 WHITE - REPORT  
3 WHITE - INVESTIGATION  
4 GOLDENROD - FIELD RECEIPT  

SPD 780 (11/97)
# SACRAMENTO POLICE DEPARTMENT
# OFFICERS BOOKING AND FIELD RECEIPT
# SUPPLEMENTAL PAGE

**LOCKERS USED**
**CHARGE(S)**
**REPORT #**
**NARCO/MONEY BOOKING**
**CITATION #**
**LARGE PROPERTY BOOKING**
**SEARCH WARRANT #**
**PREVIOUS BOOKING PR #**

**LOCATION OF OCCURANCE**
**VICTIM:**
**DEFENDANT:**

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- PIECES - COLOR - BRAND - MOD - SEX - GUN - DESCRIPTION - CALIBER - MONEY AMT - BEACH - PALLET - OVERALL LENGTH - ENG TYPE
- OVERLARGE / HEAVY ITEMS BOOKED AT 555 SEQUOIA PACIFIC ONLY

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**OFFICER:**

**DATE:**

**SIGNATURE AND BADGE NUMBER:**

**CITIZEN:**

**IF FIELD RECEIPT, HAVE CITIZEN SIGN:**

**PROCESSED BY:**

1. WHITE - PROPERTY
2. WHITE - REPORT
3. BLACK - INVESTIGATIONS
4. GOLDENROD - FIELD RECEIPT

**DATE:**

**Cleared by:**

1. WHITE - PROPERTY
2. WHITE - REPORT
3. BLACK - INVESTIGATIONS
4. GOLDENROD - FIELD RECEIPT

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<tr>
<td>C003</td>
<td>VC</td>
<td>2800.2(A)</td>
<td>PEL</td>
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<tr>
<td>C004</td>
<td>PC</td>
<td>12020(A)</td>
<td>PEL</td>
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<tr>
<td>C005</td>
<td>PC</td>
<td>148(A)(1)</td>
<td>MIS</td>
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</table>

PF: 1 MENU 2 PERSON 3 CHARGES 4 CHG DISPO 5 CASE INFO
7 SENTENCE 9 TRACKING 11 CASE HIST 12 PERS HIST
C3407-I NO MORE FILED CHARGES C3405-I NAME NOT CASE NAME
C3401-I CASE HAS 1 DEFENDANT RECORDS
DATE- 11/24/2003  TIME- 01:30 PM  DEPT- 04  CAL CODE- D5  PRESENT- Y
REASON- PH  PRELIMINARY HEARING
OUTCOME- HTA  COMPL DEEMD INFO, NG PLEA, TSC 010504 1:30P #61, TD 011204
8:45A #4, DF ARRAIGND, DF REMANDED
REASON- COUNSEL  COUNSEL INFORMATION
OUTCOME- PD/REAPPT  PD REAPPOINTED

REASON-
OUTCOME-

ALL DEFENDANTS-  THIS DEFENDANT ONLY-

PF:  1 MENU  2 PERSON  3 CHARGES  4 CHG DISPO  5 CASE INFO
6 SENTENCE  9 TRACKING 11 CASE HIST 12 PERS HIST
CB219-I NO MORE REASONS FOR APPEARANCE  CB201-I CASE HAS 01 DEFENDANT RECORDS
COURT ID- 34470  CASE NO.- 03F08594  CASE CATEGORY- FE FILED DATE- 10/07/2003
AMENDED CHARGING DOCUMENT- DATE AMENDED- ORIG. DEPT-
DEFENDANT NO.- 01  LOPES  BICTORIANO  C
XREF- CASE STATUS- HTA  CUSTODY STATUS-

ARREST/WARRANT  VIOL FROM  VIOL TO/ON  CNT  CODE SECTION  SEV DG
10/02/2003  10/03/2003  001  VC  10851(A)  PEL
   ALLEGATIONS/PRIORS-
10/02/2003  10/03/2003  002  PC  496D(A)  PEL
   ALLEGATIONS/PRIORS-
10/02/2003  10/03/2003  003  VC  2800.2(A)  PEL
   ALLEGATIONS/PRIORS-
10/02/2003  10/03/2003  004  PC  12020(A)  PEL
   ALLEGATIONS/PRIORS-
10/02/2003  10/03/2003  005  PC  148(A)(1)  MIS
   ALLEGATIONS/PRIORS-

PF: 1 MENU  2 PERSON  3 CHARGES  4 CHG DISPO  5 CASE INFO
   7 SENTENCE  9 TRACKING  11 CASE HIST  12 PERS HIST
C3207-I NO MORE FILED CHARGES  C3205-I NAME NOT CASE NAME
C3201-I CASE HAS 1. DEFENDANT RECORDS
I. Check the safety of the pistol
   ( ) Remove the magazine.
   ( ) Unload the pistol.

II. Recoil spring
   (√) Force, smooth cycling of the slide.
   (√) Slide/barrel system springs forward and locks.

III. Trigger/Hammer mechanisms
   (√) Double-action function.
   1. Squeeze the trigger.
      - A. Hammer cocks properly and drops forcefully.
      - B. Rests in the safety intercept notch.
   (√) Interruption of the trigger function.
   1. Hammer decocked - trigger fully pulled.
      - A. Carry out loading movement.
      - B. Hammer is retained in the cocked position
        (trigger remains fully pulled).
   (√) Single-action function.
   1. Release trigger fully.
      - A. Trigger bar engages.
      - B. Squeeze trigger - hammer is operated.
   (√) Safety notch on the hammer.
   1. Cock the hammer - then decock.
      - A. Hammer is intercepted before reaching dropped position.
Decocking lever.

1. Cock the hammer.
2. Decock the lever.
   A. Trigger/Hammer brought to the rest position.

IV. Slide catch lever

(✓) Empty magazine in place, carry out loading movement.
   1. Slide must be arrested to the rear.
   (✓) Thumb down slide catch lever.
      1. Slide releases and forcefully springs forward.

V. Magazine

Excellent/New (✓) Condition of magazine tube, lips and floorplate.
      (✓) Floorplate secured correctly.
      (✓) Smooth movement and springing of feeder.
      (✓) Easy insertion and release of magazine from frame.
      (✓) Correct movement of magazine catch.

Comments: GUN FUNCTIONS NORMALLY. ACTION IS STIFF, BUT THIS DUE TO
      BEING NEW, NOT FULLY BROKEN-IN.

JH328
02/13/04 07:36:19 PRINT REQUESTED BY TERMINAL PROD Oper #6319
FROM CLETS:
UG
CA0340400.RE: SER/
CANCEL MESSAGE PROCESSED.
END AFS RESPONSE.
02/13/04 07:36:23 PRINT REQUESTED BY TERMINAL PROD Oper #319
FROM CLETS:
UG
CA0340400.RE: SER [REDACTED]
CANCEL MESSAGE PROCESSED.
END AFS RESPONSE.
<table>
<thead>
<tr>
<th>Victim(s) Full Name</th>
<th>DOB</th>
<th>Address</th>
<th>Zip</th>
<th>Evidence</th>
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</thead>
<tbody>
<tr>
<td>Lopez Victoriano</td>
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</table>

<table>
<thead>
<tr>
<th>Defendant(s) Full Name</th>
<th>DOB</th>
<th>Address</th>
<th>Zip</th>
<th>Booking</th>
<th>Suspect</th>
<th>Cited</th>
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<th>Received</th>
<th>Time</th>
<th>In Locker</th>
<th>Date</th>
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<td>20-04</td>
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</table>

**Describe Property Below in the Following Sequence: Item Type**
- # of Pieces
- Color
- Brand
- Model
- Age
- Description
- Size

**Valox**
- Name
- Address
- Weight

**Owners Name and Address**
- Check if Owner is Unknown
- Check if Ownership is Denied

**Check if Print Requested**

<table>
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<tr>
<th>Item</th>
<th>Name</th>
<th>Address</th>
<th>Weight</th>
<th>Owner Unknown</th>
<th>Ownership Denied</th>
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</tbody>
</table>

**Officer**

**Citizen**

**Processed By**

**Clearance Date**

**Field Receipt**

1. White - Property
2. White - Report
3. Pink - Investigations
4. Goldenrod - Field Receipt
October 10, 2003

SACRAMENTO POLICE DEPARTMENT
5770 Freeport Blvd. Suite 100
Sacramento, CA 95822

LAB NO: 03-010232
REQUEST NO: 0001
AGENCY NO: SPD-03-086693
NAME: Lopez, Bictoriano

Blood Alcohol Report

Submission: 001
Source: Bictoriano Lopez
Sample Type: blood

Ethanol Result: None Detected
Date Received: 10/6/2003
Date Analyzed: 10/10/2003

I certify, under penalty of perjury, under the laws of the State of California, that this analysis was performed during the regular course of my duties, and is a true and correct report of the results of that analysis. I further certify that I am qualified to perform this analysis pursuant to Title 17 of the California Code of Regulations, and the equipment used in arriving at the results was in proper working order at the time the analysis was performed. I further certify that I am the maker of this document and that my signature has been affixed by means of an electronic device.

Kristel Suchland
Criminalist
Forensic Alcohol Analyst

Jeremy Zale
Technical Reviewer
10/10/2003

Jeremy Zale
Administrative Reviewer
10/10/2003
Release of Impounded Vehicle

(Do not use stored vehicle. Only to release vehicles held for fees, evidence or investigation.)

SPD SACRAMENTO, California

CAPITAL CITY TOWING
5741 FLORA PERKINS RD.
SACRAMENTO, CA. 95820

Report No. 03-86693

Please deliver to: [Redacted]

Address [Redacted]

The following vehicle:

Make: TOYOTA Type: CAMRY VIN: [Redacted]

License: [Redacted], 1990, Impounded by: CSO A.D.Y. (Officer)

On: 01/13/03 (Date)

Any expense will be paid by Bearer.

(Signature) [Redacted] (Officer releasing)

I, the undersigned, do hereby certify that I am legally authorized and entitled to take possession of the above described vehicle, and do hereby relieve and guarantee to protect the City of Sacramento, its Police Department, their officers, employees or agents, against any loss or liability by reason of delivering possession of said vehicle to me, and assume all responsibility and become liable for all expenses accruing or accruing against said vehicle occasioned by the impounding of the same.

(Signature) [Redacted] (Owner, legal owner or agent of owner)

Remarks: CAMRY [Redacted] WILL PICK UP ABOVE CAMRY BY 1730 HOURS ON 10/1/03. SUNDAY WILL NOT BE RESPONSIBLE FOR IMPOUND STORAGE FEES AFTER 1700 HOURS (5:00 PM) ON 10/1/03.

Original to Records
Copy to owner
Copy to case file

SPD 140 (REV. 7-78)
# Stolen Vehicle Report

**Sacramento Police Department**
**Motor Vehicle Report**

**Report Number:** 03.86693

**Type:** Stolen Vehicle

**Date Reported:** 03-20-03
**Time Reported:** 01:30 AM
**Date Occurred:** 03-25-00
**Time Occurred:** 08:30 AM
**Day:** Thursday

**Location of Occurrence:**
- 450 N. St.

**Victim Information:***
- Name/IP: [redacted]
- Age: [redacted]
- Date of Birth: [redacted]
- Sex: [redacted]
- Race: [redacted]
- D/L#: [redacted]
- Business Address: [redacted]
- City/State/ZIP: [redacted]
- Phone: [redacted]

**Reported Vehicle:***
- Make: TOYOTA
- Model: Camry
- Year: 90
- License#: [redacted]
- Ignition Locked: Yes
- Keys in Ignition: Yes
- Doors Locked: Yes
- Condition: Good

**Vehicle Stolen:**
- Driveway over night

**Sponsor:** [redacted]

**Prepared by:** [redacted]

**Officers Assisted:** [redacted]
SACRAMENTO POLICE DEPARTMENT
Vehicle Recovery/Storage/Inventory Report

Vehicle Type: Auto
Vehicle Make: CAM
Vehicle Model: A

Registration:
- Name: [redacted]
- Address: [redacted]
- Phone: [redacted]

Recovery Date: 10-3-03
Stolen Date: 10-2-03
Stolen Time: 0330

Vehicle Description:
- Color: WNT
- Condition: Impound Tow

Impound Tow
- Date: 10-5-03
- Location: CAL CITY

Driver:
- Name: [redacted]
- Address: [redacted]
- Phone: [redacted]

Owner:
- Name: [redacted]
- Address: [redacted]
- Phone: [redacted]

Vehicles:
- Make: TOY
- Model: CAM
- Year: 90
- Color: WNT

Additional Information:
- Notes: [redacted]
10/06/03 09:10:09 PRINT REQUESTED BY TERMINAL OMT3 Oper #8111
INCIDENT HISTORY INQUIRY

Police call #03382324
Entered 10/03/03 03:30:40 by POP1 /6052
Dispatched 03:30:51 by POP4 /6019
Enroute 03:31:03
Onscene 03:45:58
Closed 10/03/03 11:47:31 by CSI10 (#6378)
Disposition(s) P EB AST

Type: 503C (STOLEN VEHICLE-CSI) Pri: 9
Locn: 21ST AV /36TH ST <3600/4600>
Name: 1AL61
(NO CONTACT)

/0330 INC NO ONE OUTSTANDING ..
/0330 HOLD (6019)
/0330 DISP (6019) CSI10 #6378 BOYD
/0330 XREF (6052) #P03382321 1AL61
/0331 *ENRTA (6378) CSI10
/0331 NLOCER CSI10 UCD
/0345 *906 (6378) CSI10
/0357 ASSTER CSI13 #6370 BRAVERMAN @ UCD
/0405 *NLOCER (6378) CSI10 21ST AV N 48TH ST
/0407 *906 (6370) CSI13
/0413 *906 (6378) CSI10
/0455 XREF (6169) PD03086426 CSI10 , SPD 503RPT FROM SUSP VEH *****************
****
/0507 CCNTCT CSI13
/0513 CCNCTCT CSI10
/0646 XREF PD03086693 CSI10
/0743 *NLOCER (6370) CSI13 625 H ST
/0745 *NLOCER (6378) CSI10 CSI OFFICE
/0801 *906 (6370) CSI13
/0805 *906 (6378) CSI10
/0828 *CLEAR (6370) CSI13 AST , DIAGRAMS
/1132 REQ (6026) CSI10 CITY TOW, EMERGENCY SERVICE COM1 TO COMT , V= 8946 ..
. DEAD BATTERY AT THE CSI OFFC
/1140 REQ (6062) (*) CITY TOW, EMERGENCY SERVICE COMT TO COM1 , CSI10...KINNE
GY GARAGE AIVD AND WILL GIVE ARNOLDS A CALL....
/1147 *CLEAR (6378) CSI10 P EB
/1147 *CLOSE
10/02/03 10:43:52 To WAP8 from DAE4 Oper #6230:
10:43:38 FROM CLETS:

03-86693

03-86426

ORIGINAL
SACRAMENTO POLICE DEPARTMENT
MOTOR VEHICLE REPORT

1 REPORT NUMBER
03-86420

2 CRIME CODE SECTION/SOURCE
3 CRIME CLASS CODE
4-VT

4 CSI NOTIFIED
☐ YES ☐ NO

5 REPORTED DATE
10-2-03

6 REPORTED TIME
10:17

7 DATE OCCURRED
10/10/03 - 10/2/03

8 TIME OCCURRED
22:30 - 08:30

9 DAY
THURS

10 LOCATION OF OCCURRENCE
557 40TH ET

11 TYPE OF LOCATION
☐ SHOPPING MALL ☐ APT.COMPLEX
☐ DRIVEWAY ☐ STREET ☐ PARKING LOT ☐ OTHER

12 NAME/SPOUSE NAME IF CRIME AGAINST BUSINESS

13 AGE
21

14 DATE OF BIRTH

15 SEX
F

16 RACE
W

17 OCCUPATION

18 RESIDENCE ADDRESS
557 40TH ET

19 RESIDENCE PHONE

20 BUSINESS ADDRESS
557 40TH ET

21 BUSINESS PHONE

22 VEH TYPE
☐ AUTO ☐ TRUCK ☐ MOTORCYCLE ☐ MOTORHOME ☐ VAN ☐ OTHER:

23 YEAR
90

24 MAKE
TOYOTA

25 MODEL
CAMRY

26 BODY STYLE

27 VEHICLE COLORS
WHIT

28 LICENSE #/REG. # FOR VESSEL

29 STATE
CA

30 YEAR REG.
04

31 VINFRAME # FOR MC M/N/H # FOR VESSEL

32 ESTIMATED VALUE
$3,000

33 IGNITION LOCKED?
☐ YES ☐ NO

34 KEYS IN IGNITION?
☐ YES ☐ NO

35 DOORS LOCKED?
☐ YES ☐ NO

36 CONDITION:
G Good
P Poor
F Fair
E Ext.

37 TYPE OF PROPULSION/MOTOR
VEHICLE ONLY

38 HULL MATERIAL

39 VESSEL TYPE

40 VESSEL LENGTH

41 VEHICLE INSURED BY
STATE FARM

42 WAS VEHICLE BASED TO ANYONE?
☐ NO ☐ YES

43 ARE LOAN PAYMENTS CURRENT?
☐ NO ☐ YES: PAID FOR

44 ANY UNUSUAL EQUIPMENT ON VEH?
☐ NO ☐ YES: SEE PROP. SUPP.

45 CAMPER SHELL ON VEH?
☐ NO ☐ YES: SEE PROP. SUPP.

46 WAS THE VEHICLE DAMAGED PRIOR TO THEFT?
☐ NO ☐ YES:

47 FCN
4300327602760

48 VICTIM / REPORTING PERSON SIGNATURE: (IF DIFFERENT FROM REG. OWNER)

SYNOPSIS

VEHICLE STOLEN FROM DRIVEWAY OVER NIGHT:

49 CONNECTED REPORTS # AND TYPE

50 REPORT PREPARED BY

51 BADGE

52 DIV

53 YRS SERVED

54 APPROVED BY

55 BADGE

56 ASSISTED BY

57 BADGE

58 DIV

59 YRS SERVED

60 DATE
10-2-03

61 TIME

PAGE ___ OF ___

SPD 103 (REV 3/95)
10/02/03 10:43:52 To WAP8 from DAE4 Oper #6230:
10/02/03 10:43:38 FROM CLETS:

03-86426
10/02/03 10:44:30 To WAP8 from DAE4 Oper #6230:
- FOR UNIT: TT
10/03/03 08:54:25 To AUTP WAP8 from WAR8 Oper #6208: 03-86426
FROM CLETS - FOR UNIT: 6208
IA
1MYX,OVK,CA0340407,ILC/2UDJ613
10/03/03  09:27:41 To COMT AUTP WAP8 from WAR8 Oper #6208:
03-86426

FROM CLETS:
UA
Report Number: 2003-86693

Please note that the records provided in this release do not include records or portions of records that are exempt from disclosure pursuant to applicable law. Without limiting other arguments against disclosure that may exist, the following records or portions of records are specifically prohibited or exempted from disclosure:

- Records or information that constitutes the personal data or information of an officer or their family members (Cal. Pen. Code §§ 832.7(b)(5) and (b)(6)(A));
- Records or information, the disclosure of which would compromise the anonymity of whistleblowers, complainants, victims or witnesses (Cal. Pen. Code § 832.7(b)(6)(B));
- Records or information, the disclosure of which would pose a significant danger to the physical safety of the peace officer, custodial officer, or another person (Cal. Pen. Code § 832.7(b)(6)(D));
- Records or information, the disclosure of which would reveal personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosure of the information (Cal. Pen. Code § 832.7(b)(7));
- Records or information wherein the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure (Cal. Gov. Code § 7922.000);
- Records or information that constitute confidential medical, financial, or other information, the disclosure of which is specifically prohibited by federal law or would cause an unwarranted invasion of personal privacy (Cal. Pen. Code § 832.7(b)(6)(C));
- Records or information, the disclosure of which is exempted or prohibited pursuant to federal or state law (Cal. Gov. Code § 6254(k); see also: Cal. Const. art. 1 Sec. 1; Cal. Pen. Code § 15150 et seq.; Cal. Pen. Code §§ 11105 and 13300; and Cal. Welfare & Inst. Code § 827).

Sacramento Police Department
Professional Standards Unit
916-808-3790
spdpsu@pd.cityofsacramento.org