



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

General Offense Information

Operational status: **CLEARED EXCEPTIONALLY**

Reported on: **Apr-21-2005 (Thu.) 1710**

Occurred on: **Apr-21-2005 (Thu.) 1710**

Approved on: **May-10-2005 (Tue.)** by: **403 - HENDRICKSON, JAMES 7793** ()

Report submitted by: **268 - ENRIQUEZ, F 3020** ()

Org unit: **OOI MAJOR CRIMES - HOMICIDE**

Address: () **SELMA ST**

Municipality: **SACRAMENTO** County: **SACRAMENTO COUNTY**

District: **2** Beat: **24** Grid: **0604**

Felony/Misdemeanor: **FELONY**

Family violence: **No**

Offenses (Completed/Attempted)

Offense: # **1** **1310-2 245(D)(1)AWDW/FIREARM/OFFICER - COMPLETED**

Location: **BUSINESS / OTHER**

Offender suspected of using: **N/A**

Weapon type: **HANDGUN**

Bias: **NONE (NO BIAS)**



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1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Attachment(s) - OTHER

Attachment Description: CSI RPT

Reference Number:

SACRAMENTO POLICE DEPARTMENT CRIME SCENE INVESTIGATION REPORT

CRIME CLASS 245 (OFFICER INVOLVED SHOOTING)	SOURCE PC	LOG NUMBER	REPORT NUMBER 05-133658
COMPLAINANT OR VICTIM	LOCATION OF WORK PERFORMED 2315 STOCKTON BL		

On 4/21/05, at approx. 1911 hrs, I arrived on scene at the above location, UCD Medical Center, emergency room, and contacted Officer R. Lozoya, #237, to take photographs of Paul Ramon Frazier, and collect evidence.

At approx. 2110 hrs, I arrived on scene at 5770 Freeport Bl, and contacted Sgt. F. Enriquez, #3020, to take photographs of Officer Dedonder, #302.

-PHOTOGRAPHS-

Sixty five (65) photographs taken of the following:

- Paul Ramon Frazier's overall appearance and injuries to upper chest, right chin, right arm, left side of neck, and right knee
- Paul Ramon Frazier's clothing on hospital floor
- Officer Dedonder's overall appearance

-EVIDENCE-

A Gunshot Residue Evidence Kit was completed on Paul Ramon Frazier's hands.

All evidence items were collected, transported, and booked into property, Sequoia Pacific. (Refer to evidence submittal sheets for a breakdown of evidence items).

I departed UCDMC at approx. 2034 hrs.
I departed 5770 Freeport at approx. 2204 hrs.

PREPARED BY A. FIGUEROA	BADGE # 6383	UNIT CSI	DIV 97	YRS OF SERVICE 9	DATE 4/26/05	TIME
ASSISTING OFFICER	BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
REVIEWED BY L. Schiele	BADGE # 6389	UNIT	DIV	YRS OF SERVICE	DATE 4/27/05	TIME

SPD 137 (REV 1/03)

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**SACRAMENTO POLICE DEPARTMENT
CRIME SCENE INVESTIGATION REPORT**

CRIME CLASS	196	SOURCE	P.C.	LOG NUMBER		REPORT NUMBER	05-133658
COMPLAINANT OR VICTIM	Frazier, Paul Ramon			LOCATION OF WORK PERFORMED 4800 Broadway			

P	E	NARRATIVE
		On 4/22/05 at approx. 0937 hrs., I arrived on scene at the Coroner's Office to take autopsy photographs.
		<u>Photographs</u>
53		I took fifty-three digital photographs of Paul Ramon Frazier, his external injuries, and two (2) buckshots removed from his back area.
		I departed the scene at approx. 1129 hrs.

PREPARED BY	K. Modeste	BADGE #	6375	UNIT	CSI	DIV	9	YRS OF SERVICE	4	DATE	12/23/05	TIME
ASSISTING OFFICER		BADGE #		UNIT		DIV		YRS OF SERVICE		DATE		TIME
REVIEWED BY	A. Schmelz	BADGE #	6368	UNIT		DIV		YRS OF SERVICE		DATE	1/27/05	TIME

SD-117 (REV. 4/99)

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SACRAMENTO POLICE DEPARTMENT CRIME SCENE INVESTIGATION REPORT

ORIGINAL

CRIME CLASS 196	SOURCE P.C.	LOG NUMBER	REPORT NUMBER 05-133658
COMPLAINANT OR VICTIM Frazier, Paul		LOCATION OF WORK PERFORMED [REDACTED] Selma ST	

On 4/21/05 at approx 1923 hrs we CSI16 K. Lawson #6357 and F. Woo #6382 arrived at [REDACTED] Selma St. Upon arrival we contacted Detective Poroli # 352 and processed the scene under his direction. CSI10 K. Boyd #6378 arrived on scene at approx 1937 hrs to assist. CSI32 T. Atkinson #6371 arrived at approx 2335 hrs to assist.

Photographs

I K. Lawson took 511 photographs of the following:

Sergreant Greenlee #3053: Overall appearance

[REDACTED] Selma St: Overall condition of property
Location of suspect's trailer
Location of officers at west gate
Location of officers north of north fence
SPD SWAT Vehicle #6155, (CA) 208363
SPD Patrol Vehicle #9423, (CA) 1125664
Red Volkswagon Van, (CA) [REDACTED] north of north fence
Evidence items #1- #6, #14, and #17

Suspect's trailer: Overall condition

Bullet hole in north vehicle hood propped against west side of trailer
Six bullet holes in exterior west side of trailer
Over condition of interior of trailer
Evidence items #7-#13, #15, #16, and #18
Bullet hole in air conditioner
Bullet hole in east wall cabinet
Bullet strike in east wall behind stove

Trajectories from officer's positions to suspects trailer (with assistance of F. Woo and T. Atkinson)

At approx 0238hrs we CSI16, CSI10, and CSI32 left the scene.

Evidence Booked

I collected evidence items #1- #18 with the assistance of F. Woo. Refer to evidence submittal for description of items. One GSR Kit sampling (item #19) was obtained from a Red Volkswagon Van, (CA) [REDACTED] at approx 2210 hrs with the assistance of F. Woo. I packaged and booked all items of evidence with the assistance of F. Woo into 555 Sequoia Pacific Blvd, Property section on 4/22/05 at approx 0449 hrs.

Diagrams

All measurements were taken by K. Boyd and all diagrams were completed by K. Boyd.

PREPARED BY K. Lawson <i>KL</i>	BADGE # 6357	UNIT CSI	DIV 97	YRS OF SERVICE 2.5	DATE 6/26/05	TIME
ASSISTING OFFICER F. Woo, K. Boyd, T. Atkinson	BADGE # 6382/6378/ 6371	UNIT CSI	DIV 97	YRS OF SERVICE 6/4/1	DATE 6/26/05	TIME
REVIEWED BY <i>H. Schreck</i>	BADGE # 6368	UNIT CS	DIV 97	YRS OF SERVICE 14	DATE 9/2/05	TIME

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Related Attachment(s) - SUPPLEMENTS

Attachment Description: **DIAGRAM AND PHYSICAL EVIDENCE SHEET**

Reference Number:

SACRAMENTO POLICE DEPARTMENT
DIAGRAM AND PHYSICAL EVIDENCE SHEET

CLASS. 196 PC

VICTIM _____ LOCATION **SELMA STREET**

REPORT NUMBER 05-133658

ALL MEASUREMENTS ARE APPROXIMATE AND NOT TO SCALE UNLESS STATED (SCALE = N/A)

DIAGRAM #1
OVERALL OF AREA

CRIME SCENE

PREPARED BY K. BOYD
ASSISTANT OFFICER WOOD/LAWSON
RECEIVED BY A. Garcia

BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
6378	CSI-10	97	4 YRS.	05-23-2005	
6382 / 6357	CSI-16	97	9 YRS / 0	05-24-2005	
6365	15	97	14	9/1/05	

EPD 141 (REV 8/05) PAGE 1 OF 1



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SACRAMENTO POLICE DEPARTMENT DIAGRAM AND PHYSICAL EVIDENCE SHEET

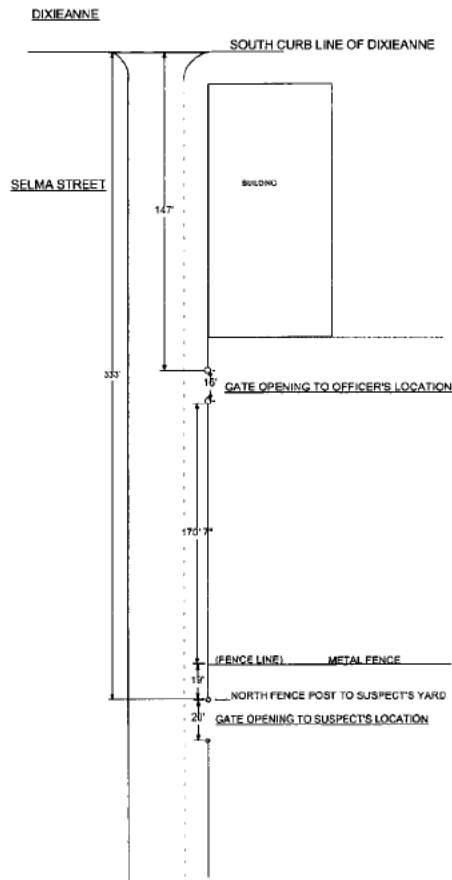
REPORT NUMBER
05-133658

CLASS. 196 PC

VICTIM

LOCATION **SELMA STREET**

DIAGRAM #2



PREPARED BY	BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
K. BOYD / T. ATKINSON	6378 / 6371	CSI-10 CSI-32	97	4 YRS / 1 YR	05-23-2005	
ASSISTING OFFICER	BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
WOODLAWSON	6382 / 6357	CSI-16	97	6 YRS / 0	05-24-2005	
RECEIVED BY	BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
A. Shick	6368	CS	97	14	8/1/05	

SPD 141 (REV. 8/02)



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SACRAMENTO POLICE DEPARTMENT DIAGRAM AND PHYSICAL EVIDENCE SHEET

CLASS. 196 PC

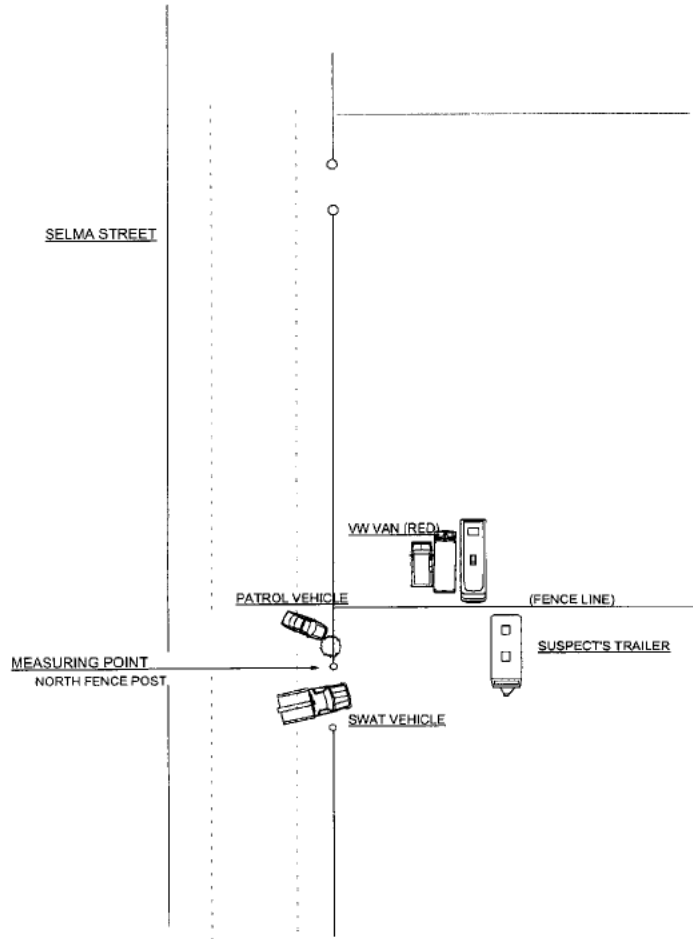
REPORT NUMBER

05-133658

VICTIM

LOCATION [REDACTED] SELMA STREET

DIAGRAM #3



PREPARED BY	BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
K. BOYD / T. ATKINSON	6378 / 6371	CSI-10 / CSI-32	97	4 YRS / 1 YR	05-23-2005	
ASSISTING OFFICER	BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
WOODLAWSON	6382 / 6357	CSI-16	97	6 YRS / 0	05-24-2005	
RECEIVED BY	BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
A. Schick	6368	CSI	97	14	7/16/05	

SPD-141 (REV. 8/00)



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DIAGRAM AND PHYSICAL EVIDENCE SHEET

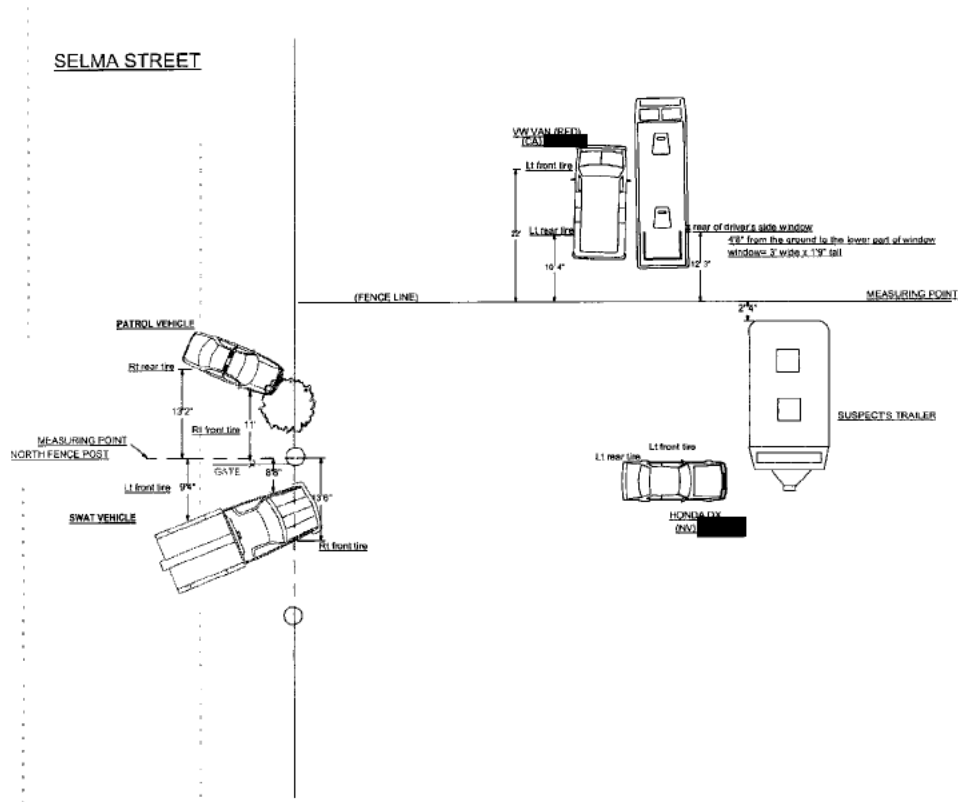
CLASS. 196 PC

REPORT NUMBER
05-133658

VICTIM

LOCATION [REDACTED] SELMA STREET

DIAGRAM #4
VEHICLE LOCATIONS (N/S)



PREPARED BY K. BOYD T. ATKINSON	BADGE # 6378/6371	UNIT CSI-10 CSI-32	DIV 97	YRS OF SERVICE 4 YRS / 1YR	DATE 05-23-2005	TIME
ASSISTING OFFICER WOODLAWSON	BADGE # 6382 / 6357	UNIT CSI-16	DIV 97	YRS OF SERVICE 6 YRS / 0	DATE 05-24-2005	TIME
RECEIVED BY A. Schick	BADGE # 6368	UNIT CSI-2	DIV 97	YRS OF SERVICE 14	DATE 5/1/05	TIME

SPO 141 (REV 5/00)

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SACRAMENTO POLICE DEPARTMENT
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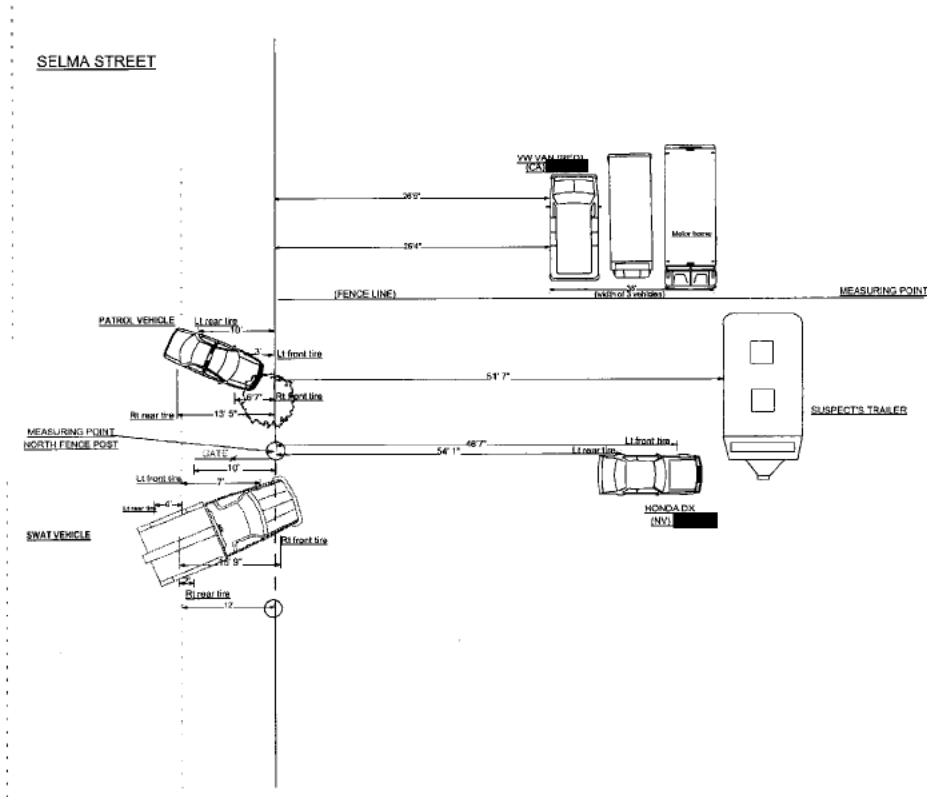
CLASS. 196 PC

REPORT NUMBER
05-133658

VICTIM

LOCATION [REDACTED] SELMA STREET

DIAGRAM #5
VEHICLE LOCATIONS (E/W)



PREPARED BY K. BOYD T. ATKINSON	BADGE # 6378 / 6371	UNIT CSI-10 CSI-32	DIV 97	YRS OF SERVICE 4 YRS / 1 YR	DATE 05-23-2005	TIME
ASSISTING OFFICER WILL LAWSON	BADGE # 6382 / 6357	UNIT CSI-16	DIV 97	YRS OF SERVICE 6 YRS / 0	DATE 05-24-2005	TIME
RECEIVED BY A. Gschriele	BADGE # 6305	UNIT CSI-5	DIV 97	YRS OF SERVICE 14	DATE 5/11/05	TIME

SPO 741 (REV 8/90)

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SACRAMENTO POLICE DEPARTMENT DIAGRAM AND PHYSICAL EVIDENCE SHEET

CLASS 196 PC

REPORT NUMBER
05-133658

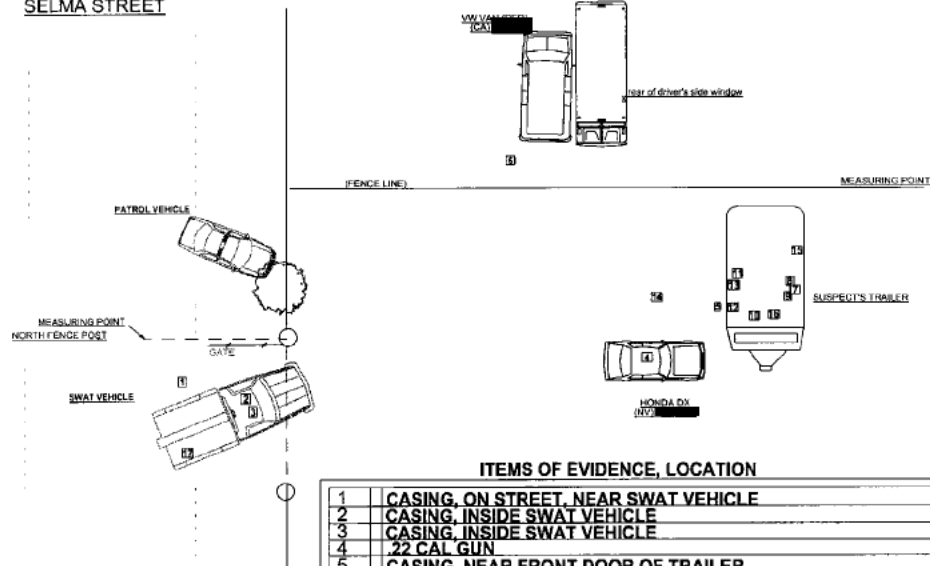
VICTIM

LOCATION **SELMA STREET**

DIAGRAM #7
OVERALL EVIDENCE LOCATION



SELMA STREET



ITEMS OF EVIDENCE, LOCATION

1	CASING, ON STREET, NEAR SWAT VEHICLE
2	CASING, INSIDE SWAT VEHICLE
3	CASING, INSIDE SWAT VEHICLE
4	22 CAL GUN
5	CASING, NEAR FRONT DOOR OF TRAILER
6	SHOTGUN SHELL, ON NORTH SIDE OF PROPERTY LINE
7	BULLETS, ON COUNTER, INSIDE TRAILER
8	CISCO, ON COUNTER, INSIDE TRAILER
9	BEER, ON COUNTER, INSIDE TRAILER
10	EMPTY BOX, FOR #7, INSIDE TRAILER, ON FLOOR BETWEEN BEDS
11	T-SHIRT W/ BULLET HOLE, INSIDE TRAILER, ON SEAT
12	GUN, INSIDE TRAILER, ON SHELF, NEAR DOOR
13	FIRE EXTINGUISHER, INSIDE TRAILER, NEAR DOOR
14	GLASS BOTTLE W/ BROWN BAG, OUTSIDE, NEAR THE TRAILER
15	SPENT BULLET, INSIDE TRAILER, BEHIND STOVE
16	SPENT BULLET, INSIDE TRAILER
17	CASING, INSIDE SWAT VEHICLE
18	PELLETS, INSIDE TRAILER, ON FLOOR NEAR THE BED

PREPARED BY K. BOYD ATKINSON	BADGE # 6378 / 6371	UNIT CSI-10 CSI-32	DIV 97	YRS OF SERVICE 4 YRS. / 1 YR	DATE 05-23-2005	TIME
ASSISTING OFFICER WOOLAWSON	BADGE # 6382 / 6357	UNIT CSI-16	DIV 97	YRS OF SERVICE 6 YRS / 0	DATE 05-24-2005	TIME
RECEIVED BY A. Schiele	BADGE # 6365	UNIT CSI	DIV 97	YRS OF SERVICE 19	DATE 9/1/05	TIME

SPO 7-1 REV 10/01

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REPORT NUMBER

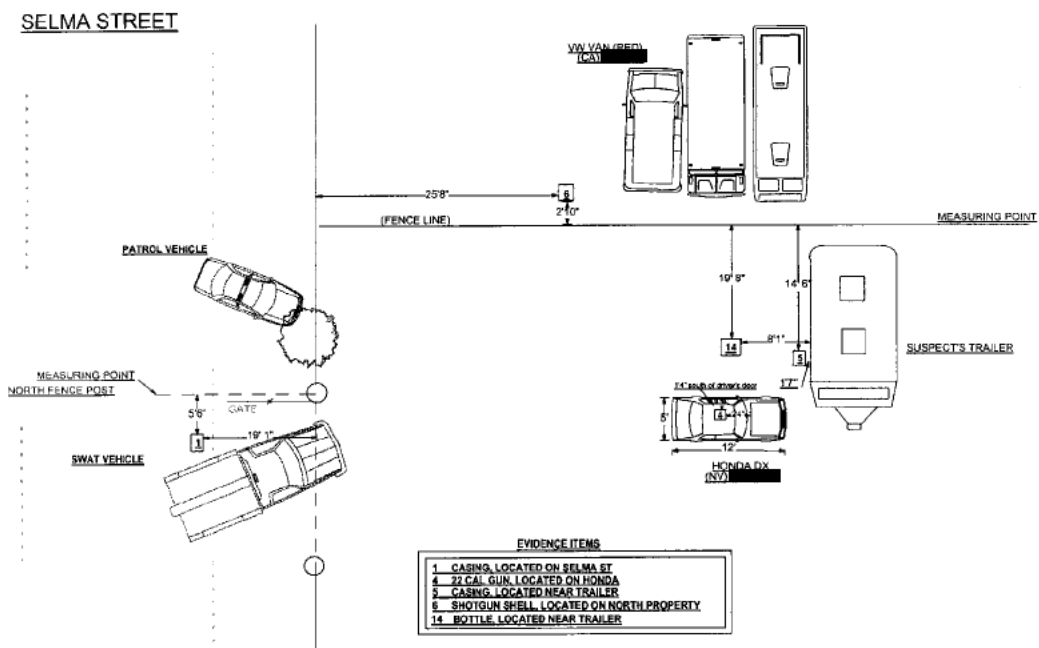
05-133658

CLASS. 196 PC

VICTIM

LOCATION **SELMA STREET**

DIAGRAM #8
EVIDENCE LOCATION
(ITEMS #1, #4, #5, #6 AND #14)



PREPARED BY K. BOYD / T. ATKINSON	BADGE # 6378 / 6371	UNIT CSI-10 / CSI-32	DIV 97	YRS OF SERVICE 4 YRS / 1YR	DATE 05-23-2005	TIME
ASSISTING OFFICER WOODLAWSON	BADGE # 6382 / 6357	UNIT CSI-15	DIV 97	YRS OF SERVICE 6YRS / 0	DATE 05-24-2005	TIME
RECEIVED BY A. Schick	BADGE # 6765	UNIT CSI	DIV 97	YRS OF SERVICE 14	DATE 5/1/05	TIME

SFD 141 (REV 000)



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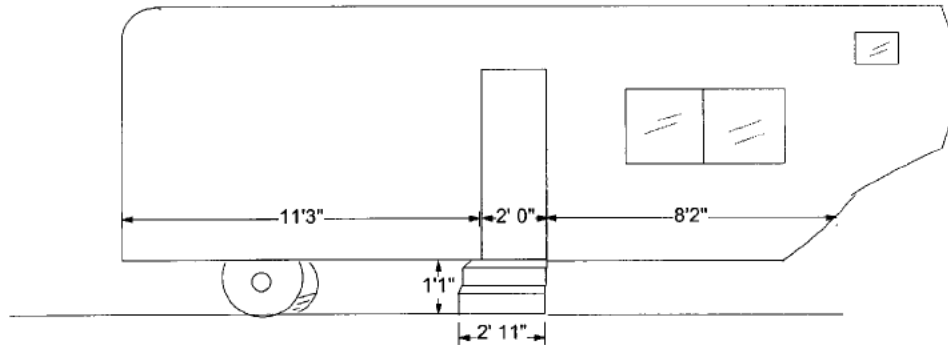
CLASS. 196 PC

REPORT NUMBER
05-133658

VICTIM

LOCATION [REDACTED] SELMA STREET

DIAGRAM #9
OVERALL OF SUSPECT'S TRAILER



PREPARED BY K. BOYD / ATKINSON	BADGE # 6378 / 6371	UNIT CSI-10 CSI-32	DIV 97	YRS OF SERVICE 4 YRS. / 1 YR	DATE 05-23-2005	TIME
ASSISTED BY WOODLAWSON	BADGE # 6382 / 6357	UNIT CSI-16	DIV 97	YRS OF SERVICE 9 YRS / 0	DATE 05-24-2005	TIME
RECEIVED BY A. Schiele	BADGE # 6768	UNIT CE	DIV 97	YRS OF SERVICE 14	DATE 7/1/05	TIME

SPO 141 (RPV 5/00)

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CLASS 196 PC

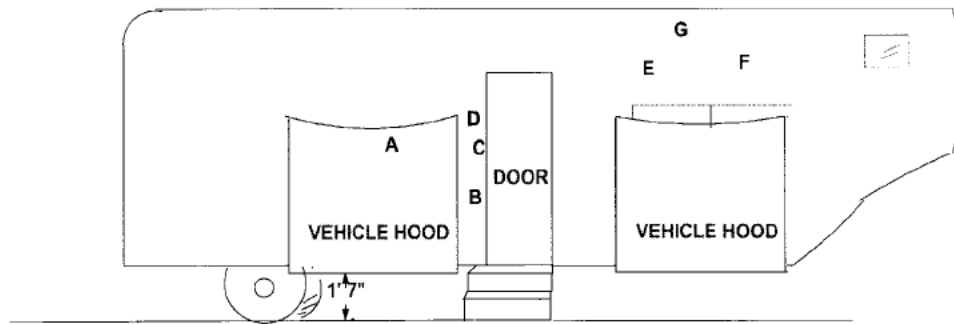
REPORT NUMBER
05-133658

VICTIM

LOCATION [REDACTED] SELMA STREET

DIAGRAM #10

BULLET HOLES
WEST SIDE OF TRAILER, EXTERIOR



VEHICLE HOODS= 5'2" WIDE X 4'10" HIGH

N/ OF DOOR S/ OF DOOR		FROM GROUND
A	3'	5'7"
B	4"	3'11"
C	2 1/2 "	5'5"
D	4"	6'3"
E	2'11"	7'8"
F	5'11"	8'1"
G	3'9"	9'

PREPARED BY K. BOYD/T. ATKINSON	BADGE # 6378 / 6371	UNIT CSI-10 CSI-32	DIV 97	YRS OF SERVICE 4 YRS / 1 YR	DATE 05-23-2005	TIME
ASSISTANT OFFICER W. LAWSON	BADGE # 6382 / 6357	UNIT CSI-16	DIV 97	YRS OF SERVICE 6 YRS / 0	DATE 05-24-2005	TIME
RECEIVED BY A. Juchala	BADGE # 6768	UNIT CS	DIV 47	YRS OF SERVICE 14	DATE 9/1/05	TIME

SPD 141 (REV 8/03)

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SACRAMENTO POLICE DEPARTMENT DIAGRAM AND PHYSICAL EVIDENCE SHEET

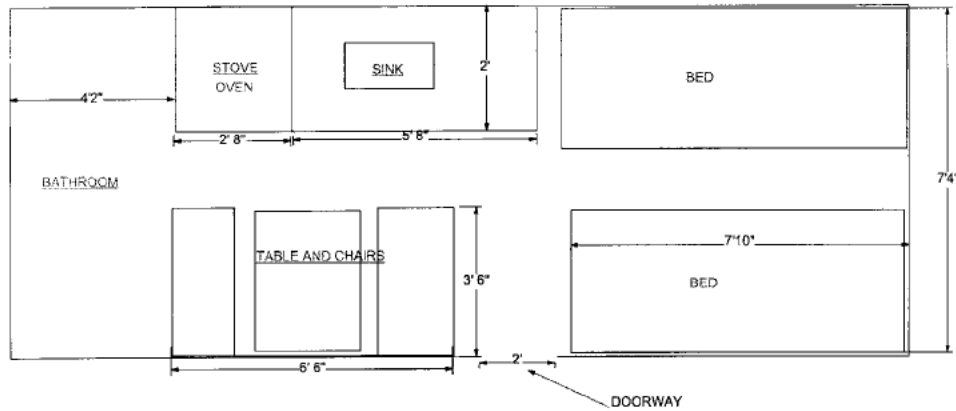
CLASS. 196 PC

REPORT NUMBER
05-133658

VICTIM

LOCATION [REDACTED] SELMA STREET

DIAGRAM #11 INTERIOR OF TRAILER



PREPARED BY	BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
K. BOYD / T. ATKINSON	6378/6371	CSI-10	97	4 YRS / 1 YR	05-23-2005	
ASSISTING OFFICER	BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
WOODLAWSON	6382 / 6357	CSI-16	97	6 YRS / 0	05-24-2005	
RECEIVED BY	BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
A. Schiele	6369	CS	97	14	9/1/05	

SPD 141 (REV 03/02)



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SACRAMENTO POLICE DEPARTMENT DIAGRAM AND PHYSICAL EVIDENCE SHEET

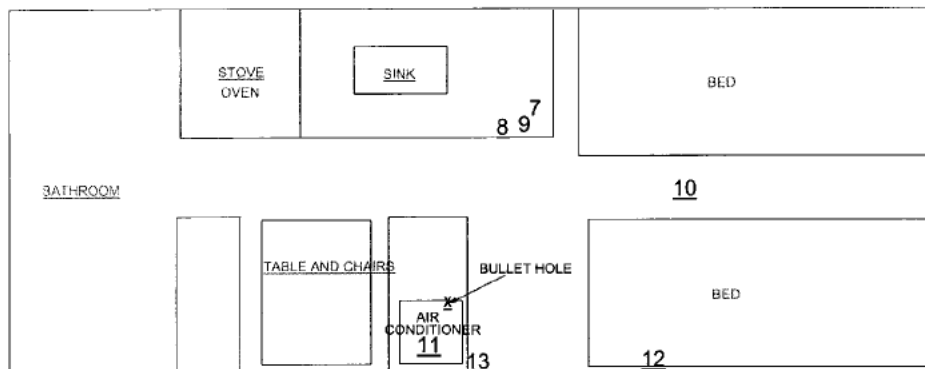
CLASS. 196 PC

REPORT NUMBER
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VICTIM

LOCATION [REDACTED] SELMA STREET

DIAGRAM #12 EVIDENCE ITEMS #7-13



7 BULLETS	3" FROM THE S/ END OF COUNTER / 1/4" FROM E/ WALL
8 CISCO	1/4" FROM S/ END COUNTER / 17" FROM E/ WALL
9 BEER CAN	4" FROM S/ END OF COUNTER / 1/8" FROM E/ WALL
10 PACKAGE	17" FROM S/ END OF DOOR / 2'3" E/ OF DOOR
11 AIR CONDITIONER	WEST END OF CHAIR, NEAREST THE DOOR BULLET HOLE: 1' N/ DOOR / 2'5" FROM THE FLOOR
12 GUN	12" S/ DOOR / 4'10" FROM FLOOR
13 FIRE EXTINGUISHER	2' N/ OF DOOR / 3'3" FROM THE FLOOR

PREPARED BY	BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
K. BOYD / T. ATKINSON	6378	CSI-10	97	4 YRS / 1YR	05-23-2005	
ASSISTING OFFICER	BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
WOOD / LAWSON	6382 / 6357	CSI-16	97	6YRS / 0	05-24-2005	
RECEIVED BY	BADGE #	UNIT	DIV	YRS OF SERVICE	DATE	TIME
A. J. [Signature]	6765	PS	97	14	9/1/05	

SPD 141 (REV 3/00)



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SACRAMENTO POLICE DEPARTMENT DIAGRAM AND PHYSICAL EVIDENCE SHEET

CLASS 196 PC

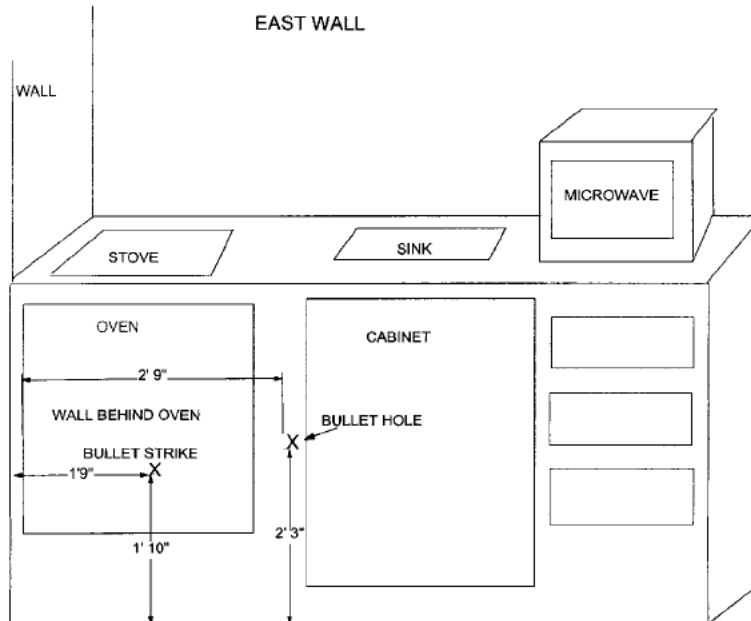
REPORT NUMBER
05-133658

VICTIM

LOCATION [REDACTED] SELMA STREET

DIAGRAM #13

BULLET HOLES TO EAST WALL



PREPARED BY K. BOYD	BADGE # 6378/6371	UNIT CSI-10 CSI-32	DIV 97	YRS OF SERVICE 4 YRS / 1 YR	DATE 05-23-2005	TIME
ASSISTED BY WOOLAWSON	BADGE # 6382 / 6357	UNIT CSI-16	DIV 97	YRS OF SERVICE 6 YRS / 0	DATE 05-24-2005	TIME
RECEIVED BY A. Schiele	BADGE # 6965	UNIT 15	DIV 97	YRS OF SERVICE 14	DATE 9/1/05	TIME

SPD 141 (REV 06/00)



SACRAMENTO POLICE DEPARTMENT

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REPORT NUMBER
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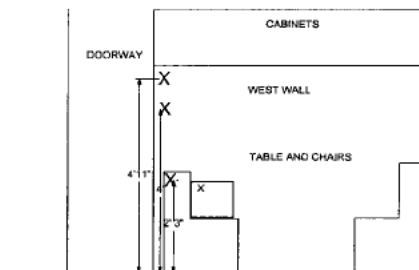
VICTIM

LOCATION [REDACTED] SELMA STREET

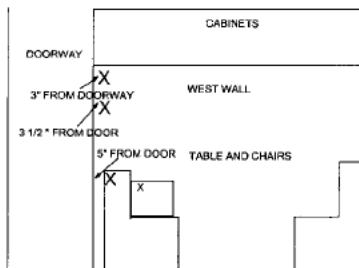
DIAGRAM #14 BULLET HOLES TO THE INTERIOR WEST WALL



BULLET HOLES TO THE WEST, INTERIOR WALL
(FROM FLOOR)



BULLET HOLES TO THE NORTH, INTERIOR WALL, FROM THE DOOR



PREPARED BY K. BOYD / T. ATKINSON	BADGE # 6378 / 6371	UNIT CSI-10 CSI-32	DIV 97	YRS OF SERVICE 4 YRS / 1 YR	DATE 05-23-2005	TIME
ASSISTANT WOODLAWSON	BADGE # 6382 / 6357	UNIT CSI-16	DIV 97	YRS OF SERVICE 6 YRS / 0	DATE 05-24-2005	TIME
RECEIVED BY A. Schiele	BADGE # 6769	UNIT CSI	DIV 97	YRS OF SERVICE 14	DATE 9/1/25	TIME

SPD 141 (REV 000)



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

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EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Attachment(s) - SUPPLEMENTS

Attachment Description: **LETTER FROM DA**

Reference Number:



OFFICE OF THE

DISTRICT ATTORNEY

SACRAMENTO COUNTY

JAN SCULLY
DISTRICT ATTORNEY

CYNTHIA G. BESEMER
CHIEF DEPUTY

05-133658
ORIGINAL

December 16, 2005

Albert Najera, Chief of Police
Sacramento Police Department
5770 Freeport Boulevard
Sacramento, CA 95822

Re: Officer-involved shooting: Case no. SPD ~~05-13368~~ ⁰⁵⁻¹³³⁶⁵⁸
Shooting officers: SPD Sgt. Mark Greenlee, #3053
SPD Officer Brian Dedonder, #302
Person shot: Paul Frazier (DOB: 9/12/60; X-ref: [REDACTED])

Dear Chief Najera:

The District Attorney's Office, as an independent agency, has completed its investigation and review of the above referenced officer involved shooting. The review does not address issues of civil liability, tactics, or departmental policies and procedures. We address only whether or not there is sufficient evidence to support the filing of a criminal action in connection with the shooting of Paul Frazier. For the reasons set forth below, we conclude that the shooting was lawful.

Written reports and other documentary items were reviewed. These consisted of Sacramento Sheriff's Office reports, video and audio tapes, computers discs containing photographs, and reports by Sacramento County District Attorney investigators David Poroli and Don Cox.

SPECIAL INVESTIGATIONS

P.O. Box 749 • 901 G Street • Sacramento, California 95814
(916) 874-5897 FAX (916) 874-8238



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

05-133658

ORIGINAL

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FACTUAL SUMMARY:

On April 21, 2005, at 4:27 p.m., a civilian witness called the Sacramento Police Department reporting that a male black adult, wearing a white t-shirt, was carrying a revolver while in the area of El Camino Avenue and Van Ness Street. SPD officers went to the area but were unable to locate the subject.

At 4:45 p.m., another civilian witness called the Sacramento Police Department, reporting that a male black adult, wearing a white t-shirt was firing a gun in the area of Lexington Street and Dixie Avenue. SPD Officers went to the area but again were unable to locate the subject.

At 5:10 p.m., SPD Officer Smith #468 while in a marked patrol car and wearing an SPD uniform, was checking nearby areas when he saw a male black adult in a white t-shirt, walking in the light rail parking lot off Arden Way, north of Business 80. Officer Smith drove up to the subject and told him that he wanted to speak with him. The subject turned and faced Officer Smith, saying, "You don't know me," and "Leave me alone."

The subject then ran backwards toward an open gate that led to a junkyard at [REDACTED] Selma Street. As he neared the gate, he turned around and ran away from the officer. As Officer Smith pursued the subject on foot, he noticed the subject was tugging at an unknown item on his waist. With Officer Smith still in pursuit, the subject ran inside a small Nomad travel trailer which was on the junkyard property. The subject shortly thereafter opened the door, pointed a handgun at Officer Smith, and said, "What do you want?" He then went back into the trailer, whereupon, Officer Smith called SPD dispatch for assistance.

Additional SPD units, including the SWAT team, arrived and positioned themselves in a perimeter around the trailer. For the next hour or so, the subject would come out of the trailer on several occasions and wave a handgun around before retreating inside the trailer. SPD Sgt. Al Miller #3070 unsuccessfully tried to get the subject to talk to him during the various times he came out of the trailer.

Uniformed SPD Officer Brian Dedonder, #302, was one of the officers who arrived on scene to assist. He was armed with a Remington 12 gauge shotgun, containing 4 rounds of Double 00 Buck Shot, including one in the chamber and had positioned himself approximately 10 yards from the trailer's front door. While he was briefly looking away from the trailer, he heard a gunshot and was told by SPD Officer Dan Nutley #597 that the subject had come outside the trailer, pointed a handgun in the air and fired one round before going back inside.



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A couple minutes later, at approximately 6:23 p.m., Officer Dedonder saw the subject come out the front door, with a revolver in his right hand and point it at an SPD officer who was in a nearby tree. The subject said, "Come on, come on." Believing that the officer in the tree was not in a position to see the subject pointing the gun at him and fearing for that officer's safety, Dedonder aimed for the subject's head and fired one round from his shotgun.

Meanwhile, SWAT team supervisor Sgt. Greenlee #3053, who was in an armored SPD vehicle parked approximately 60 feet from the trailer's front door, also saw the subject come out the front door. Once outside, the subject took a shooting stance, crouched with both hands on his gun, and pointed his gun towards Sgt. Greenlee. Sgt. Greenlee then heard a gunshot and thought he heard a round go by his head. Believing the subject had just shot at him, Sgt. Greenlee fired 3 shots at the subject from his department issued H&K MP5 9mm automatic rifle. He then saw the subject fall onto the ground.

The subject, later identified as Paul Ramon Frazier, was pronounced dead upon his arrival at the hospital.

Near where Frazier fell after being shot, CSI Frank Woo #6382 found a Ruger .22 caliber revolver containing five live rounds and one expended shell.

On April 22, 2005 Sacramento County Coroner's Forensic Pathologist Elizabeth Albers conducted an autopsy on Frazier. She removed five shotgun pellets from Frazier's body and found five entry wound which she found attributable to those five shotgun pellets. The entry wounds were as follows:

- One to the upper right shoulder ;
- Three to the upper right chest;
- One to the upper left chest;

Additionally Frazier's body had a through and through wound to the right shoulder and an elongated wound above the right forearm which Dr. Albers concluded might have been caused by a weapon separate from the shotgun.

At the time of his death, Frazier had a blood alcohol level of 0.19%. No identifiable drugs were found in his blood system per the toxicology tests.

Dr. Albers concluded that Frazier's cause of death was due to internal injuries from gunshot wounds to the lungs and aorta.



SACRAMENTO POLICE DEPARTMENT

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LEGAL ANALYSIS:

A peace officer is entitled to use deadly force in self defense, in defense of others, or when the flight of a suspect poses a risk of great bodily injury. Penal Code sections 196, 197: Tennessee v. Garner (1985) 471 U.S. 1; Kortum v. Alkire (1977) 69 Cal.App.3d 325. Regarding the use of deadly force in self defense, California law permits such use if it reasonably appears that the person claiming the right to self defense actually and reasonably believed he or another person were in imminent danger of great bodily injury or death. CALJIC 5.12, 5.51.

Under these principles, Officer Dedonder and Sgt. Greenlee were justified in using deadly force in self defense and in the defense of a fellow officer.

The deceased, Frazier, had been seen carrying and firing a handgun in public, had fled when approached by Officer Smith, then had again fired his handgun in public – this time in the presence of numerous police officers – and had pointed his loaded gun at an officer, saying, “come on, come on.” Both Officer Dedonder and Sgt. Greenlee were reasonable in concluding that deadly force was necessary under these circumstances.

CONCLUSION:

Given the circumstances, both Officer Dedonder and Sgt. Greenlee were justified in using deadly force in self defense and in the defense of a fellow officer. We find the shooting to be lawful and will take no further action in this matter.

Very truly yours,

JAN SCULLY
DISTRICT ATTORNEY

ALAN HENGEL
Deputy District Attorney

cc: SPD Sgt. Mark Greenlee
SPD Officer Brian Dedonder
Jerry Enomoto, Interim Director, Office of Public Safety Accountability



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Event(s)

GO 260684

Related Person(s)

1. VICTIM # 1 - SMITH, D 0468 928

(Case Specific Information)

Sex: MALE

Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Address: [REDACTED]

Municipality: [REDACTED]

Particulars

Employer: SACRAMENTO POLICE DEPARTMENT

Ethnicity: WHITE(Race:W)

Master Name Index Reference

Name: SMITH, D 3123 928

Sex: MALE

Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Date of birth: [REDACTED]

Ethnicity: WHITE(Race:W)

Address: [REDACTED]

Municipality: [REDACTED]

Phone numbers

BUSINESS PHONE: (916) 264-5471

Linkage factors

Resident status : UNKNOWN

Aggravated assault/homicide : ASSAULT ON LAW ENFORCEMENT OFFICER

Type of injury : NO INJURY

Victim of :

1310- 2 245(D)(1)AWDW/FIREARM/OFFICER - COMPLETED

Victim's Relationship to Offender : VICTIM WAS RELATIONSHIP UNKNOWN

Person's role : SUSPECT #1

Person's name : FRAZIER, PAUL R (DOB: Sep-12-1960)

LEOKA details

Officer's assignment : DETECTIVE/SPECIAL ASSIGNMENT ASSISTED

Weapon used : FIREARM

Injury sustained by officer : NOT INJURED

Officer's activity when assaulted : ATTEMPTING OTHER ARREST

2. VICTIM # 2 - GREENLEE, M 3053 360



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

(Case Specific Information)

Sex: **MALE**

Race: **CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN**

Address: [REDACTED]

Municipality: [REDACTED]

Phone Numbers

BUSINESS (916) 264-5471

PHONE:

Particulars

Employer: **SACRAMENTO POLICE DEPT**

Ethnicity: **WHITE(Race:W)**

Master Name Index Reference

Name: **GREENLEE, M 3053 360**

Sex: **MALE**

Race: **CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN**

Ethnicity: **WHITE(Race:W)**

Address: [REDACTED]

Municipality: [REDACTED]

Phone numbers

BUSINESS PHONE: (916) 264-8290

Linkage factors

Resident status : **CITY OF SACRAMENTO RESIDENT**

Statement taken : **Yes**

Age range : **UNKNOWN**

Victim of :

1310- 2 245(D)(1)AWDW/FIREARM/OFFICER - COMPLETED

Victim's Relationship to Offender : **VICTIM WAS STRANGER**

3. SUSPECT # 1 - FRAZIER, PAUL RAMON

(Case Specific Information)

Sex: **MALE**

Race: **AFRICAN AMERICAN/BLACK**

Date of birth: **Sep-12-1960**

Address: [REDACTED]

Municipality: [REDACTED]

Phone Numbers

MAIN [REDACTED]

HOME PHONE:

Particulars

Ethnicity: **AFRICAN AMERICAN(Race:B)**

Height: **5'10** Weight: **180 lbs.**



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Eye color: **BROWN**
Hair color: **BLACK**
Facial hair style: **UNSHAVEN/STUBBLE**

Master Name Index Reference

Name: **FRAZIER, PAUL RAMON**
Sex: **MALE**
Race: **AFRICAN AMERICAN/BLACK**
Date of birth: **Sep-12-1960**
Ethnicity: **AFRICAN AMERICAN(Race:B)**
Address: [REDACTED]
Municipality: [REDACTED]

Phone numbers

MAIN HOME PHONE: [REDACTED]

Linkage factors

Resident status : **CITY OF SACRAMENTO RESIDENT**
Age range : **30-49 YEARS**

4. WITNESS # 1 - [REDACTED]

(Case Specific Information)

Sex: **MALE**
Race: **CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN**
Year of birth: [REDACTED]
Approximate age: **48**
Address: [REDACTED]
Municipality: [REDACTED]

Phone Numbers

BUSINESS [REDACTED]
PHONE:
MAIN [REDACTED]
HOME PHONE:
BUSINESS [REDACTED]
PHONE:

Particulars

Employer: **MEDIC AMBULANCE 2349 LEXINGTON AV SAC CA 95815**
Ethnicity: **WHITE(Race:W)**

Master Name Index Reference

Name: [REDACTED]
Sex: **MALE**
Race: **CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN**
Born in: [REDACTED] Approximate age: **48**
Ethnicity: **WHITE(Race:W)**
Address: [REDACTED]
Municipality: [REDACTED]



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Phone numbers

MAIN HOME PHONE: [REDACTED]

BUSINESS PHONE: [REDACTED]

BUSINESS PHONE: [REDACTED]

Linkage factors

Resident status : **CITY OF SACRAMENTO RESIDENT**

Statement taken : **Yes**

Age range : **30-49 YEARS**

5. WITNESS # 2 - [REDACTED]

(Case Specific Information)

Sex: **MALE**

Race: **CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN**

Date of birth: [REDACTED]

Address: [REDACTED]

Municipality: [REDACTED]

Phone Numbers

MAIN [REDACTED]

HOME PHONE: [REDACTED]

Particulars

Ethnicity: **WHITE(Race:W)**

Height: **5'9** Weight: **160 lbs.**

Eye color: **BROWN**

Hair color: **BROWN**

Master Name Index Reference

Name: [REDACTED]

Sex: **MALE**

Race: **CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN**

Date of birth: [REDACTED]

Ethnicity: **WHITE(Race:W)**

Address: [REDACTED]

Municipality: [REDACTED]

Phone numbers

MAIN HOME PHONE: [REDACTED]

Linkage factors

Resident status : **NON-CITY OF SACRAMENTO RESIDENT**

Age range : **22-29 YEARS**

6. WITNESS # 3 - [REDACTED]

(Case Specific Information)

Sex: **MALE**

Race: **CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN**



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Date of birth: [REDACTED]

Address: [REDACTED]

Municipality: [REDACTED]

Phone Numbers

MAIN [REDACTED]

HOME PHONE:

Particulars

Ethnicity: **WHITE(Race:W)**

Height: **5'10** Weight: **150** lbs.

Eye color: **HAZEL**

Hair color: **BROWN**

Master Name Index Reference

Name: [REDACTED]

Sex: **MALE**

Race: **CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN**

Date of birth: [REDACTED]

Ethnicity: **WHITE(Race:W)**

Municipality: [REDACTED]

Phone numbers

CELL PHONE: [REDACTED]

MAIN HOME PHONE: [REDACTED]

Linkage factors

Resident status : **NON-CITY OF SACRAMENTO RESIDENT**

Age range : **30-49 YEARS**

7. WITNESS # 4 - [REDACTED]

(Case Specific Information)

Sex: **MALE**

Race: **AFRICAN AMERICAN/BLACK**

Date of birth: [REDACTED]

Address: [REDACTED]

Municipality: [REDACTED]

Phone Numbers

BUSINESS [REDACTED] [REDACTED]

PHONE:

Particulars

Ethnicity: **AFRICAN AMERICAN(Race:B)**

Height: **6'0** Weight: **200** lbs.

Eye color: **BROWN**

Hair color: **BLACK**

Master Name Index Reference

Name: [REDACTED]



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Sex: **MALE**

Race: **AFRICAN AMERICAN/BLACK**

Date of birth: [REDACTED]

Ethnicity: **AFRICAN AMERICAN(Race:B)**

Address: [REDACTED]

Municipality: [REDACTED]

Phone numbers

BUSINESS PHONE: [REDACTED]

Linkage factors

Resident status : **CITY OF SACRAMENTO RESIDENT**

Age range : **30-49 YEARS**

8. WITNESS # 5 - [REDACTED]

(Case Specific Information)

Sex: **MALE**

Race: **CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN**

Date of birth: [REDACTED]

Address: [REDACTED]

Municipality: [REDACTED]

Phone Numbers

MAIN [REDACTED]

HOME PHONE:

CELL [REDACTED]

PHONE:

Particulars

Ethnicity: **WHITE(Race:W)**

Master Name Index Reference

Name: [REDACTED]

Sex: **MALE**

Race: **CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN**

Date of birth: [REDACTED]

Ethnicity: **WHITE(Race:W)**

Address: [REDACTED]

Municipality: [REDACTED]

Phone numbers

MAIN HOME PHONE: [REDACTED]

CELL PHONE: [REDACTED]

Linkage factors

Resident status : **CITY OF SACRAMENTO RESIDENT**

Age range : **22-29 YEARS**

9. WITNESS # 6 - SHIPPEN, CHRIS



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GENERAL OFFENSE HARDCOPY

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1310-2 245(D)(1)AWDW/FIREARM/OFFICER

(Case Specific Information)

Sex: MALE

Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Address: [REDACTED]

Municipality: [REDACTED]

Master Name Index Reference

Name: SHIPPEN, C 0769 912

Sex: MALE

Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Date of birth: [REDACTED]

Ethnicity: WHITE(Race:W)

Address: [REDACTED]

Municipality: [REDACTED]

Phone numbers

BUSINESS PHONE: (916) 808-0650

Linkage factors

Resident status : UNKNOWN

Age range : UNKNOWN

10. WITNESS # 7 - DOBSON, JOSHUA

(Case Specific Information)

Sex: MALE

Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Date of birth: [REDACTED]

Address: [REDACTED]

Municipality: [REDACTED]

Master Name Index Reference

Name: DOBSON, J 4111 242

Sex: MALE

Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Date of birth: [REDACTED]

Ethnicity: WHITE(Race:W)

Address: [REDACTED]

Municipality: [REDACTED]

Linkage factors

Resident status : UNKNOWN

Age range : 30-49 YEARS

11. WITNESS # 8 - MCCOIN, WILLIAM

(Case Specific Information)

Sex: MALE



SACRAMENTO POLICE DEPARTMENT

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Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Date of birth: [REDACTED]

Municipality: [REDACTED]

Master Name Index Reference

Name: MCCOIN, WILLIAM ROSS

Sex: MALE

Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Date of birth: [REDACTED]

Ethnicity: WHITE(Race:W)

Address: [REDACTED]

Municipality: [REDACTED]

Phone numbers

MAIN HOME PHONE: [REDACTED]

Linkage factors

Resident status : UNKNOWN

Age range : 30-49 YEARS

12. WITNESS # 9 - MORRIS, B 0214 691

(Case Specific Information)

Sex: MALE

Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Address: [REDACTED]

Municipality: [REDACTED]

Phone Numbers

BUSINESS (916) 264-5471

PHONE:

Particulars

Employer: SACRAMENTO POLICE DEPARTMENT

Ethnicity: WHITE(Race:W)

Master Name Index Reference

Name: MORRIS, B 0214 691

Sex: MALE

Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Ethnicity: WHITE(Race:W)

Address: [REDACTED]

Municipality: [REDACTED]

Phone numbers

BUSINESS PHONE: (916) 264-5471

Linkage factors

Resident status : UNKNOWN

Statement taken : Yes

Age range : UNKNOWN



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13. WITNESS # 10 - NUTLEY, D 0597 732

(Case Specific Information)

Sex: MALE

Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Address: [REDACTED]

Municipality: [REDACTED]

Particulars

Employer: SACRAMENTO POLICE DEPT

Ethnicity: WHITE(Race:W)

Master Name Index Reference

Name: NUTLEY, D 0732 3105

Sex: MALE

Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Date of birth: [REDACTED]

Ethnicity: WHITE(Race:W)

Address: [REDACTED]

Municipality: [REDACTED]

Phone numbers

BUSINESS PHONE: (916) 277-6145

CELL PHONE: [REDACTED]

BUSINESS PHONE: (916) 808-4500

Linkage factors

Resident status : UNKNOWN

Statement taken : Yes

Age range : UNKNOWN



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
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1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Text Page(s)

Document: **02 WITNESS STATEMENT**

Author: **891 - SCHNEIDER, ERIC 7764** (██████████)

Subject: **DOBSON JOSHUA**

Related date/time: **Apr-21-2005 (Thu.) 2135**

WITNESS STATEMENT: Officer Josh Dobson #393 Det. Eric J. Schneider #701

On 4-21-05 at approximately 2135 hours I contacted Sacramento Police Officer Josh Dobson #393 at the Hall of Justice, 5770 Freeport Blvd., to obtain his statement regarding this case. This interview was recorded on both audio and video tape and the following is a summary of the interview. For the exact content of the interview please refer to the tapes which have been retained in evidence.

Officer Dobson stated that he is currently assigned to SWAT (team #20) and has been in this assignment for approximately 3 years. He stated that on today's date at approximately 1730 hours he was in a meeting with Metro Lieutenant Fong at the Hall of Justice when SWAT Sergeant Al Miller called. Sgt. Miller told Lt. Fong and Officer Dobson that there was a patrol call working in the area of Dixieanne Avenue and Selma Street where a subject had brandished a gun and barricaded himself inside a trailer. Officer Dobson was advised to respond to the area and assist with the call. While enroute to the scene, Officer Dobson heard over the police radio that officers had dealt with the suspect on prior occasions. Officer Dobson said that this was the only intelligence he received prior to arriving on scene.

Officer Dobson responded to the area and parked his vehicle north of the scene. Officer Dobson put on his SWAT gear and walked south down Selma Street to assess the situation. As he walked down the street he observed a patrol car parked in the driveway leading to the junkyard (██████ Selma Street) and another one parked to the left of the driveway. (The junkyard is located on the east side of the Selma Street near the dead end.) Officer Dobson observed a rifle team member to the left of the driveway on top of a patrol car and other officers behind the parked patrol cars. All of the officers were pointing their weapons in an easterly direction towards the junkyard. When Officer Dobson got down to the scene he took up a position of cover behind a parked patrol car. Several other SWAT officers (Sgt. Miller, Sgt. Greenlee, and Officer Lau) were already on scene as well.

Officer Dobson said that about this time the suspect came out of his



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trailer and was standing in the doorway. Officer Dobson said that it was clear to him that the suspect had nothing in his hands at this time. Officers on scene then tried to establish verbal communication with the suspect. While this was going on, Officer Dobson took over the rifle position on top of the patrol car to the left of the driveway armed with an HK53 .223 machine gun. SWAT Sgt. Miller then began to talk to the suspect. Due to helicopter and other surrounding noise, Officer Dobson said that he could only hear about every third word that was being said. Officer Dobson did hear the suspect talk about his legal issues, religion, and what would happen to him if he came out. At one point in the conversation Officer Dobson heard the suspect say, "come get me".

Officer Dobson said that this went on for 10-15 minutes and the suspect seemed to get more agitated with his voice and hand gestures as time went on. He also said that the suspect went to his waistband with his hand a few times during this time but never produced a weapon. The suspect then went back into the trailer and shut the door.

Officer Dobson said that while officers were coordinating the deployment of the SWAT equipment, the suspect opened the trailer door, stuck his arm straight up in the air, and fired one round from a small handgun. The suspect then immediately closed the trailer door.

Additional SWAT team members arrived moments later and positioned the armored car in the driveway facing in towards the junkyard. SWAT Sgt. Mark Greenlee took up a position in the opened driver's side door armed with a suppressed MP5 sub-machine gun and Officer Brian Morrison took the high cover position inside the turret of the armored car. Once in place, it was decided that Officer Dobson would leave his position and take over Officer Morrison's position inside the armored car's turret. Officer Dobson moved over to the armored car and as he switched positions with Officer Morrison the suspect came out of the trailer and pointed a gun at the armored car. (At this time Officer Dobson was inside the armored car and had a direct view of the trailer through the front windshield.) Seeing this, Officer Dobson said out loud "is that a gun he's pointing at us"? As Officer Morrison responded "yes" Officer Dobson heard 3 shots from Sgt. Greenlee's subdued MP5. (Officer Dobson said that he has heard the subdued MP5 fired at the range many times and is familiar with its sound.) Officer Dobson said that the suspect was hit and went down.

Officer Dobson then took up his position in the turret while an arrest team was assembled. SWAT officers approached the suspect and he was taken into custody. The suspect was then transported by ambulance for medical treatment.



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Officer Dobson said that he felt that the suspect's actions with the gun posed an immediate and clear threat to the lives of the officers on scene.



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

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Related Text Page(s)

Document: **02 WITNESS STATEMENT**

Author: **891 - SCHNEIDER, ERIC 7764** ([REDACTED])

Subject: **MCCOIN WILLIAM**

Related date/time: **Apr-21-2005 (Thu.) 2200**

WITNESS STATEMENT: Officer Bill McCoin #787 (Det. Eric J. Schneider #701)

On 4-21-05 at approximately 2220 hours I contacted Sacramento Police Officer Bill McCoin #787 at the Hall of Justice, 5770 Freeport Blvd., to obtain his statement regarding this case. This interview was recorded on both audio and video tape and the following is a summary. For the exact content of Officer McCoin's statement, please refer to the tapes which have been retained in evidence.

Officer McCoin stated that he is currently assigned to SWAT (team #20) and has been in this assignment for approximately 2+ years. He stated that on today's date he was on-duty and in the downtown area with Sgt. Miller and Officer Morrison when SWAT Officer Lau called Sgt. Miller on his cell phone. Officer Lau asked Sgt. Miller if they were monitoring the radio and had heard the man with a gun call on Selma Street. Officer McCoin said that they turned their police radio to channel 1 and heard that there was possible barricaded subject with a gun at the junkyard on Selma Street. They responded to the area and parked in the area of Selma Street and Dixieanne Avenue.

Officer McCoin said that he didn't have all of his SWAT gear, but he grabbed his MP5 and headed down Selma Street to assess the situation. As he walked down the street Officer McCoin observed several officers and rifle team members with their weapons drawn and their attention directed towards the junkyard. When Officer McCoin got down to the scene he took up a position by a tree to the left of the junkyard driveway. From this position Officer McCoin was able to see inside the junkyard to the suspect's trailer.

When Officer McCoin first arrived he observed the suspect standing on the step of the trailer door. He said that the suspect was unarmed at the time and officers on scene were trying to establish communication with him. At this time, Sgt. Nygren advised that he wanted only one officer talking to the suspect at a time and Officer Luckie was brought in to attempt to talk to the suspect. (Officer McCoin had heard that Officer Luckie had prior contacts with the suspect and they had some type of rapport.) Officer McCoin maintained his position for approximately 5 minutes and then was



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directed to respond to the Kinney Station to pick-up the SWAT armored car and equipment. Officer McCoin left the scene but returned approximately 20 minutes later with the armored car.

When Officer McCoin returned he stood by at the end of Selma Street while Sgt. Miller talked to the suspect who was standing outside. After awhile Officer McCoin was directed to pull the armored car into the junkyard driveway, which he did. Once the vehicle was parked Officer Morrison took the high cover position inside the armored car and Officer McCoin went to the back of the vehicle to get ready. It was at this time that Officer McCoin heard one gunshot and officers broadcast on the radio that the suspect had just fired a round into the air. Officer McCoin was now in a position behind the armored car. A few moments later Officer McCoin peeked around the right side of the armored car and observed the suspect standing partially out of the trailer door with a gun pointed at the armored car. Officer McCoin pulled back and heard two gunshots that sounded similar to the shots that he heard earlier and were attributed to the suspect. He also heard sounds that sounded like the armored car was being struck by rounds. Officer McCoin then heard two, maybe three rounds fired from a subdued MP5 and the suspect went down. (Officer McCoin knows the sound of this weapon and also knows that Sgt. Greenlee was armed with this particular weapon at the time.)

Officer McCoin observed the suspect laying face down with his hands under his body and a snub-nosed revolver on the ground by his head as a contact team approached the suspect. The contact team contacted the suspect and took him into custody. The suspect's trailer was cleared by SWAT and Officer Lau placed the suspect's revolver on top of a parked Honda Civic in the yard. Medical personnel had also been standing by and they were called in to aid the victim.

In closing, I asked Officer McCoin if he feared for his own safety when the suspect pointed his gun at the armored car. Officer McCoin responded by stating, "if I had my MP5 up and on target I would have fired". I then asked him if he thought that he and the other officers were in danger at that time and he said "very much so".



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Related Text Page(s)

Document: **05 SUPPLEMENT**

Author: **802 - POROLI, MICHAEL 3103** ([REDACTED])

Subject: **Rsp: IG QG.CA0340400.SER** [REDACTED]

Related date/time: **Apr-22-2005 (Fri.) 1444**

From: CLETS

To: POROLI, MICHAEL 0352

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]



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Related Text Page(s)

Document: **05 SUPPLEMENT**

Author: **2 - ADRIANO, YOLANDA 6321**

Subject: **Rsp: IG QG.CA0340400.SER/**

Related date/time: **Apr-26-2005 (Tue.) 1044**

From: CLETS

To: ADRIANO, YOLANDA 6321

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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Related Text Page(s)

Document: **06 DETECTIVE SUPPLEMENT**

Author: **406 - HENSLEY, M 0263 ()**

Subject: **supplement**

Related date/time: **Apr-21-2005 (Thu.) 2100**

1758 hrs I responded to Dixieanne and Selma to assist. The sector Sgt. did not need assistance but I did make a Homicide Call-Out due to the 245(D)(1) PC on an officer. 2100 hrs I was relieved at the scene by Sgt. Hendrickson.



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Related Text Page(s)

Document: **CLETS RESPONSE**

Author: **2 - ADRIANO, YOLANDA 6321**

Subject: **Rsp: IG QG.CA0340400.SER/**

Related date/time: **Apr-26-2005 (Tue.) 1043**

From: CLETS

To: ADRIANO, YOLANDA 6321

[REDACTED]

[REDACTED]

[REDACTED]



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Related Text Page(s)

Document: **CLETS RESPONSE**

Author: **2 - ADRIANO, YOLANDA 6321**

Subject: **Rsp: UG EG.CA0340400.**

Related date/time: **Apr-26-2005 (Tue.) 1046**

From: CLETS

To: ADRIANO, YOLANDA 6321

[REDACTED]

[REDACTED]



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Related Text Page(s)

Document: **PROPERTY TEXT**

Author: **3675 - SCHOONMAKER, CHARLES 6320**

Subject: **PROP - RELEASE REQUEST**

Related date/time: **Jul-08-2013 (Mon.) 1427**

From: SCHOONMAKER, CHARLES 6320
To: POROLI, MICHAEL 3103; SCHOONMAKER, CHARLES 6320
Subject: PROP - RELEASE REQUEST
Date: Mon. Jul 08, 2013 @ 14:27:22

PROPERTY RELEASE REQUEST

GO #:[05-133658]
]

DATE: [7/8/2013

[]2ND REQUEST

We have not received a Property Release for the property booked on this case.

You must provide Release/Disposal instructions within ten (10) days.

Your response is required before any evidence can be disposed/released.

Remarks:

[OFFICER INVOLVED SHOOTING. SUSPECT IS DECEASED. DA LETTER ON FILE
INDICATING

THAT SHOOT WAS JUSTIFIED. EMAIL IS BEING FORWARDED TO IA TO ENSURE THERE IS
NO

FURTHER NEED FOR THIS PROPERTY FROM EITHER IA OR CITY ATTORNEY. IF YOUR
INVESTIGATION IS CONCLUDED AND YOU ARE WILLING TO AUTHORIZE DISPOSITION OF
PROPERTY, PLEASE SUBMIT A PROPERTY RELEASE FOR ALL RELATED PROPERTY RECORDS.
PROPERTY WILL STILL BE HELD UNTIL CONFIRMATION REC'D FROM IA THAT IT'S NO
LONGER NEEDED.]

THANK YOU:[C.SCHOONMAKER 6320]
808-5239

PHONE:



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Related Text Page(s)

Document: **PROPERTY TEXT**

Author: **659 - MEYER, JENNIFER 6318**

Subject: **25 YR RETENTION PERIOD**

Related date/time: **Nov-30-2016 (Wed.) 1145**

For officer involved shootings.



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Follow Up Report # SA 1

Follow Up Report # SA 1

Assignment Information

Assigned to: **802 - POROLI, MICHAEL 3103** () Rank: **DETECTIVE**

Capacity: **OFFENSE INVESTIGATION (DETECTIVES ONLY)** Org unit: **OOI MAJOR CRIMES - HOMICIDE**

Assigned on: **Apr-21-2005 (Thu.) 1358** by: **268 - ENRIQUEZ, F 3020** ()

Report due on: **Apr-22-2006 (Sat.)**

Submission Information

Checked by: **403 - HENDRICKSON, JAMES 7793** ()

Approved on: **May-13-2005 (Fri.)** by: **403 - HENDRICKSON, JAMES 7793** ()

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **01 VICTIM STATEMENT**

Author: **738 - OLIVEIRA, STEVEN B 5045**

Subject: **GREENLEE, MARK SGT.**

Related date/time: **Apr-21-2005 (Thu.)**

OFFICER STATEMENT: GREENLEE, MARK SERGEANT (DET. OLIVEIRA)

On 4-21-05 at approx. 2150 hrs, I, Det. Oliveira, interviewed Sgt. Mark Greenlee at SPD headquarters. Attorney David Mastagni was also present. The interview was audio/video recorded. Refer to the tapes for the complete interview and exact wording used.

Prior to the interview, SWAT Sgt. Al Miller inspected Sgt. Greenlee's H&K suppressed MP5 (SER#). There was one 9mm live round in the chamber. The weapon had a double stack magazine. The magazine inserted in the weapon contained 27 live 9mm rounds. The second magazine contained 31 live rounds.

I started the interview with questions regarding Sgt. Greenlee's current assignment and experience. Sgt. Greenlee stated he was the supervisor of the day shift SWAT team (Identifier: Union-10). He stated he had been a sworn officer for 11 years, all with the Sacramento Police Dept. He attended the SPD Academy in 1992. Sgt. Greenlee informed me he was one of two supervisors for the SWAT team and had been in his position for 6 months. He stated he had been a Sergeant with the police department for 4



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years. Sgt. Greenlee started his career as a CSO for 2 years before being sworn as an officer. His experience as a sworn officer included 3 ½ years in patrol, 2 1/12 years as a Neighborhood Police Officer, 1 year as a Problem Oriented Police officer, 1 ½ years as a Field Training Officer, and 6 months on the SWAT team as an officer. Sgt Greenlee was promoted to Sergeant out of the SWAT team and was a supervisor in the Patrol Division for 8 months, the Bike Unit for 2 years, and then assigned to the SWAT team on 10-11-04.

Sgt. Greenlee stated he had attended Basic SWAT School, SWAT Team Leader School, and various SWAT scenario-training classes. He stated that he and his team train about twice a week, twice a month at the range, and qualifies with his assigned weapons, including his handgun and MP5, once a month. Sgt. Greenlee had also previously attended Range Master School which was an 80 hour POST certified course and a Rifle Team class where he was assigned a M-16 rifle for 1 ½ years in patrol.

The following is a summary of the interview:
(video time: 10:11:50 P)

OLIVEIRA: Um, tonight, well, lets just talk about some of the weapons that you're, you're qualified to use. Um, your standard issue handgun. What do you carry?

GREENLEE: I carry the Sig Sauer .226. It is a 40mm. Yeah, 40mm.

OLIVEIRA: .40 cal?

GREENLEE: Yeah.

OLIVEIRA: Okay. And did you have that on tonight?

GREENLEE: I did.

OLIVEIRA: What other firearm are you trained to use?

GREENLEE: Um, the H&K, the Heckler and Koch, MP5.

OLIVEIRA: MP5.

GREENLEE: Which is also, which is a 9mm.

OLIVEIRA: Okay.



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GREENLEE: That is an automatic weapon. It is, um, designed to shoot in three positions, a single shot, a three-round burst, and fully automatic. The weapon that I have, the MP5 that I have assigned to me is a suppressed weapon which has a silencer on the front or a suppressor on the front.

OLIVEIRA: What's the benefit of or the purpose of the suppressed?

GREENLEE: Usually the suppressed is utilized in a critical incident, when we want to be stealthy, when we need to maybe take out a light that's backlighting us for officer's safety, um, where we don't want to have a loud recoil or a loud shot go off, we would utilize the suppressed weapon to take out a street light or something like that. The other benefit is it is not loud, um, there is not so much, it doesn't damage your hearing when you're shooting it without any type of hearing protection.

OLIVEIRA: So is this weapon assigned to you?

GREENLEE: Yes it is.

OLIVEIRA: Was there a specific reason to use the suppressed one or is that just your MP5.

GREENLEE: That's just the weapon that I have. That's the only weapon that's assigned to me.

OLIVEIRA: Okay. Any other firearms that you're qualified for?

GREENLEE: Um, I'm qualified to use the M-16.

OLIVEIRA: Okay.

GREENLEE: Um, the shotgun, the Remington 12 gauge shotgun and the Bennelli semiautomatic shotgun.

OLIVEIRA: Okay.

GREENLEE: Additionally, I've been qualified in the sniper rifle, the 308 Remington that is assigned to the SWAT Team.

OLIVEIRA: Okay.

GREENLEE: And the, uh, the H&K model 53, which is a 223 round. I think that's all of the weapons that we utilize.



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OLIVEIRA: Okay. And the ones that you had on you, on your person tonight, um, could you tell me which ones those were?

GREENLEE: I had my department issued handgun.

OLIVIERA: Okay, the Sig Sauer.

GREENLEE: The Sig Sauer.

OLIVEIRA: Okay.

GREENLEE: And my, um, issued HK MP5.

OLIVEIRA: Okay. Does your Sig Sauer have any, um, special night sights, any thing like that that?

GREENLEE: It has a night, it has night sights on it, and it also has a tactical light on the front of it.

OLIVEIRA: Okay. And, um, how about the MP5?

GREENLEE: The MP5, mine, as I said has a suppressor on it. And it has a tactical light on the front. It does not have night sights.

OLIVEIRA: Okay. No scope or anything like that. Just your regular-

GREENLEE: Just your regular iron sights.

OLIVEIRA: Okay. And when you say tactical light, what is that?

GREENLEE: It's just a light that we can use with our hands on the weapon.

OLIVEIRA: So it's attached to the weapon?

GREENLEE: It's attached to the weapon, yes.

OLIVEIRA: Like a flashlight?

GREENLEE: Like a flashlight attached to the weapons, so I don't have to take my hand off the weapon. I can just utilize my hand while it's on the weapon. It's right in the front of the, of the gun.

OLIVEIRA: Any other firearms that you had on, used tonight?



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GREENLEE: No, those were the only firearms I had.

OLIVEIRA: Um, any other type of weapons, non-lethal weapons, anything that you had on your person?

GREENLEE: On my person, no.

OLIVEIRA: No OC, or-

GREENLEE: No, I did not, nope.

OLIVEIRA: Okay, and tonight, the type of uniform you're wearing, right now you're wearing a black tee shirt, black pants. Um, is this what you had on?

GREENLEE: No. I had, well, the pants and the boots were-were what I had on. I had a black, long-sleeved BDU type shirt.

OLIVEIRA: And that shirt, is there any distinct markings?

GREENLEE: Yes, that has subdued Sacramento Police patches on each arm?

OLIVEIRA: What does that mean, subdued?

GREENLEE: It's all black. The patches are visible, they're actually, the patches are gray with gray writing, on them. So they say, um, they blend in with the, the shirt, they don't reflect light. Um, but you can tell what it says on there still. The writing is the same as police officer patches. It's just a dull, a duller color.

OLIVEIRA: Okay.

GREENLEE: And it has my, my last name on it, and, on the front, and my name, I believe, is on the right or left pocket. I can't remember. And also the other pocket says "Sac PD."

OLIVEIRA: Any, uh, badges or stars visible?

GREENLEE: On my BDU shirt there is not a star.

OLIVEIRA: Okay.

GREENLEE: That I can recall.

OLIVEIRA: Any other, so you have this BDU shirt on-



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GREENLEE: Yes.

OLIVEIRA: --black with the patches that you were talking about?

GREENLEE: Correct.

OLIVEIRA: You had BDU pants on.

GREENLEE: Yes.

OLIVEIRA: Um, and the markings with "Sac PD" on the pocket and your name and then the, and like I said, I've mentioned the patches before. Any other kind of markings that you had on you?

GREENLEE: Not on any of my clothing.

OLIVEIRA: Anything on the back or-

GREENLEE: Not on the clothing.

OLIVEIRA: Not on the clothing, okay. Were you wearing anything else?

GREENLEE: Yes, I was wearing a bullet-bulletproof vest, what we call a raid vest that goes over and covers my entire front.

OLIVEIRA: Okay.

GREENLEE: Torso area and the back. And it also has sleeves that come down over this-over my biceps and arms, upper arms.

OLIVEIRA: Okay. What color is that?

GREENLEE: That is black also.

OLIVEIRA: All right. Any distinctive markings on that?

GREENLEE: Yes, those have the same black, what we call subdued patches on both of the sleeves. Um, it has my name and "Sac PD" on the front just as my shirt does.

OLIVEIRA: Okay.

GREENLEE: Um, it also has a strip that says "Police" on the front, and a



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very large police badge-uh, name plate on the back that says "police" on it in very large letters that goes across my whole back.

OLIVEIRA: What color are those letters?

GREENLEE: Those are black, I think the ones that I have. They're actually removable. And at that time I think I had the black subdued patches on there.

OLIVEIRA: Okay. So all the writing on there, is that subdued?

GREENLEE: Yes, black and gray patches.

OLIVEIRA: Yeah.

GREENLEE: The writing is actually in gray, the patch itself is black.

OLIVEIRA: Black, okay. All right. Anything else that you were wearing-helmet?

GREENLEE: I was wearing a helmet with a cover on the helmet, black cover on the helmet. On the back of the helmet is my name on a name tag. Um, I was wearing a small hat, like a "watch type" cap that just covered the top of my head, so that when I put my helmet on it, it didn't irritate my head. I was also wearing a, what we call a boom mike, which attaches to my radio. It comes down so that I can communicate with other team members.

OLIVEIRA: Is that your piece also.

GREENLEE: It's actually called a "bone mike." It doesn't cover my ears, it comes down on the side, kind of like my sideburns, where your sideburns are, it comes down right there, and it's bone activated through the, the sound goes through your bones and into your ear, so that my ears are not covered.

OLIVEIRA: So you can hear outside?

GREENLEE: So you can hear, yeah, ambient noise.

OLIVEIRA: And it's also, there's a mike attachment?

GREENLEE: There's a mike attached, and to activate the mike or to talk I have a button on my vest that I have to push to talk, a push to talk button.



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OLIVEIRA: Okay. And this, uh, we'll get into that later. Okay. I'm sorry, you called it a bone earphone or-or-

GREENLEE: We call it a mike or just a tactical mike, I think that's it.

OLIVEIRA: Okay. And tonight the weapon that was used was an MP, your MP5, correct?

GREENLEE: Correct.

OLIVEIRA: Okay. The last time that you fired your MP5, do you remember?

GREENLEE: At the range, um, during qualification last month. We were scheduled to go to the range on Monday and qualify with them again.

OLIVEIRA: This was approximately a month ago?

GREENLEE: Approximately a month ago.

OLIVEIRA: Um, after you qualified with it, that's the last time you fired, um, you reloaded it?

GREENLEE: Correct.

OLIVEIRA: Okay. And how many, why don't you tell me a little bit about that MP5 of yours, the suppressed one, how many rounds does it take?

GREENLEE: Well, it depends on what magazine you use. We use--we have several magazines. The normal magazine that we load our weapons with are 30-round magazines, what they call 30-round magazines. Um, I had what we call a double-stack magazine which was two 30-round magazines that are clipped together in the-in the weapon.

OLIVEIRA: Okay. And so, when you load, how does the process go for reloading this weapon when you load it.

GREENLEE: The magazine or loading the weapon?

OLIVEIRA: How about loading the magazines?

GREENLEE: Okay. When we load the magazines, I personally load the magazines so til will no longer accept rounds.

OLIVIERA: Which is normally, it's a 30-round magazine.



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GREENLEE: It's called a 30-round magazine. You can fit 31 rounds in there. Um, some people put 29. I continue to load the magazine until it will no longer accept any more rounds.

OLIVEIRA: So do you actually count the rounds?

GREENLEE: No, I don't physically count the rounds. I continue to load until it stops and will not let me put another round in there.

OLIVEIRA: So do you know, so you can't say for certain how many rounds?

GREENLEE: No, but it's usually 30 or 31 rounds.

OLIVEIRA: Okay. And so it's a double stack. There's two magazines, right, attached together. So you load both of them with 30?

GREENLEE: Yes.

OLIVEIRA: Or, I'm sorry, you load them fully loaded?

GREENLEE: Fully loaded, both magazines.

OLIVEIRA: It could either be 30 or 31, depending on how many go in?

GREENLEE: Yes.

OLIVEIRA: Okay. And then how do you actually load the weapon itself?

GREENLEE: Um, on the MP5 we start with an open bolt, so we open the bolt, put the magazine in the magazine (inaudible), and close the bolt, close the action, which puts a round in the chamber.

OLIVEIRA: Okay. And then do you replace that round in the magazine? Do you pull the magazine back?

GREENLEE: No, I do not.

OLIVEIRA: You just leave it like that?

GREENLEE: Yes.

OLIVEIRA: So in the weapon at any time with the magazine attached, so we have the one magazine inserted, the other magazines-



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GREENLEE: The other magazine is right next to it.

OLIVEIRA: Okay. So on the weapon, there is usually how many rounds ready to go?

GREENLEE: Depending on how many you put in there, 62 rounds, sixty rounds if you're utilizing a double stacked magazine with thirty, a double-round, double stacked magazine I should say.

OLIVEIRA: From 60 to 62 rounds, depending on how many went in. And that's the way you normally load it?

GREENLEE: Correct.

OLIVEIRA: Okay. Is-is everybody trained to load it that same way?

GREENLEE: Um, there's no formal training that everybody must load with, you know, 30 rounds. Everybody loads, usually loads their magazine to the capacity.

OLIVEIRA: Okay.

GREENLEE: What we call to capacity, so that we continue to load until we can no longer accept any more rounds.

OLIVEIRA: Okay. Now, I've heard of people loading a little bit less.

GREENLEE: Sometimes people load a little bit less because the theory is that it will seat better in the magazine-when you, um, load the weapon. Um, I don't do that. Mine's never had a problem with not seating properly or not being able to get the magazine in the--in the chamber.

OLIVEIRA: Okay. All right. Okay. Um, today's shift was, which shift were you working today, what hours?

GREENLEE: 7:00 a.m. to 5:00 p.m.

OLIVEIRA: And when was your last shift?

GREENLEE: Yesterday from 7:00 a.m. to 5:00 p.m.

OLIVEIRA: And your work days are usually-



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GREENLEE: Monday through Thursday, with Friday, Saturday and Sunday off.

OLIVEIRA: Okay, you started at 7:00 a.m. today. Anything unusual today? Or did you guys train today?

GREENLEE: No, we usually, usually in the morning we, uh, we do a physical workout for between forty-five minutes and an hour in the morning.

OLIVEIRA: Okay, and that's what you did today?

GREENLEE: Yes.

OLIVEIRA: Okay.

GREENLEE: Um, and then, I actually had some meetings today, so I never went out on the street or did any-any patrol when the officers went out on patrol.

OLIVEIRA: All right. Okay, um, so, today, how did it begin, how did you get the call?

GREENLEE: Um, I was actually in the office at my desk trying to catch up on some administrative paperwork that I wanted to do.

OLIVEIRA: Where's your office? North station?

GREENLEE: At the north station, at Kinney.

OLIVEIRA: Okay.

GREENLEE: Where my office is located, you can hear, or there's a radio a couple of feet away that, um, jumps to radio channels that are utilized by the officers.

OLIVEIRA: Okay.

GREENLEE: Um, myself and two other SWAT officers, Officer Blessing and Officer Lao were sitting in our cubical or were in our office there, and we could hear on the radio that, um, a K-9 unit, and I believe it was K-9 twelve, Officer Smith, Dustin Smith, was attempting to stop someone and he was running from him, and he was putting his hands in his waistband and it sounded like he was saying that he possibly has a weapon.

OLIVEIRA: You were hearing this yourself?



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GREENLEE: I was hearing this over the radio.

OLIVEIRA: Um, what happened next?

GREENLEE: Um, you could hear over the radio that, um, Officer Smith was attempting to stop this individual in the area of Dixieanne and I thought it was Selma, he was saying that the guy he was stopping ran into a trailer in that area, um, and as he was putting out the want or putting out the reason he was stopping him, and he said it matched the description of a subject that was described as having a handgun or a weapon. Um, over the radio I could hear him say, I think he-you know-"I think he matches the description, he had something in his hand that I couldn't see, and he ran into a trailer." Very shortly after that, he said, "Yeah, he just came out of the trailer and opened the door to the trailer and he has a handgun and I think he pointed the handgun at me, and he closed the door again." Um, he requested other units at that time to help set up a perimeter and contain the subject as he was in the trailer so he wouldn't escape.

OLIVEIRA: And this was all-you're still at the station listening to this over the radio?

GREENLEE: Yes. Correct.

OLIVEIRA: Okay. And what happened next?

GREENLEE: Um, at that time Officer Lao and Officer Blessing, who were on duty at the time, um, left to go assist.

OLIVEIRA: Okay.

GREENLEE: Um, I went out to my vehicle and got on-because it sounded like this was-this was obviously an armed subject and that he was barricading himself in a trailer, um, I went out into my vehicle, got my, my clothing out that we use on a SWAT call-out, um, and started putting that on because it sounded like that this was going to be a armed barricaded subject that we were going to have to respond to and initiate a SWAT call-out.

OLIVEIRA: And this was the clothing you described earlier, right?

GREENLEE: Yes, the black, black pants, black shoes, and my shirt.

OLIVEIRA: Okay.



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GREENLEE: Um, because I was, was not on, um, I don't, I wasn't going to respond unless it was a SWAT call-out, so I came back into the station with my radio, because I didn't have my radio at the time, and so I could listen on the radio and listen to the call and hear the people responding and the sergeant responds, the sector sergeant respond. Um, also I could hear that the swing shift SWAT Team that was working was responding and that these SWAT sergeants, swing shift SWAT sergeant, Officer Miller, or Sergeant Miller, was responding to the scene.

OLIVEIRA: Okay.

GREENLEE: Um, they set up a perimeter on the trailer. Um, I could hear, uh, Officer Smith, Dustin Smith, K-9 Unit, put out that he in fact saw a handgun, um, and then they-they set a perimeter up around the unit, around the trailer.

OLIVEIRA: Okay. And this is again, you're listening to this--

GREENLEE: This is all on the radio, um, coming over the radio.

OLIVEIRA: Okay. So when did you end up responding?

GREENLEE: Um, about, uh, during the radio call as I was sitting at my office at my desk, um, Captain LaCosse, who was captain of the north area, walked in and he asked-kind of looked at me and asked if I was going to go out there. And I said, "Well, it hasn't turned into a SWAT call-out yet." I said, so, "And I'm off. But Sergeant Miller is on and his team is going there to assist and he said, "Okay, it sounds like it's going to be a SWAT call-out, will you give me Sgt. Miller's cell phone number?" So I did that. At that time I went out and got into my car and started to drive that way to see if I could lend any type?.

(SIDE A OF TAPE ENDS.)

(SIDE B OF TAPE BEGINS.)

10:31:10 P

GREENLEE: ---of assistance, additionally, I have one of the on-call, um, SWAT vehicles that has some of the specialized weapons and that they may need, so I started that way to see if they needed anything.

OLIVEIRA: Which vehicle was that?

GREENLEE: That is the gray Excursion.



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OLIVEIRA: Okay.

GREENLEE: That's assigned to me.

OLIVEIRA: Okay. So you responded to-

GREENLEE: Um, I started driving that way. Um, as I got to the area, I could hear on the radio that, um, the incident commander, or the lieutenant, um, or I could hear Sergeant Miller ask the lieutenant if, um, he could bring the rest of the team and initiate a SWAT call-out because the subject was in fact armed and barricaded in a trailer, so that we could start the SWAT call-out process, and the lieutenant said yes. At that time I arrived. Right when I pulled up, um, got started getting my equipment on, Officer Morrison, who was the swing shift SWAT officer, was, um, attempting to have the, what we call the Arwin or less lethal weapon that we use, he could not get the sighting system to turn on. The battery was not working correctly, so I pulled mine out that I had in my van and gave it to him. After I dressed and got dressed with my equipment, I got a hold of Sergeant Miller on the radio and asked him what he needed from me. Sergeant Miller was towards the front of the scene. He said, "Just come down to the scene towards the front and I'll meet you there. So I, uh, went down to the front of the scene, the front of the fenced area.

OLIVEIRA: Okay.

GREENLEE: Um, in front of the trailer there. There were several officers there that, um-

OLIVEIRA: That's the big wide open gate, right? That went back to the-

GREENLEE: Correct. Yes. It opened up to the road there, somewhat.

OLIVEIRA: Okay. All right.

GREENLEE: Only one gate was open when I got there.

OLIVEIRA: Okay.

GREENLEE: Only one side of the gate.

OLIVEIRA: Okay

GREENLEE: And there was a patrol car parked facing the trailer in that open.



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OLIVEIRA: Inside?

GREENLEE: No, not inside the gate, outside the gate, but right at the opening.

OLIVEIRA: Okay.

GREENLEE: Um, there was, yeah. There was actually, I think, two cars there. One person was standing on the hood and one was seeing over the gate, over the fence.

(At approx. 2233 hrs, Sgt. Enriquez entered the room and asked if everyone wanted a break. Everyone exited the room. At approx. 2237 hrs, everyone returned.)

OLIVEIRA: Okay. Um, kind of going back a little bit, um, we left off, you respond to the scene, you contacted Al Miller, Sergeant Al Miller, told you to, um, come meet him up by the front, right?

GREENLEE: Yes.

OLIVEIRA: And so you respond up to the front, and we were talking about the gate that opens up to the yard where the trailer was, right?

GREENLEE: Correct.

OLIVEIRA: On the street. Okay. So now you're there, um, what do you see, what happens?

GREENLEE: Um, when I get there, um, Sergeant Miller, um, advised me to take a cover position behind Officer Lao, who has the least lethal Arwin. Um, I moved up to the passenger side door of a patrol car that was parked, that was parked in front of the gate.

OLIVEIRA: Okay.

GREENLEE: Um, the door was open. There was also a shield placed on the front of the door that would cover the door, um, and the "A" frame of the door. Um, when I first got there, the trailer was closed, the trailer door was closed. As I took up that position, the subject came out, uh, opened the door, and started, started saying something. Um, it was very hard to hear because he was talking very low, um, and that I couldn't hear because



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there were several helicopters above and there were some train tracks behind the area. Um.

OLIVEIRA: Was he yelling?

GREENLEE: He was talking very low. I couldn't make out what he was saying. He was focused on, his attention towards us because I was there, um, I think Officer Lao was behind me, and Sergeant Miller was standing on the right-hand side of me.

OLIVEIRA: Okay.

GREENLEE: I said, well actually before Sergeant Miller got there, I said, and I can't remember his name, you know, "Come out. We just want to talk to you." He yelled something, closed the door and went back in. Um, briefly thereafter Sergeant Miller came up beside me. Um, he opened the door again and started talking again. Um, at that point we could see, he opened the door and had his left hand on the top of the door.

OLIVEIRA: Okay. So if he's opening up the door, from his point from his side, it opens to the left of him?

GREENLEE: Uh, yes.

UNK MALE: To the right.

GREENLEE: No, it opens up to the left.

OLIVEIRA: Okay.

GREENLEE: Outside going south. Going southbound, yes. The door opens to the south, the hinges were on the south side. Um, he had his left hand up on top of his door and that's what he's using to hold it open, and his right hand he would keep kind of , at first he would keep it down, put it behind his back, put it up, and then we could see it. We could see that he didn't have anything at that time. Um, Sergeant Miller began engaging him in conversation. Um, and probably talked with him for, it was, ten to fifteen minutes, maybe twenty minutes. Um, it was very hard to hear him, what he was saying. We'd hear some of the stuff. I wasn't really making out what he was saying. Um, I was focused on my weapon and the sights on my weapon.

OLIVEIRA: While Sergeant Miller was-

GREENLEE: While Sergeant Miller was talking to him. Um-



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OLIVEIRA: Could you hear what Sergeant Miller was saying?

GREENLEE: Some of it I could. I wasn't really paying attention to it. Um, some of the things I heard him say, um, I distinctly heard him say he was upset that we were there and why were we there. And Sergeant Miller said, "Well, you know, we're here to help you." He said, "Well, why did you come?" and, "Just go away." And he said, "We can't go away. We're here, we're here because we got a call that you may have a weapon." And he's like, and he said, "I have a gun." And he said, "You guys have guns too." And Sergeant Miller said, "Yeah, we do. We're supposed to have them." He was like, "Well, I have a gun too." And Sergeant Miller asked him if there was anybody else in the trailer, and he said there wasn't anybody else in there. And then they talked for quite awhile. Um, he had stepped out of the trailer once, and closed the door, and Sergeant Miller continued to tell him, you know, to come out and that we want to get you some help. Just come out so that we can talk this over. And sometimes he would talk, but you couldn't understand what he was saying because he was either talking too low or you just couldn't hear him, or the noise, the ambience noise was too loud.

OLIVEIRA: Um, these times when he was coming out, were there any weapons?

GREENLEE: No, he never, he stayed out or stayed in the doorway, I should say, for most of the time.

OLIVEIRA: Okay.

GREENLEE: He didn't keep going both in and out, he just stayed there. And at that time, when he was saying, "Yeah, I have a gun," we could see his hands, and you know, he didn't have it with him.

OLIVEIRA: Oh, okay.

GREENLEE: Or in his hands, I should say.

OLIVEIRA: Okay.

GREENLEE: Um, Sergeant Miller talked to him for awhile. Um, towards the end, and I'd say ten to fifteen minutes in after Al (Sgt. Miller) was talking to him, he yelled something unintelligible and just started kind of yelling for about ten seconds, and went inside and closed the door.

OLIVEIRA: Yeah, but you couldn't understand him?



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GREENLEE: I didn't understand what he was saying, and I don't, and I remember saying, "What did he say?" And Al said, "I don't know. I don't have any idea what he just said."

OLIVEIRA: Okay.

GREENLEE: Okay. Um, he went inside and closed the door. At that time while the door was closed and he was no longer visible, we pulled the patrol car back, we backed it out and pulled in our armored, um, our armored car so that we could have more protection, um, and, be behind cover, better cover, because we knew the subject was armed because Officer Smith had seen, seen the weapon.

OLIVEIRA: Okay.

GREENLEE: Um, so, we moved our armored car up.

OLIVEIRA: Also who pulled it up?

GREENLEE: I don't know who was driving.

OLIVEIRA: Okay. Somebody else brought it up?

GREENLEE: I think, I think, um, I think Bill McCain was driving, Officer McCain was driving.

OLIVEIRA: Okay.

GREENLEE: Um, additionally the armored car that we had had a hole in the top where we can gain the advantage of high cover. So we pulled that into where the patrol car was.

OLIVEIRA: Okay.

GREENLEE: Um, Officer Dobson took the position on top of the armored car, through the turret that we call it, the port hole there. Um, I opened the driver's side door of the armored car and stood on the rail that we have, kind of a bumper or brush guard, or whatever.

OLIVEIRA: Step bar?

GREENLEE: Step-step bar there.



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OLIVEIRA: Right.

GREENLEE: And um, had my weapon pointed at the front door through the-the door and the A-frame of the armored car so that I had the door and my weapon was through the front of the car.

OLIVEIRA: Okay, so now has the patrol car been moved out of the way?

GREENLEE: The patrol car has been totally moved out of the, I guess, to the back.

OLIVEIRA: So you took a position with the armored car?

GREENLEE: Yes. Correct.

OLIVEIRA: Okay.

GREENLEE: Um, while we were doing that, um, before we, before I took that position, I was in the back of the car. Um, and as I was starting to move up to the front and open that door, I heard a shot being fired. Um, what sounded like a handgun, uh-a-a, you know, a round being fired. I didn't see where it was fired. Um, I heard over the radio that several people put out, a shot was fired from him, by the suspect, that was in the-in the-the trailer, that it was up in the air. I don't know where it went, I don't know, I heard, distinctly heard a shot. I couldn't tell you where it was shooting at or what.

OLIVEIRA: This was when you were taking your position-

GREENLEE: This was right after we pulled the car up. I was in the-still behind the vehicle, or the armored car, moving up.

OLIVEIRA: All right.

GREENLEE: Um, the door was still closed. I moved up to get behind the door.

ATTORNEY: Stop there for a second. What was going through your mind when you heard the shot fired?

GREENLEE: Um, I figured that obviously the subject had a gun and that he was, he was pretty agitated and he was shooting either towards us. I mean, he knew we were there obviously because we had talked to him. So he was shooting towards us or wanting us to leave. And because Officer Dobson was up there and there were several other officers on the perimeter, I didn't



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know if he was shooting at somebody else or shooting at us that was right out front, because we were right out, or you know, pretty close to the front of him, so, I was worried that he was shooting at us or trying to shoot at an officer.

OLIVEIRA: Okay.

GREENLEE: Um, I moved up to the front of the door or the door in between the door and the A-frame. Um, I could see Officer Dobson trying to either, he was either up in the, the port hole or getting up in there, and at about the same time I think Officer Morrison was coming up to my left hand side. As that happened, the door swung open, the door to the trailer swung open and the gentleman came out with what appeared to be a black handgun in his hand.

OLIVEIRA: Okay.

GREENLEE: Took a very aggressive stance that-that looked like a shooting stance. Um, I could, I heard what sounded like a round go over my head, and I could see what looked like a handgun in his hand. Um, I was, you know, thought he was shooting at me, and he was looking right in the direction of the armored car, in the direction of where I was standing. Um, and I took three shots with my weapon, with the suppressed weapon.

OLIVEIRA: With your MP5.

GREENLEE: Yes.

OLIVEIRA: Okay. And when you took those shots what happened? Did he go down?

GREENLEE: Yes. The subject fell down, um, on the ground, the door to the trailer was still open. As he, when he fell, there was a bunch of debris and metal and stuff that was probably about four or five feet high. After he fell, I could no longer see the subject at all. Um, so, I didn't know if I had hit him or if he had jumped down, um, and was still going to come up with the weapon and try to shoot somebody or shoot me or shoot one of my team-mates, so I continued to keep my sights on the front door or where the subject was.

OLIVEIRA: Okay. And what happened from there?

GREENLEE: Um, from there, um, we, Sergeant Miller got a, um, an arrest team, and they utilized the shield, and I think several of them, we moved the armored car back, we backed the armored out because we couldn't get



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through because the armored car took up most of the space. So we had to back it out a little. And they went around to the side to verify that he was over there, and to see what he was doing, because we could not see him.

OLIVEIRA: Okay, what side did they go to? If you're looking at the-

GREENLEE: If you were looking at the, if you were facing the trailer, they went to the right-hand side.

OLIVEIRA: Okay.

GREENLEE: Came around.

OLIVEIRA: Okay.

GREENLEE: Um.

OLIVEIRA: And what happened from there? Did you hear something on the radio?

GREENLEE: No, they, what, right as I was shooting, I heard on the radio that shots were fired, um, that the subject was shooting. Um, I could feel a round, what I thought was a round go over my head, and feel kind of the wind of the round. And I heard it because we were underneath a tree, and it sounded like it went through some branches right above my head, some leaves right above my head like somebody had thrown something at me.

OLIVEIRA: Okay. All right. So, from the time you got there and you get next to the patrol car, and Al, or Sergeant Miller is behind you and talking to him. From the time that I guess, um, the first shot is fired, how-how much time do you think it took?

GREENLEE: What first shot?

OLIVEIRA: The first shot from him when you-you didn't know where it came from or anything, but you heard a gunshot.

GREENLEE: Fifteen or twenty minutes maybe.

OLIVEIRA: Okay, so you have fifteen or twenty minutes where he's pretty much, most of the time standing in the doorway.

GREENLEE: Yes.

OLIVEIRA: Um, kind of back and forth, sometimes you can hear him and



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sometimes you can't.

GREENLEE: Um-hmm.

OLIVEIRA: Okay. And then, um, if I understand correctly, the switch with the cars, when the patrol car got out and then the armored car was moved in, correct?

GREENLEE: Yes.

OLIVEIRA: And then now you're at the back of the, um, the armored car starting to approach the driver's side, right?

GREENLEE: Correct.

OLIVEIRA: The door is open, and you're going to take your position on the-

GREENLEE: The door had not been opened.

OLIVEIRA: Had not been opened.

GREENLEE: Yes.

OLIVEIRA: But you were coming up the side.

GREENLEE: Yes.

OLIVEIRA: That's when you hear that one shot that I'm talking about. Is that correct?

GREENLEE: Yes.

OLIVEIRA: Okay. So you continue forward.

GREENLEE: I continue forward.

OLIVEIRA: Okay.

GREENLEE: Open, actually have to have somebody from the inside open the armored car door.

OLIVEIRA: Okay.

GREENLEE: Um, so that I can take cover behind that, behind that door.



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OLIVEIRA: So you get up on the step-

GREENLEE: Get up on the step.

OLIVEIRA: And you take cover behind the car. Okay. Now how much time are you there from the time, I guess, now he swings the door open, right, is the next thing that happens?

GREENLEE: Um-hmm. Between, probably between the time I heard the first gunshot to the time he swung the door open, was-was pretty short, maybe a minute or less. It was pretty short.

OLIVEIRA: Okay. So he swings the door open. You're already in your position at the-the A frame of the door, right?

GREENLEE: Um-hmm.

OLIVEIRA: At the-

GREENLEE: Yes.

OLIVEIRA: The "V" there. Um, the door swings open. What's the first thing you see?

GREENLEE: Um, I see him come up and, and in his hand, point something that appears to be a black, dark-colored handgun, and take a crouching, aggressive stance, looking right towards the armored car.

OLIVEIRA: Which is you.

GREENLEE: Which is me and my team-mates that are on the right-hand side over there.

OLIVEIRA: Okay.

GREENLEE: And beside me.

OLIVEIRA: Can you stand up and kind of show that position?

UNK MALE: Right where you're at.

GREENLEE: The position that he took?



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OLIVEIRA: That he took.

GREENLEE: He came out, swung the door open and went like that.

(Sgt. Greenlee demonstrated the suspect bent his knees, squatted, took a shooting stance, held the gun with two hands, and pointed the gun straight ahead with his arms extended out in front of him. See video.)

OLIVEIRA: Okay.

GREENLEE: And that's when-

OLIVEIRA: Pointed towards the armored car that you were at?

GREENLEE: Pointed right towards me, that's when I heard what sounded like a round go over my head and I fired.

OLIVEIRA: Now now did you hear a gunshot or you just heard the round?

GREENLEE: I didn't hear the gunshot, I heard a round, I mean, it's closer than any round I've ever heard. I mean I could hear the noise going over my head.

OLIVEIRA: Whizzing by?

GREENLEE: The whizzing and it went through a tree. Because we were right under a tree that was, um, right next to us.

OLIVEIRA: Okay. And he was pointing it at you the whole time?

GREENLEE: Yes.

OLIVEIRA: And then you-you feel this and hear this going over your head, and that's when you fired the three rounds?

GREENLEE: Correct.

OLIVEIRA: Okay. What was your intention when you fired those rounds?

GREENLEE: To stop him from shooting at us. Um, I was afraid that he was going to either shoot me or shoot one of my team-mates or one of the other officers that were on the scene.

OLIVEIRA: And your intention was hit him with the rounds?



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GREENLEE: My intention was to stop him from shooting at us.

OLIVEIRA: Okay. Now in the, and that's when you say he kind of disappears, he goes down.

GREENLEE: He fell forward and that was the last that I saw of him.

OLIVEIRA: So your view, you're up on the steps so you have a kind of a higher view than most people there-

GREENLEE: Yes.

OLIVEIRA: --that are on the ground?

GREENLEE: I had a higher view than the people on the ground. I don't know if Officer Dobson had made it up through the hole yet, so I don't know if he had a, a view of it. I assumed that he was up there and that was another reason that I didn't want him shooting at Officer Dobson or myself or any other team-mates on the side.

OLIVEIRA: Okay.

GREENLEE: --and hurt one of them.

OLIVEIRA: Any obstacles or anything in your way of him? The suspect?

GREENLEE: Well, in front of the door on the ground, because the trailer and the door are also elevated because you have to step up to get into the trailer-

OLIVEIRA: So there's like steps leading up to the door-

GREENLEE: One or two steps to get up into the door. So he's kind of elevated also.

OLIVEIRA: Okay.

GREENLEE: So we're, the suspect and myself are about even because I've-I've elevated myself and he's elevated. On the ground and in front of the door, it's a junk yard and there's just metal debris all around the trailer.

OLIVEIRA: Okay.



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GREENLEE: Right in front of the door and behind it on the sides and everything, right in front of the door there was a large metal, I don't know if it was a bin or just scrap metal that was in the front that came up about, I don't know, maybe 4 feet or so, I could see most of the suspect from probably about the knees up, when he was standing in the door.

OLIVEIRA: So that was, that metal was directly in front of you, because of your height, you could see from his knees-up?

GREENLEE: Correct.

OLIVEIRA: Because you couldn't see his feet.

GREENLEE: I couldn't see his feet, but I mean the metal wasn't in my way and didn't-didn't afford me any cover at all because I was above it all, so.

OLIVEIRA: Okay. And then when you fired, he went down. He disappeared behind that metal?

GREENLEE: He disappeared. Yes. He disappeared because then that blocked my view of where he was. I don't know where he went after that.

OLIVEIRA: Okay.

GREENLEE: The door was still open to the trailer.

OLIVEIRA: Um, the gun, could you tell what color it was or what it looked like?

GREENLEE: It was black. It appeared black. I mean it was dark.

OLIVEIRA: Okay. Could you tell if it was a semiautomatic or a revolver or anything like that?

GREENLEE: No.

OLIVEIRA: Okay. And, um, so you're on the driver's side. Is there somebody on the passenger door?

GREENLEE: I don't know if the passenger door was open or not. I know that there was, that Sergeant Miller was over there and several other team members were over there. I don't know if they were behind the door or they were standing there, I don't know what they were doing over there because



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my view was blocked and my attention was focused on the front.

OLIVEIRA: Were you aware that they were to your passenger's side?

GREENLEE: I knew they were on the passenger's side on the right-hand side over there somewhere.

OLIVIERA: And that was Miller and who?

GREENLEE: I couldn't even tell you who was over there. Another, other SWAT officers were over there.

OLIVEIRA: Okay. And then, uh, and then at the top, who was the officer at the top?

GREENLEE: Officer Dobson was in, was through the top.

OLIVEIRA: Okay.

GREENLEE: And on, either right behind me or coming up beside me was Officer Morrison, which would be on the left-hand side of me.

OLIVEIRA: Okay. Any, any other SWAT officers with you there?

GREENLEE: I don't know who else was behind me. I wasn't, I wasn't focused on that.

OLIVEIRA: Okay. Were you aware of any other officers on the sides or anything?

GREENLEE: I didn't, I didn't have any idea of any of the, where officers on the perimeter were positioned, on any side.

OLIVEIRA: Okay. Did you hear any other gunshots fired when you fired?

GREENLEE: When I fired? No. I didn't hear any other gunshots.

OLIVIERA: Okay. Um, All right. Let's take a break and see if we have any other questions and we will come back.

GREENLEE: Okay.

(At approx. 2256 hrs, a break is taken and everyone exits the room. Everyone returns at approx. 2307 hrs.)



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OLIVEIRA: Okay, just a couple more questions. When, um, you talked about Sergeant Miller communicating with the suspect in the trailer, this was when he was next to you. You guys still were at the squad car right. Correct?

GREENLEE: Correct.

OLIVEIRA: Okay. Uh, was he giving actual commands to him at all?

GREENLEE: Uh, yes. Uh, Sergeant Miller told him numerous times, fifteen to twenty times, to come out, that we wanted to talk it over, that we wanted to get him some help, and just continually commanded and asked him to come out so that we could talk to him and get him some help.

OLIVEIRA: Okay. Did you hear any of the responses from the suspect?

GREENLEE: No. I mean, I wasn't paying attention to what he was saying, other than, you know, he said, "I'm not coming out. You come in," or something like that, to that effect.

OLIVEIRA: This is while he was standing in the doorway, there with the door open, right?

GREENLEE: Correct. Yes.

OLIVEIRA: Um, was it obvious you guys were the police or how did he know that you guys were the police?

GREENLEE: Yeah, I mean, we had a marked patrol car with lights and sirens, um, a lot of the officers that initially responded were in full uniform. Um, most of them pretty matched, all of the swing shift team was in uniform, wearing-

OLIVEIRA: Except, uh-

GREENLEE: Swing shift SWAT team was wearing uniforms that said, "Police" in large yellow letters across the front of their vests, and um, our armored car has stickers and symbols and, um, lights and sirens on the top that say "Police" also.

OLIVEIRA: Okay. All right. Um, the distance, I know it's kind of hard to tell sometimes, but if you could estimate the distance between you and the suspect when you fired the shots.



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GREENLEE: 25 to 30 feet, maybe.

OLIVEIRA: Okay, and he was standing in front of the door when he took that stance?

GREENLEE: He was standing in the door.

OLIVEIRA: In the doorway.

GREENLEE: In the doorway when he took that stance. He had opened the door, pushed the door open and was standing in the doorway.

OLIVEIRA: Okay. All right. And, uh, did you hear anyone else trying to talk to the suspect besides Sergeant Miller?

GREENLEE: No.

OLIVEIRA: Um, and also, I know we talked about this already once, but while you were approaching, you hear the one gunshot. You don't know where, when it came from when you were approaching the driver's side?

GREENLEE: Correct.

OLIVEIRA: On the armored car.

GREENLEE: Yes.

OLIVEIRA: Then afterwards when he comes out, points the gun, and that's when you hear the shot over your head, correct?

GREENLEE: Yes.

OLIVEIRA: Okay, so two different-

GREENLEE: Two different occasions.

OLIVEIRA: Okay. Two different occasions. All right. Um.

GREENLEE: And each time it was put out over the radio that he, that suspect had fired a shot.

OLIVEIRA: Okay. So the first time when-



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GREENLEE: The first time-

OLIVEIRA: You don't know where it came from.

GREENLEE: I don't know where it came from. All I did is was heard it, and I heard over the radio, "He fired a shot! He fired it into the air!"

OLIVEIRA: Okay. And then the second time you heard something on the radio too, about a shot being fired.

GREENLEE: It was right, during the time, right at the same time that I discharged my weapon.

OLIVEIRA: Okay. All right. Um, were you aware if you struck him?

GREENLEE: I-I wasn't a hundred percent sure. I mean, I was pretty sure that I struck him because he fell down. Um.

OLIVEIRA: Okay. All right, that should cover it. Anything else you wanted to add?

GREENLEE: I don't think so.

OLIVEIRA: Okay. Thank you very much.

GREENLEE: Thank you.

(The interview ended at approx. 2310 hrs.)



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Narrative Text Report # 2

Document: **01 VICTIM STATEMENT**

Author: **738 - OLIVEIRA, STEVEN B 5045**

Subject: **SMITH, DUSTIN**

Related date/time: **Apr-21-2005 (Thu.)**

REPORT #05-133658

DET. S. OLIVEIRA

April 22, 2005

STATEMENT: OFC. DUSTIN SMITH:

On 4-22-05 at approx. 0003 hrs, I, Det. Oliveira, interviewed K9 Ofc. Dustin Smith at SPD headquarters. His representative, David Topaz, was present. The interview was audio/video recorded. Refer to the tape for the complete details and exact wording of the interview. The following is a summary of what was stated:

OLIVEIRA: Okay. Uh, last name is Smith, correct?

SMITH: Yes.

OLIVEIRA: Dustin?

SMITH: D-U-S-T-I-N.

OLIVEIRA: Okay. What's your badge number?

SMITH: Uh, 0468.

OLIVEIRA: 468. Okay. Uh, what's your current assignment?

SMITH: Uh, K-9, Metro.

OLIVEIRA: Okay, how long have you been a sworn officer?

SMITH: Uh, it's coming up on ten years in August.

OLIVEIRA: How long have you been a K-9 officer?

SMITH: Uh a year and what, four months, a year and four months.

OLIVEIRA: Okay. Do you have a specific assignment, like to an area you're assigned to?



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SMITH: Uh, I basically just stay up in the north area just to help out calls or service and (inaudible)

OLIVEIRA: Okay, so the north area is your primary-

SMITH: Yeah.

OLIVEIRA: --area that you patrol.

SMITH: But I go citywide.

OLIVEIRA: Okay. Um, and what was your shift today?

SMITH: Today was from 1:00 p.m., 1300-2300.

OLIVEIRA: Okay, 2300. Okay. I understand that there were several calls that came in and I believe you responded to both of them?

SMITH: Yes.

OLIVEIRA: Okay. Can you kind of cover that first call? Do you remember approximately what time that was?

SMITH: Yeah. I started writing my observations.

OLIVEIRA: Yeah, okay. Do you have the times that? Where did you get the times from?

SMITH: From the MDC.

OLIVEIRA: Okay. All right.

SMITH: Uh, basically, yeah, at, what? 1629 hours, a call comes out on Albatross, was it? I'm sorry, El Camino and Vanness. Um, a call came out regarding a male black dressed all in white carrying a black handgun.

OLIVEIRA: Okay.

SMITH: And the complainant said that it happened five ago, and the suspect was walking eastbound on El Camino.

OLIVEIRA: Okay.



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SMITH: So I responded. I can't remember where I was responding from, but it was just a little bit of a distance. Other officers, everyone, we all responded to the area. I got there at 1637 hours was when I arrived on-scene.

OLIVEIRA: Okay.

SMITH: Um, I checked Princeton, Orlando, Auburn area-

OLIVEIRA: Okay.

SMITH: Uh-uh, with negative results. I didn't see anybody matching the description of the person on the call. So what I did is I cleared the call. Uh, let me see what time I cleared the call. I don't remember what time I cleared the call, but.

OLIVEIRA: That's fine.

SMITH: Uh, I cleared the call, and usually about every two hours, two and a half hours, I always try to give my dog a break.

OLIVEIRA: Okay.

SMITH: Um, and so I went over to the Dixieanne and Clay area.

OLIVEIRA: Okay.

SMITH: Right by the light rail station.

OLIVEIRA: Okay.

SMITH: There's a little dead end over there that I let him run around and use the bathroom. So I went on over there and just gave him a break.

OLIVEIRA: Okay.

SMITH: And then at 1645 hours, a call came out at Dixieanne and Lexington.

OLIVEIRA: Okay.

SMITH: And on that call, the complainant said that there was a male black dressed in all white, he was armed with a gun, waving it around and shooting.



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OLIVEIRA: Okay.

SMITH: And so, automatically, obviously I said, "It sounds like the guy from Vanness and El Camino. And I was only two blocks away. And apparently the complainant said he was last seen walking eastbound Dixieanne, which would be coming towards me.

OLIVEIRA: Right.

SMITH: At that time I told dispatch to put me on the call. Then I drove down Dixieanne two blocks. I checked the area, negative results.

OLIVEIRA: Okay.

SMITH: Um, and drove around, and drove around looking for him, and at 1656 hours I cleared the call.

OLIVEIRA: Okay, and what was the next incident?

SMITH: From there at 1657 hours, um, I can't remember what unit it is, Mike Hight, they ran a plate and it came back to two lost or stolen plates, stolen vehicle, at Foxworthy and El Camino. So I responded over there. Um, we initiated a stop, a felony stop over there at that Carl's Jr. at Foxworthy and El Camino. I detained both the subjects. So I cleared from there, let's see, yeah, it's 1704, I cleared that call. At that time I decided to go back over to the area of Lexington and Calvados and Dixieanne area to try to find this possible subject with a gun. I knew he was in the area and my curiosity was just killing me. I had to find him, because he's a guy walking around with a gun, and we had two separate complaints that called in. And so, anyway, um, I cruise on over to down at Calvados, from Calvados I drive what was that, eastbound? Yeah, I drive eastbound, I drive eastbound to back to the light rail station.

OLIVEIRA: Yeah.

SMITH: And on the south side of the light rail station there was a, um, kind of a dirt lot where RT's, stores poles or metal and stuff like that. So I pulled in there, and parked my patrol car facing north. So I'd be facing the parking lot of RT. And I can't remember what RT station that is. Is it Swanson?

OLIVEIRA: I'm not sure.

SMITH: I don't know. I don't know the name of it.



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OLIVEIRA: But it's the one on Calvados?

SMITH: Calvados and Dixieanne.

OLIVEIRA: Okay.

SMITH: Yeah, or, the east, at the east side. Anyway. Um, so I'm sitting there, uh, uh, and as I'm sitting there I decided to make a real fast phone call. Um, while I'm sitting there dialing up, I looked down at the dead end of Selma. There's a fence line right there that separates Selma and the light rail station. There's a little opening right there that people can walk right through. I looked down there, walking from the dead end to Selma into the parking lot of the light rail station was a male black wearing a white shirt and pants. And I thought to myself, "You know, that guy looks like the guy."

OLIVEIRA: All right. Matched the description.

SMITH: Matches the description on the calls, on both calls.

OLIVEIRA: Okay.

SMITH: Um, and so what I did is from there I just hung up the phone, put it away. And I drove up and as I'm driving down to contact this guy, contact him because he matches the description, um, he starts approaching the security guard. Light rail has a security guard that hangs out over there. So, he's walking towards the security guard and he's, I can see him talking, but I don't know if he was engaging conversation with the security guard or not. So I crept in, pulled up behind him, and I stopped my patrol car maybe about 10 feet behind the individual. I exited my patrol car, um, and I said, "Hey, can I talk to you real fast?" At that time he turned around and he goes, "Shit! It's the police!" So at that time he started sidestepping to my left. He started sidestepping real quick, and was walking backwards from me.

OLIVEIRA: While facing you or?

SMITH: Yeah, yeah. He was sidestepping from me just real quick, and then he started walking backwards towards that opening in the fence, back over to Selma. And I'm like, "Hey, let me talk to you, let me talk to you, I just want to talk to you."

OLIVEIRA: Now that opening in the fence, are you talking about the gate-



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SMITH: Right.

OLIVEIRA: Out there that leads right to that trailer?

SMITH: Yes. Well, no-no-no-no. No, uh, at the dead end of Selma-

OLIVEIRA: Oh, okay.

SMITH: There's a fence line, a chain link fence. And there's an opening right there.

OLIVEIRA: Oh, okay.

SMITH: There's no gate, no nothing, it's just an opening.

OLIVEIRA: It's just an opening. Okay.

SMITH: And so, so he's walking backwards saying, "You don't know me. I don't want to talk to you. You got a dog. You're the police, leave me alone." And he's just walking backwards, flinging his arms everywhere.

OLIVEIRA: Okay.

SMITH: As soon as he gets to that little opening, to the Selma dead-end, he reaches for his waistband, his front waistband, he reaches with his right hand. Uh, and like I said, he's still walking backwards. So I start approaching him, saying, "Come here, I just want to talk to you. Let's just talk about something." And at that time as I start walking a little bit more forward to him, and I was at a distance you know, I didn't want to get too close to him.

OLIVEIRA: How far away were you from him?

SMITH: Uh, I would say, 20 or 25 feet.

OLIVEIRA: Okay..

SMITH: You know? I, especially when he went to the waistband. You know, I didn't know if this was the right guy or anything, he just matched the description.

OLIVEIRA: Now had you had a chance to put yourself out there already or anything like that?



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SMITH: No. No, it was just evolving.

OLIVEIRA: Right.

SMITH: And I-I didn't put myself out or anything.

OLIVEIRA: Okay.

SMITH: Until I was in foot pursuit. Anyway, um, as he goes through the opening in that gate, he starts walking back, well, I want to say running backwards. He was facing me but running backwards still holding his waistband, saying, "I don't want to talk to you. Leave me alone. I don't want to talk to you. And like I said, he was running backwards at this point, and I wasn't chasing after him, I was walking slowly, just kind of keeping an eye on him.

OLIVEIRA: Right.

SMITH: Because he was holding on. And at a point, he turned away from me and ran, uh, I think by northbound Selma.

OLIVEIRA: Okay.

SMITH: Yeah. So that's when I engaged in foot pursuit after him and I put out I was in foot pursuit.

OLIVEIRA: Okay. Did you advise on the radio of the foot pursuit?

SMITH: Yes.

OLIVEIRA: Were you able to tell him what or why?

SMITH: I think I put out the possible armed subject, you know, male dressed in white. I might have said that. It was just, he was taking off and running and still had his hand out in front. I'm assuming he still wore it in his front waistband.

OLIVEIRA: Okay.

SMITH: So all I saw was the left hand. Uh, and so, engaging in foot pursuit and then he immediately ran to this fenced area. And he opened up the gate with his left hand and then he immediately went inside there.



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OLIVEIRA: Into the trailer?

SMITH: No, not into the trailer, into the yard.

OLIVEIRA: Where the trailer is?

SMITH: Right.

OLIVEIRA: Okay.

SMITH: And so as I approach that open gate, I slowed down, I slowed down and I just peeked inside, just, you know, I don't know what to expect. I don't know if he's standing right there with a gun or something. So I slow down and just kind of peek in, and just as I see, as soon as I peek in I see him run into the trailer and he shut the door.

OLIVEIRA: Okay, what happened from there.

SMITH: From there I stepped into the yard and there was, I want to say there was some kind of crate or, yeah, I was using it as a concealment, not as a cover, but there was some kind of crate of something right there.

OLIVEIRA: Kind right in front of the trailer?

SMITH: Yeah.

OLIVEIRA: Or right in the middle there?

SMITH: Yeah. Yeah. And so I just went up behind that. Uh, uh, and I said, "Come on out, come on out, I just want to talk to you." And at that time the door opened up, and as the door opened up, and as the door opened up I saw a black handgun in his right hand and the gun was pointing-pointing in my direction.

OLIVEIRA: Okay.

SMITH: Okay, so he opens up the door. I see a black handgun in his right hand pointing in my direction, he goes, "What do you want? What?" So at that time, that's why I got down below the crate, pulled out my handgun, and said, "He's got a gun pointed at me. K9-12, he's got a gun pointed at me."

OLIVEIRA: Okay.



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SMITH: And then when I came back up, the door was shut on the trailer. So that's when, at that point, I decided to retreat, get a little bit better concealment, a little bit more cover, and call for additional.

OLIVEIRA: Okay. What happens from there?

SMITH: Uh, from there I-

OLIVEIRA: Had-had he said anything when he came out that one time when you saw him?

SMITH: No, he just said, "What do you want? What?"

OLIVEIRA: Just, "What do you want?"

SMITH: Okay, and then he shut the door. Um, at that time, you know, I had my handgun, I was behind the gate watching the door. Um, I, was calling for additional units, and I put out that I was on Green Street.

OLIVEIRA: Okay.

SMITH: And Dixieanne. I put out the wrong street. Because my mind was going and everything, and like I said, I just saw a black handgun, I didn't know if it was a revolver or a semiauto. Anyway, so, um, the first unit on the scene was Air-1. They arrived on-scene. And, uh, actually there was also a-a light rail truck. When I got on foot pursuit, the light rail truck, civilian I think it was, was in the light rail station.

OLIVEIRA: Okay.

SMITH: And as I'm putting things out, he showed up over on Selma, parked a little distance away but he's right there with me watching. And so, I had my gunpoint, and Air-1 shows up on-scene, and they're kind of flying around and they're not quite sure where I'm at and units are going on Dixieanne, passing me. And I thought for sure I was on Green. Um, and so Air-1 said, "K-9 twelve, we don't see you. Where are you?" So at that point, um, I'm still using that one gate as a cover concealment. I backed up into the middle of Selma and I started waiving my arm for Air-1. So everyone saw where I was at and they sent, um, I'm up there on Dixieanne my way, uh, I think, two or three arrived on-scene real quick.

OLIVEIRA: Okay.

SMITH: Uh, at that time-



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OLIVEIRA: He's inside at this point?

SMITH: He's still inside. He's still inside, has not come back out.

OLIVEIRA: Okay.

SMITH: And I had visual the whole time. Randy Lazoya was the first one on-scene with me and he had his rifle, M-16 rifle. Randy came on down and I told him, "Okay, he's right there in the trailer. He's inside there." So Randy kind of, I backed up and I let Randy take over, since he had a rifle. Um, and then, I'm trying to think what other units were there. His trainee was there, I can't remember-

OLIVEIRA: There were several other officers there?

SMITH: There were several other officers there. Um, Harshberger, yeah, Harshbarger and I can't remember who his partner is. They were also there. And so I think Harshbarger took the position somewhere with his rifle. At that point, uh, I want to get back to my car.

OLIVEIRA: Okay. Is that where you went?

SMITH: Yes. So, I, they had eyes on the trailer. So I said, "Guys, I'll be right back." So I sprinted, went down, went back to my car.

OLIVEIRA: How far away would you say your car was?

SMITH: Uh-

OLIVEIRA: Was it a block or?

SMITH: Let me think. Just an estimate, 50 yards?

OLIVEIRA: 50 yards. Okay. All right. So you take off, they're covering?

SMITH: Yeah, they're covering, they have-

OLIVEIRA: Set up on the perimeter on the-

SMITH: Right. I take off, go back to my car, uh, uh, secure my vehicle, I get my helmet, and I pull Apollo, my dog, um, to come with me. So when I get back, you know obviously my helmet is on.



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OLIVEIRA: I'm sorry, your dog's name is Apollo?

SMITH: Apollo. A-P-O-L-L-O.

OLIVEIRA: Okay.

SMITH: Um, when I get back, uh, I think there was a couple of more officers there. So when I got back, I remember I was behind the fence over there. I didn't have any more visual, uh, I left it for those officers who had rifles and stuff, and at that point I heard, um, Harshberger say, "He's back out, and he has a gun!"

OLIVEIRA: And you hear this on the radio or in person?

SMITH: In person. In person.

OLIVEIRA: Because he's there near the front of the gate?

SMITH: Yeah, yeah. I can't remember-

OLIVEIRA: --the rifle?

SMITH: Yeah, yeah.

OLIVEIRA: Saying he's outside with a gun?

SMITH: Yes.

OLIVEIRA: Okay.

SMITH: And then he went back in. And that's all I remember about that part.

OLIVEIRA: Okay. Um, so he goes back in and then, did you stay out there the whole time that this was going on?

SMITH: I stayed out there, and then, uh, because we had two, in the time that I had left to get Apollo and my helmet, uh, two patrol cars had been moved into position over there, and that happened at the time I was gone.

OLIVEIRA: In the gate area there?

SMITH: Yes. Yeah.

OLIVEIRA: Pulled in?



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SMITH: Yeah, like I said, at the curb I was getting my dog and helmet. So I get back and at that point Sergeant Nygren arrived on-scene. I quickly briefed him on what was going on.

OLIVEIRA: Away from the gate area, you briefed him?

SMITH: Yes, yeah. Probably 10 feet away. You know.

OLIVEIRA: Okay.

SMITH: Briefed-quickly briefed him on what was going on, and then that's when other officers started arriving on-scene, SWAT arrived on-scene. Um, I just stayed back with Apollo waiting for directions. And, uh-

OLIVEIRA: Where were you standing by?

SMITH: Um, what, on the west side of Selma.

OLIVEIRA: Across the street?

SMITH: Right across the street from, from the yard.

OLIVEIRA: Did you, were you there when the SWAT officers came in and I guess took position there?

SMITH: Yeah, they came in and took position and at that time Sergeant Miller started telling officers, "Okay, you go here, you go there," and he wanted Apollo and I to stay right there.

OLIVEIRA: Okay.

SMITH: So, So at that time, Josh Dobson had taken a spot on the fence. He was standing right in front of a patrol car against a big old tree. So at that point I went up, and down my dog right by the fence-

OLIVEIRA: On the left side of the gate? Like if you're looking at-

SMITH: Yes, the left side of the gate.

OLIVEIRA: Okay.

SMITH: So by the time the gate was now at a 90-degree angle open. So I down my dog right there, and I took cover against the tree.



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OLIVEIRA: Okay.

SMITH: Did you have visual on the guy at all?

OLIVEIRA: Could you hear him talking or coming out or the officers talking to him?

SMITH: Yeah, I, uh, Sergeant Miller, who I think did a great job, was able to establish communication with him.

OLIVEIRA: Okay. What was he saying? Do you remember?

SMITH: Uh, I could barely hear the individual.

OLIVEIRA: Sergeant Miller or the suspect?

SMITH: The suspect.

OLIVEIRA: Okay.

SMITH: I could barely hear him, but Sergeant Miller was talking to him. I think the guy was asking him why he was here and Sergeant Miller was saying, "Well, it's my job, I'm here to protect and serve. I want to make sure you're okay. We need to talk to you." And he was just setting up communications with him, trying to talk.

OLIVEIRA: Was he giving him any kind of commands at all?

SMITH: No, I think he was just, he was just talking to him and just trying to tell him, "Hey come on," I think he was asking him, "Do you take meds? Do you have a psychologist?" I remember him talking about SMCH."

OLIVEIRA: Do you remember him ever asking him to come out?

SMITH: Yeah, I-I remember, "Just come on out, we want to talk to you, come on out, we want to talk to you."

OLIVEIRA: Was it once or twice or was it a lot?

SMITH: Oh, it was a lot. It was a lot.

OLIVEIRA: Was the guy, did the suspect say anything back?



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SMITH: I'm sure he was, but I couldn't hear. I couldn't hear. I mean, the helicopter was above, and I remember Al came on, Sergeant Miller was telling him, "You know, you need to speak up. I can't hear you. I can't hear you. That's why you need to come to me and talk to me. I can't hear you." He kept on saying that over and over. Um, but I never heard anything the suspect said.

OLIVEIRA: Okay.

SMITH: At one point Sergeant Nygren asked me to come back to CP to talk to Lieutenant Peletta.

OLIVEIRA: Now is this before any shots were fired.

SMITH: Yes. Yes.

OLIVEIRA: Okay.

SMITH: So I went back to the CP and I briefed Lieutenant Peletta on what happened.

OLIVEIRA: Okay. Well the CP was where I saw it at when I left or when you left?

SMITH: Yes.

OLIVEIRA: Same area?

SMITH: Yeah.

OLIVEIRA: Was that Dixieanne there that it was parked on?

SMITH: Uh, well, actually we were, um, a little bit more, it wasn't right at Dixieanne and Selma, we, the original CP was almost mid-block on Selma.

OLIVEIRA: Okay.

SMITH: And I remember them asking Sergeant Nygren, "Are we too close? Are we too close?"

OLIVEIRA: Right.

SMITH: He was like, "Yeah, I think we're a little bit too close. Move it back a little bit, back to where my sergeant Harry had the stuff.



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OLIVEIRA: Okay. So, um, so you go back to CPT or the CP briefing, and what happens from there?

SMITH: I just stayed right there.

OLIVEIRA: Okay.

SMITH: I didn't go back in.

OLIVEIRA: Did you ever hear any of the shots or anything?

SMITH: You know I didn't. I didn't. Uh, I was speaking to Sergeant Harry, and he said, "Well, why don't you go get your patrol car and put Apollo in it." Because he was panting. It was hot out there and stuff. "Why don't you go get your car and put him in your, turn your air conditioner on and put your dog in the car." So at that time I started walking away, and I was right at Dixieanne and Selma. And, uh, that's when; I never heard any shots at all.

OLIVEIRA: Okay. Any of the shots at all?

SMITH: No, no I couldn't hear any. I don't know how I missed it. We weren't there for all of that.

OLIVEIRA: So you'd gone out. You don't know at what point. Well, you probably heard it on the radio that shots were fired.

SMITH: I heard it on the radio and heard other officers saying shots fired.

OLIVEIRA: Okay and you had already gone and got your car and got your dog?

SMITH: No, no, I was walking away at the time.

OLIVEIRA: That's when you heard it on the radio?

SMITH: Yes, yes, yeah.

OLIVEIRA: Okay. Um, so the first time you saw him with the gun wasn't until he got into the trailer and then he came out that first time?

SMITH: Right.

OLIVEIRA: And you saw it in his hand?



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SMITH: Right, in his right hand.

OLIVEIRA: And you were chasing him or when he started running from you him and stuff, you never saw the gun?

SMITH: Never saw the gun, he was holding his waistband.

OLIVEIRA: Okay.

SMITH: And I didn't see a gun at all until he came back at the trailer the first time.

OLIVEIRA: All right. Let me see if they want anything else

SMITH: Okay.

OLIVEIRA: I think that should probably cover it all.

SMITH: Cool.

OLIVEIRA: Do you want to step outside or do you want to just wait in here?

SMITH: Okay. Cool.

(DETECTIVE LEAVES ROOM)

(PERSONAL CONVERSATION)

(DETECTIVE RE-ENTERS ROOM)

OLIVEIRA: We're all done.

SMITH: Cool.



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Narrative Text Report # 3

Document: **02 WITNESS STATEMENT**

Author: **738 - OLIVEIRA, STEVEN B 5045**

Subject: **NUTLEY, DANIEL**

Related date/time: **Apr-21-2005 (Thu.)**

REPORT #05-133658

DET. S. OLIVEIRA

04-21-05

STATEMENT: OFFICER DANIEL NUTLEY:

On 4-21-05 at approx. 2342 hrs, I, Det. Oliveira, interviewed Ofc. Nutley at SPD headquarters. The interview was audio/video recorded. Refer to the tape for the complete interview and exact wording used. The following is a summary of what was stated:

OLIVEIRA: Okay. All right. Officer Dedonder or Nutley. Uh, how do you spell your last name?

NUTLEY: N-U-T-L-E-Y.

OLIVEIRA: Uh, how do you spell your first name?

NUTLEY: Daniel. D-A-N-I-E-L.

OLIVEIRA: Okay, and your badge number?

NUTLEY: 597.

OLIVEIRA: Okay. And where are you assigned to right now?

NUTLEY: Sector 5 POP.

OLIVEIRA: How long have you been a sworn officer?

NUTLEY: Eight years.

OLIVEIRA: With the Sacramento Police Department?

NUTLEY: That's correct.

OLIVEIRA: Okay. And so you're assigned Sector 5 POP. What was your assignment today?



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NUTLEY: Today, uh, was our POP team's, uh, patrol fill-in day. So I was Baker 11.

OLIVEIRA: Baker 11, is that a one-officer car or a two-officer car?

NUTLEY: Uh, a two-officer car.

OLIVEIRA: Okay. Who was your partner?

NUTLEY: Officer Dedonder.

(Ofc. Nutley's representative, David Topaz, entered the room)

OLIVEIRA: Um, okay. So, so where were you assigned today? You were filling in for patrol for shortages, I take it.

NUTLEY: Right.

OLIVEIRA: And where were you assigned? The north area?

NUTLEY: The north area needed some bodies.

OLIVEIRA: Okay, what was your shift today?

NUTLEY: Uh, technically my shift would be one to eleven, but I think the Baker 11 car is probably a 3:00 car.

OLIVEIRA: So you today, you worked from-

NUTLEY: Yeah, one until eleven.

OLIVEIRA: One until eleven today.

NUTLEY: Um-hmm.

OLIVEIRA: Okay, so 1300 to 2300. Okay. Uh, so you worked the patrol north area with Officer Dedonder?

NUTLEY: Correct.

OLIVEIRA: How did this call come out?

NUTLEY: Uh, what happened was we were on a call in, um, the north area, I



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didn't know where, well, way north of Main, off of Main, up there. Um, and as we were arriving I hear K-9 twelve, Officer Smith, advise that he's got a subject that's pointing a gun at him, knowing that I'm a rifle team member. Then I kind of listened to it as it was going, and the guy goes into a, a, uh, camper and Officer Smith says he's pointing a gun at him from the door of the camper so I tell my partner that this is an incident where they might need a rifle, so as soon as we cleared our call we started rolling that way. I asked the sergeant, Sergeant Nygren, if he needed another rifle because I had heard one already put themselves out there, and he said, "Yes, respond to the scene." So we responded Code-3 to the scene.

OLIVEIRA: Okay. Uh, once you arrive there, what do you see?

NUTLEY: As soon as we got there, I asked the sergeant where he wanted us to set up. And he told us to connect up with K-9 Five, Osborne, who was in, it was kind of like a junk yard lot, you know, full of campers and fridges and stuff in there.

OLIVEIRA: Okay.

NUTLEY: As soon as we arrived, it looked like the first couple of SWAT guys that arrived, I saw Officer McCain and one other, it might have been Officer Lau, I think one or two SWAT guys that had just shown up. And then there were a lot of patrol guys down the street, and I could kind of get an idea of where they were focusing on. And, um, then another rifle team person was up on the roof, kind of directly facing from west to east. What we figured out was where this person was barricaded. And where we went was directly north in this kind of junkyard lot directly north of where the person with the gun was supposedly set up.

OLIVEIRA: Okay. And you and Dedonder were together?

NUTLEY: Right. Officer Dedonder and I are together initially, and we find the K-9 and then we ended up separating. Uh, he was going to be on one side of a, uh, a roll of trailers and I would be on the other side.

OLIVEIRA: Okay, but to the north of the other lot where this trailer where the suspect's at?

NUTLEY: Directly north, directly north of where he was.

OLIVEIRA: And what weapon did you have with you?

NUTLEY: I deployed an M-16.



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OLIVEIRA: Okay. And, uh, Dedonder?

NUTLEY: Officer Dedonder had a shotgun.

OLIVEIRA: A shotgun. Okay. So you guys take a position on the north side. It's on another side of the fence?

NUTLEY: Yeah, separate lots. I guess the lot that this guy's camper was in might have been a lot full of campers because there was a couple other ones there.

OLIVEIRA: Okay.

NUTLEY: And the lot we were in was kind of a junk yard lot. And it was separated by a big (inaudible). I actually went up to where the fence was to kind of position myself and then moved back from it. It's a big chain link fence, but it had like a metal barrier in between. You couldn't see right through the chain link.

OLIVEIRA: Okay. All right. So, um, you take this position. Did you have visual on the subject at all at that point when you first got there?

NUTLEY: Yeah, initially when we first got there, we were kind of moving around a little bit so I didn't see the subject and we, I confirmed, I tried to confirm with the helicopter which, because there was a couple of, um, trailers there and I was trying to confirm which trailer to focus on. And we determined that it was a trailer that had four spare tires on the top.

OLIVEIRA: Okay.

NUTLEY: So what I did is I took up a position on an isle, and through the junk I had a direct profile look at the front of the, I could see directly down the side of the front, you know where the west facing side of this trailer.

OLIVEIRA: So you're almost kind of parallel to it.

NUTLEY: Exactly. If you were to, if you were to step out, you know, if you were to step out and look, focus on the officers like you did, I was directly that way, looking straight at his profile.

OLIVEIRA: Okay. So you take this position, and you've got the, your spot on



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the trailer.

NUTLEY: Um-hmm.

OLIVEIRA: Is he inside? Outside? You see him at all?

NUTLEY: Uh, initially he's inside when we get there.

OLIVEIRA: Okay.

NUTLEY: Um, that's why we didn't know which one he was in, because we couldn't see the guy until he was standing outside. And as we were moving into our positions, we hear an officer say he's coming out. We hear dialog. I move to a position, I move to that position at that point and I see that, I can see he actually has his hand on top of the door.

OLIVEIRA: Okay.

NUTLEY: And I still can't see him. He's kind of standing, I guess, in a frame.

OLIVEIRA: Okay.

NUTLEY: And the door is open, kind of just only at an angle.

OLIVEIRA: Okay.

NUTLEY: And I can see that he's a male black and he's standing in the doorway.

OLIVEIRA: Could you hear, was he saying anything?

NUTLEY: I could hear the-the dialog, but I couldn't make out what they were saying. I was a little bit further back.

OLIVEIRA: Do you know whom he was talking to?

NUTLEY: Uh, I believe he was talking to one of the SWAT sergeants, but I didn't know which SWAT sergeant was having the dialog either, because I couldn't hear them at all. I could kind of hear the mumblings of his voice.

OLIVEIRA: Okay.

NUTLEY: But I couldn't hear what the SWAT sergeant was saying.



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OLIVEIRA: Did it appear he was speaking to somebody---

NUTLEY: He's looking directly looking directly westbound, you know the-

OLIVEIRA: Towards that gate?

NUTLEY: The wall towards the road, uh, Selma. He's looking directly that way.

OLIVEIRA: Okay.

NUTLEY: And initially I'm kind of trying to stay out of sight because I don't want to freak the guy, so, I'm kind of set up in a corner in case he does look my way, you know, I didn't want him to feel pressured, so I'm kind of, but if he was to look my way and focus he could have seen the alleyway that I was looking down.

OLIVEIRA: All right. Um, how long was he, when he came out when you finally saw him actually step out into the doorway, was he out there a long time or was it a few minutes?

NUTLEY: He did it a couple of times. He seemed to be, he came out a couple of times, he's having a dialog. Um, a few minutes go by with the dialog. Um, actually there was some radio traffic, I remember one of the union units asking for the beeper, or actually it was Sergeant Nygren asking for the beeper, because he started up a dialog after having gone back in, he started up again. Um, so he gets the dialog going, and then he goes back in again, and then he actually comes out again and steps down off of the trailer and closes the door behind him. And so I've got a perfect, you know, line of sight on him standing outside of his trailer.

OLIVEIRA: No weapons in his hands.

NUTLEY: Yeah, you could see, he actually talks with his hands a little bit. You could see that his hands were clear. He might have, you know, he had a shirt hanging, but as far as he had under it, who knows?

OLIVEIRA: Okay, still no weapons seen?

NUTLEY: No weapons seen.

OLIVEIRA: His, I know you couldn't hear what he was saying, but did it sound like he was yelling or was he talking calmly?



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NUTLEY: Like I said, it seemed like he was gesturing, he was a little bit animated, and then, you know, he'd be calm, you know, or it was just his physical demeanor. Um, I couldn't really catch the tone in his voice or anything like that.

OLIVEIRA: Okay, all right. So what was the next thing you remember that happened?

NUTLEY: He goes back in again.

OLIVEIRA: Okay.

NUTLEY: Um, and we're kind of watching and kind of setting up, and you know, I'm in a position on top of like an old fridge. I'm just kind of looking over the top of my sights and waiting. And at one point the door opens quickly and I see an arm come out with what looks like a small revolver in his hand and he shoots in the air one quick shot.

OLIVEIRA: So outside the door?

NUTLEY: Shoots outside the door. The weapon is pointed in the direction of the officers, but up in the air.

OLIVEIRA: Okay.

NUTLEY: Shoots up in the air. Then backs in right quick and closes the door.

OLIVEIRA: Okay.

NUTLEY: Um, that's when I take up a sighted position at that point.

OLIVEIRA: Okay, and it was just one shot fired?

NUTLEY: Just one shot.

OLIVEIRA: And you could tell it was him? You just saw his arm?

NUTLEY: Just a black arm.

OLIVEIRA: Just a black arm.

NUTLEY: Because he had on a short sleeved tee shirt. The black arm sticks out and that's all I saw.



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OLIVEIRA: And one round fired?

NUTLEY: Yeah.

OLIVEIRA: Could you tell the color of the gun?

NUTLEY: It looked dark. I would say, if I had to guess I would say he had a black revolver.

OLIVEIRA: Okay.

NUTLEY: It sounded, it sounded like a lower caliber.

OLIVEIRA: Okay, but you're pretty sure it was a revolver?

NUTLEY: Pretty sure. Yeah.

OLIVEIRA: Okay.

NUTLEY: I wouldn't say positive, but pretty sure.

OLIVEIRA: Okay. Um, so he retreats back inside at that point?

NUTLEY: Um-hmm.

OLIVEIRA: Um, what's going on outside? Anything?

NUTLEY: Obviously somebody asked about the shots fired, and I actually broadcasted something over the air regarding him pointing the gun out and shooting it in here.

OLIVEIRA: Okay.

NUTLEY: Um, and then that's when I take up a sighted position. And at that point it seemed like it was less than a minute, just seconds before he popped out again. And, you know, I'm looking at him and I can see him from my position because of the metal sheeting that's in his chain link. I could see him from basically the top when he's standing in the trailer.

OLIVEIRA: Okay.

NUTLEY: From basically the top of the shoulders-up.



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OLIVEIRA: So that's the view you have from up top?

NUTLEY: Yeah.

OLIVEIRA: But you can see his hands?

NUTLEY: Yeah, when he, the first time he came out with a gun, it's up here and I could see it clearly.

OLIVEIRA: Okay.

NUTLEY: So he steps out or he opens the door again and I could see the gun up here, and then it drops out of sight.

OLIVEIRA: Okay.

NUTLEY: And it's a matter of a few seconds where I'm, you know, looking at him. I didn't have too much time to decide at this point whether to take a shot or not, and I hear the sound of what I thought was a shotgun.

OLIVEIRA: Okay. And you know where that shotgun sound came from?

NUTLEY: It came from the direction where I knew my partner was set up, and I believe it was my partner who took the shot.

OLIVEIRA: Okay. So when the subject actually came out of the trailer, you saw the gun initially as he had it up, and then his arms dropped, and you don't know-

NUTLEY: Which direction it was-

OLIVEIRA: --where he was pointing or whether he was pointing at all, you don't know, right?

NUTLEY: No, I couldn't see where he was pointing, just from here it came down to whatever, this way-this way-this way.

OLIVEIRA: And again your view was blocked by the-

NUTLEY: By the metal sheeting.

OLIVEIRA: --metal sheeting on the fence.

NUTLEY: Um-hmm.



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OLIVEIRA: Okay. All right. And you hear the shotgun one-one shotgun blast?

NUTLEY: I hear one shotgun blast, but at the same time I'm hearing the sound of a "pop!" too.

OLIVEIRA: Okay.

NUTLEY: So I'm thinking either this guy gets a shot off or another officer took a shot.

OLIVEIRA: Okay.

NUTLEY: But it wasn't, it was definitely only one loud pop, like a shotgun, the other shot would have been like a handgun.

OLIVEIRA: And only one other pop that you heard?

NUTLEY: Yeah, only one other pop. It was, like, within, you couldn't even, you know, milliseconds with a shotgun, it almost blended with the shotgun.

OLIVEIRA: Almost at the same time?

NUTLEY: Yeah.

OLIVEIRA: Okay. Um, and then what happens after you hear the-the blasts?

NUTLEY: We maintain a position, um, you know, still waiting on-at this point I'm still waiting to see if this person is going to get back up again.

OLIVEIRA: So you saw him draw?

NUTLEY: Yes. He goes down.

OLIVEIRA: He goes down.

NUTLEY: Um, and I'm just waiting at that position, you know, I didn't move. And the command I think came out, "Everybody hold your positions."

OLIVEIRA: And any view of him at this point now that he's down?

NUTLEY: Can't see him at all on the ground. So I'm holding my position. Eventually when SWAT moves in, I can see their heads, um, from the far side and I can see the top of their shields and I can see the movement and the



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positioning and the focusing on the ground in front of the door. But I still can't see what they're looking at though.

OLIVEIRA: Okay. All right. And from there what happens after that?

NUTLEY: Um, they confirm that he's down. They also say that they're cuffing him at that time. And, uh, once they say "Secured!" I move from my position over to where Officer Dedonder was to check on him. At that point nobody had attempted to raise the person that shot, and so I knew there was another shot that was fired, and I just wanted to confirm how he was doing over there.

OLIVEIRA: Okay.

NUTLEY: And obviously when I got over there, I determined that he was fine and that he had taken a shot.

OLIVEIRA: And who was that?

NUTLEY: Officer Dedonder.

OLIVEIRA: Okay. All right. And you never fired your weapon?

NUTLEY: Never fired my weapon.

OLIVEIRA: Okay. Okay. Well, I'll be only a second and I'll be right back.

NUTLEY: Okay.

OLIVEIRA: You guys can step outside if you want to.

(DETECTIVE LEAVES ROOM. END OF INTERVIEW)



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Narrative Text Report # 4

Document: **02 WITNESS STATEMENT**

Author: **1107 - WOOD, MICHAEL 7750**

Subject: **Ofc Bryan Morris**

Related date/time: **May-03-2005 (Tue.) 1523**

On 4-21-05, appx. 2338 hrs., I spoke with Ofc. Morris in an interview room at the Public Safety Center. The conversation was recorded. The following is a summary of the interview:

I have been a police officer for six and on-half years. I am currently assigned to SWAT where I have been for appx. six months. I was with Sgt. Miller and Ofc. McCain. We were riding together in Sgt. Miller's vehicle going downtown to get something to eat. We were contacted by Ofc. Lau who informed us about the incident occurring up North. We responded to the area of Dixieanne, North of the junk yard. Upon arrival we dressed into our Swat call-out gear that included a vest marked with Police. Sgt. Miller had me grab the Arwin, which I took to Sgt. Miller. Sgt. Miller then had me go with a couple of other officers to the Kinney Police facility to pick up our equipment, the van, and the armored car.

Prior to leaving I did make it up to the scene for about 2 minutes before Sgt. instructed me to go to Kinney. At that point I believe the subject poked his head out once. I recall he was a male black. It was very quick. He had a natural afro-hair, not very long. I don't recall him saying anything at that time.

Then I left to get more gear. Sgt. Miller had myself, Ofc. Blessing and Ofc. McCain respond to Kinney. I picked up the Swat van, Ofc. McCain picked up the armored car and Ofc. Blessing drove the Excursion back.

When I arrived back at the scene I got dressed into my tactical gear. I then got into the armored car. I was going to take a high cover position in the hatch on the ceiling. The armored car was parked 30 to 50 yards south of Dixieanne on Selma. Ofc McCain was in the driver's seat. It was the two of us, we waited for instructions from Sgt. Miller. We were then told to take the truck down to a spot just north of the main gate. We were then told to go to the driveway area. We went down Selma and made a u-turn and came back and parked right in the driveway. Half of the gate was open. Some officer pulled the other half open.

We were facing the trailer, about 70 to 80 feet away. When were driving I was already standing up out of the hatch, looking down on the shop. I was armed with the MP-5. I was at that position for no more than 4 minutes. There were some branches in the way. I reached to break one and the other one was too big and too far away for me to get hold of, however, I still had a pretty clear view. When I was breaking one branch, I saw the subject



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in the corner of my. I saw him pop out of the trailer, he stuck his head out and fired one round into the air and go immediately back into the trailer. It looked like he had a revolver. It looked short. It almost fit in his hand. I don't remember him saying anything.

Within a minute or two after he fired, Ofc. Dobson came into the armored car and advised that we were going to swap positions. I assumed that was because Dobson is sniper trained. He was armed with the HK-53. I believe that with his experience and training, that was a better position for him. In transition, we asked Sgt Greenlee, who had come up to the armored car's driver's door when we pulled up, if he was on the trailer. As I came down, Ofc. Dobson went up into the hatch and said something about the trees, if we were going to cut those or how we were going to deal with them. He came back down into the armored car, I heard somebody talking about looking for clippers. As that was going on I heard Dobson say, "is that a gun he has?"

I turned and looked and saw the subject with a partially opened door, kind of scrouched in an aggressive position. To me it looked like he had both hands wrapped around the pistol. As Dobson asked if that was a gun, I looked, "Yeah, that's a gun!", and then I heard a shot that sounded like a small caliber. Then I heard two other shots, that also sounded like a small caliber, but I recognized those to be from Sgt. Greenlee's suppressed MP-5. I heard what sounded like three shots.

The last two shots sounded like they were from Sgt., but I heard one prior to that. It was almost instantaneous. It appeared that he (suspect) fired and then not even a second after I heard the two shots to my left coming from where Sgt. Greenlee was.

I was looking at the subject when the shots were being fired. After the one shot I saw a slight kick of the gun, him coming up a little bit, then, after the two shot of the suppressed MP-5, he dropped to the ground. It was the same guy I had seen come out earlier and fire a round.

I don't know if he ever really moved away from the door from the point that he fired the first round to the point of coming back out because i could kind of a silhouette moving behind the door. It was dark, but I could what appeared to be a silhouette back there. It was daylight outside. When I could see the subject I was looking through the front windshield of the armored car.

I didn't hear anyone yelling commands. I was all so quick I don't think there was any time to yell commands. What I could hear was Ofc. Dobson asking if it was a gun and could see what appeared to be a shiny gun, black and shiny.

When the shots were fired I was not in position to fire, I was inside the armored car.

After the subject fell I could not see him. He fell just outside the door frame of the trailer, but between us and where he fell was a big, metal,



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box-looking thing.

There were other officers positioned in a white dump truck to our west (across the street) when we came down in the armored car, with rifles. Sgt Miller was to the rear of the armored car. I think Ofc. Blessing was the one looking for clippers or something. Ofc. McCain, I think he was to the rear of the armored car. I did not see anyone in the yard that adjoined where the trailer was.



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Narrative Text Report # 5

Document: **06 DETECTIVE SUPPLEMENT**

Author: **412 - HIGGINS, THOMAS 7616**

Subject: **Detective Higgins Follow-up**

Related date/time: **Apr-21-2005 (Thu.) 1838**

INVESTIGATIVE FOLLOW-UP:

1838 hours, 04/21/05, I, Detective Higgins, received a telephone call at the homicide office from the Communications Center advising that the suspect from an officer involved shooting was en route to UC Davis Hospital. I responded to the hospital to contact the subject.

I arrived at approximately 1908 hours and contacted Officers Lazoya and Morales. They were standing by with the suspect, who had been identified as Paul Frazier. His clothing had been secured by them. I contacted the coroner's office and talked to Deputy Coroner Alison Rogers. I asked her if we could obtain GSR and a core body temperature from the victim who had been declared dead.

At approximately 1925 hours, Deputy Coroner Rogers told me that a GSR and a body temperature had been approved by Dr. Albers.

At approximately 1935 hours, Nurse [REDACTED] finally obtained a core body temperature of 37.6 degrees Celsius from the suspect. I advised CSI Figueroa to take GSR from the suspect as well as overall photos. The victim's clothing was examined by CSI and appeared to be a white shirt, a pair of white pants, with a wallet in the name of Paul Frazier in it, with a California ID in the wallet, which was in the pants pocket in the name of Paul Frazier. I observed the victim to have two apparent gunshot wounds to his chin, five to his chest and two to his right forearm.

I subsequently responded to the Kinney station where I interviewed witness [REDACTED] and obtained a statement from him.



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Narrative Text Report # 6

Document: **06 DETECTIVE SUPPLEMENT**

Author: **412 - HIGGINS, THOMAS 7616**

Subject: [REDACTED]

Related date/time: **Apr-21-2005 (Thu.) 2055**

STATEMENT OF [REDACTED] :

Approximately 2055 hours, 04/21/05, I (Detective Higgins) interviewed [REDACTED] in the Kinney interview room. This interview was audio and video recorded. For complete details, please listen to the audio and video recording. [REDACTED] told me the following in summary:

I was eastbound in the #1 lane on El Camino stopped at a red light. There was a car next to me in the right lane. I saw this gentleman step off the curb going northbound. He had a brown paper bag in one hand and he had his hand clenched around the top of it like it was a bottle in the bag. Then I noticed in his other hand he had a black revolver. He lifted the revolver up and I looked away. Then he stepped onto the sidewalk across eastbound. The revolver had a short barrel and when he was walking he was swinging it back and forth in his hand. I watched him and when the light turned green I took off. I called the police when I got home.

He was a male Black in his late thirties or forties. He had very short or bald hair and slight facial hair. He was wearing a white jacket and white pants. He was about 6'0", 215 to 220 pounds.

Detective Higgins then showed him a picture of Paul Frazier and asked him if that resembled the subject, and [REDACTED] stated, "It doesn't look like him to me. It's hard to say."



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Narrative Text Report # 7

Document: **06 DETECTIVE SUPPLEMENT**

Author: **738 - OLIVEIRA, STEVEN B 5045**

Subject: **CALL-OUT - DET. OLIVEIRA**

Related date/time: **Apr-21-2005 (Thu.)**

On 4-21-05 at approx. 1940 hrs, I, Det. Oliveira, arrived in the area of [REDACTED] Selma St. to assist with the officer involved shooting investigation. I attended the briefing given by Lt. Peletta. After observing the scene, I responded to SPD headquarters to assist with interviews.

At approx. 2150 hrs, I interviewed Sgt. Greenlee.

At approx. 2342 hrs, I interviewed Ofc. Nutley.

On 4-22-05, at approx. 0003 hrs, I interviewed Ofc. Smith.



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Follow Up Report # SA 1

Narrative Text Report # 8

Document: **06 DETECTIVE SUPPLEMENT**

Author: **802 - POROLI, MICHAEL 3103** ()

Subject: **Crime Scene Summary**

Related date/time: **May-12-2005 (Thu.) 921**

CRIME SCENE SUMMARY

NOTIFICATION:

On 4/21/05, at approximately 1830 Hrs., I was contacted by phone by Detective Husted and advised of an officer involved shooting at Selma Street. I was advised to respond to assist with the investigation. I responded to the scene from home.

ARRIVAL:

On 4/21/05, at approximately 1920 Hrs., I arrived on scene. Upon my arrival I observed the outer perimeter scene to be secured with yellow crime scene tape and uniformed police officers at the intersections of Dixieanne Avenue / Lexington Street and Dixieanne Avenue / Clay Street. I also observed an inner perimeter secured with yellow crime scene tape on Selma Street, south of Dixieanne Avenue.

WEATHER AND LIGHTING:

Upon my arrival to the scene it was still daylight. The weather was clear and warm with little to no breeze. A light truck was later brought in to process the scene, as it became nighttime.

CRIME SCENE RECORDER:

3CS24 was assigned as the crime scene recorder.

BRIEFING:

On 4/21/05, at approximately 1940 Hrs., Lt. Peletta #4100 provided a briefing of the circumstances known to him at the time. Lt Peletta advised that there were two previous radio calls regarding a male black subject with a gun. The first call #05-133593 came in at 1622 Hrs. and stated that there was a male black adult wearing all white carrying a black handgun on El Camino. The second call #05-133617 came in at 1644 Hrs., and stated that there was a male black subject at Lexington and Dixieanne waving a gun and shooting. Lt. Peletta advised that officers responded to both calls



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and were unable to locate this subject.

Lt Peletta stated that K-9 Officer Dustin Smith remained in the area and observed a male black subject at the light rail station who matched the description of the previous calls. Officer Smith attempted to contact this subject and this subject took off running. Officer Smith pursued this subject who ran into a trailer in a junkyard on Selma Street. Lt Peletta stated that officers surrounded the junkyard and called for SWAT. Lt Peletta advised that during this situation the suspect fired one round out of the trailer. Lt Peletta advised that the suspect was then shot by Sgt Greenlee, who fired approximately 3 rounds, and Officer Dedonder, who fired one round from a shotgun. Lt Peletta advised that the suspect, identified as Paul Ramone Frazier 9/12/60, was transported to the hospital by the fire department where he was later pronounced dead. Lt Peletta advised that the suspect had a history of 5150 arrests.

WALK-THROUGHS:

On 4/21/05, at approximately 1954 Hrs., I participated in a walk through involving Sergeant Greenlee. The purpose of the walk-through was to show Detectives his position at the time of the shooting and direction of shots fired. Sergeant Greenlee advised that at the time of the shooting the armored car was positioned at the opened gate facing east towards the suspect's trailer. Sergeant Greenlee advised that he was positioned behind the opened driver door of the armored car, between the door and the frame of the vehicle.

On 4/21/05, at approximately 2003 Hrs., I participated in a walk-through involving Officer Dedonder. Dedonder advised that he was positioned in the yard north of where the suspect was, standing next to a VW van looking over a chain link fence.

SCENE OBSERVATIONS:

██████ Selma Street was a triangle shaped piece of property located on the east side of Selma Street south of Dixieanne Avenue. Selma was a north/south, two-lane city street of asphalt. Selma Street runs south off of Dixieanne Avenue and then dead ends into a cul-de-sac. ██████ Selma Street was located at the far south end of the street. The property was surrounded by an approximate six-foot chain link fence with barbed wire along the top. There was metal sheeting attached to the inside of the chain link fence to provide privacy. ██████ Selma Street was located in a predominantly industrial area of North Sacramento. There was a large sign attached to the fence facing Selma Street which read "The Saints Tow



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Service, [REDACTED] Selma" and also contained hours and phone number.

There was a Regional Transit lightrail station located adjacent to [REDACTED] Selma Street on the east side. The lightrail station parking lot could be accessed off of Dixieanne Avenue to the north and Calvados Avenue to the south. There was a chain link fence separating the south end of Selma Street from the lightrail station parking lot. There was a small pedestrian size opening in the chain link fence from Selma Street into the lightrail parking lot.

There was another property north of [REDACTED] Selma Street that appeared to be associated with a building, Dyer Electric 1140 Dixieanne Avenue, located at the southeast corner of Dixieanne Avenue and Selma Street. The south end of this property, which bordered [REDACTED] Selma, appeared to be a salvage yard for recreational vehicles. This property and [REDACTED] Selma were separated by an approximate six-foot chain link fence with barbed wire on top. There were slats in the chain link fence to provide privacy. This property had a gate on the west side that opened up to Selma Street.

[REDACTED] Selma Street had a single entrance, which was a double chain link gate, located near the northwest corner of the property. This gate opened up to Selma Street. Both gates had sheet metal attached to provide privacy. Upon my arrival I observed both gates to be opened towards Selma Street.

Upon my arrival I observed a Sacramento Police patrol car #9423 parked facing a southeasterly direction just north of the gate to [REDACTED] Selma Street. I observed the Sacramento Police armored car #6155 parked on Selma Street facing north just south of the gate to [REDACTED] Selma. The armored car was reportedly moved after the shooting to allow medical personnel to enter. I later had SWAT Officer Bill McCoin place the armored vehicle back into position it was in at the time of the shooting to the best of his recollection.

There was a small Nomad travel trailer located inside the yard of [REDACTED] Selma Street, backed up against the north fence of the property, with the door facing to the west. This was reportedly the trailer the suspect was living in and had come out of at the time of the shooting. The door to this trailer was found to be unlocked upon my arrival. The door was located at approximately the center on the trailer. There were car hoods leaned up against the west side of this trailer, one on each side of the door covering the windows.

I observed a single apparent bullet hole in the hood that was leaned up



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against the trailer to the left of the door. This appeared to have been caused from one of the shotgun pellets.

There was a handle on the side of the trailer to the left of the door about halfway up. There was an exterior light to the left and near the top of the door. I observed three apparent bullet holes in the side of the trailer just to the left of the door in a vertical pattern. There was one hole below the handle, one above the handle and the third above the handle, but below the light. The bottom two holes appeared to have been caused from 9mm rounds and the top appeared to have been caused by a shotgun pellet. All three of these rounds penetrated the exterior metal and interior walls of the trailer.

I observed three additional apparent bullet holes in the west side of the trailer to the right of the door. These holes were near the top of the trailer and appeared to have been caused by shotgun pellets. The rounds penetrated the exterior metal, but did not penetrate the interior walls of the trailer.

Upon entering the trailer there was a sleeping area to the right or front of trailer. This area consisted of benches that were folded down into a bed with some blankets and pillows on top. There was a small television located next to the bed, which was found turned on. There were clothes and other personal belongings in the shelves and cabinets around the bed area.

To the left of the door was a table with bench seating on either side. Across from the door was a kitchen cabinet with a stove and a sink. At the rear of the trailer was a separate bathroom.

There was a fire extinguisher (item #13) located hanging on the wall just to the right of the door as you are looking out of the trailer. I observed three apparent entrance holes through the wood paneling to the right of the door. One of the holes was above the fire extinguisher. One of the holes was behind the fire extinguisher near the bottom. This round penetrated the fire extinguisher on one side and remained inside the cylinder. The third hole penetrated the wall below the fire extinguisher just above the bench to the table. This round went through the back seat cushion to the bench and into an air conditioning unit that was sitting on the bench closest to the door. This round went through the plastic front of the air conditioner and exited the other side going through a shirt (item # 11) and then possibly into the kitchen cabinet. There was an apparent bullet hole through the front of the kitchen cabinet below the sink. There was another bullet hole in the back wall of the trailer behind the stove. A bullet (item #15) was later recovered from this hole. Trajectory rods were used



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to attempt to show the path of this bullet from the west wall into the air conditioning unit and the through the kitchen cabinet and into the back wall behind the stove. It should be noted that these trajectory rods did not line up, but may be explained if the bullet changed directions after hitting the metal frame of the air conditioning unit.

There was an empty Steel Reserve 211 beer can (item #9) and a partially full bottle of peach Cisco (item #8) located on top of the kitchen counter. There was a plastic container containing 23 live .22 caliber rounds (item #7) located on the kitchen counter behind the Steel Reserve can. There was an empty American Eagle .22 caliber ammunition box (item #10) located on the floor under the bed. There was an expended shotgun pellet (item #18) located on the floor under the bed. There was a live .22 caliber bullet (item #16) located within the blankets on top of the bed. There was a toy cap gun (item #12) located on top of a ledge on the west wall of the trailer to the left of the door.

There was a large pool of blood located on the ground several feet in front of the door to the suspect's trailer. Also scattered on the ground in front of the trailer was miscellaneous mechanical parts, as well as, miscellaneous tools including a hammer and a sledgehammer. There were also two sharp kitchen knives located on the ground near the trailer door. The knives had black handles and one of them had a broken tip. Next to the pool of blood was a small brown paper bag containing a partially full bottle of beer (item #14). There was an expended .22 caliber shell casing (item #5) located on the ground near the right side of the step at the entrance to the trailer.

There was a white Honda Civic (NV Lic. # [REDACTED]) parked facing east near the front of the suspect trailer. It was unknown if this vehicle was operational or not. There was a Ruger .22 Caliber revolver (item #4) located on top of this vehicle. CSI Woo examined this handgun prior to collecting it as evidence. Upon CSI Woo opening the cylinder I observed the gun to be loaded with 5 live rounds and one expended shell. The expended shell was located in the position behind the barrel.

There was an expended Speer Luger 9mm +P shell casing (item #1) located on the ground outside the front gate of [REDACTED] Selma Street. This was near the driver door of the armored vehicle after it was moved back into place. There was another spent Speer Luger 9mm +P shell casing (item #2) located on the front drivers seat of the armored car. There was a third spent Speer Luger 9mm +P shell casing located on the front floorboard of the armored car next to the front passenger seat. A fourth spent Speer Luger 9mm +P shell casing was later located in the back of the armored cat on top



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of the right bench seat. It was unknown if this shell casing was related to this incident.

There was an expended Winchester DBL X Magnum 00B shotgun shell located on the ground near the fence in the yard north of [REDACTED] Selma Street. This was near the location where Officer Dedonder indicated that he shot from. I examined the fence between where officer Dedonder was standing and where the suspect was. The top of the fence post appeared to have several lead strike marks indicating that several of the shotgun pellets may have deflected off of the post.

A GSR test kit was also collected from the back of the VW van that officer Dedonder was standing next to.

VIDEO TAPE:

Upon arrival to the scene and after the briefing and walk-throughs, I made a videotape depicting the scene and items of evidence observed and/or collected. I also videotaped the approximate perspectives of shooting and witnessing officer, as well as, the approximate perspective of the suspect. This video will be booked into property as an item of evidence.

EVIDENCE ITEMS:

Numerous items of evidence were collected from the scene by CSI personnel. For exact descriptions and locations of items collected, refer to CSI reports, diagrams and photographs.

CSI PERSONNEL:

The scene was processed by CSI officers Boyd #6378, Woo #6382, Lawson #6357 and Atkinson #6371 at my direction.

AERIAL PHOTOGRAPHS:

On 4/22/05, I requested aerial photographs of the scene from the SPD Air Unit. Air 1 took the photographs on 4/22/05, at approximately 1550 Hrs.

DEPARTURE:

On 4/23/05, at approximately 0245 Hrs., I departed the scene, along with all CSI units. Prior to leaving the scene I secured the property by closing and locking the gate with a chain and padlock located on the ground.



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Narrative Text Report # 9

Document: 06 DETECTIVE SUPPLEMENT

Author: 802 - POROLI, MICHAEL 3103 ()

Subject: Det. Poroli Observations

Related date/time: Mar-22-2006 (Wed.) 802

DETECTIVE FOLLOW-UP:

On 5/9/05, at approximately 1045 Hrs., I returned a phone message to () at (). () identified himself as the brother of Paul Frazier. () stated that he was calling to find out the status of his brother's case and he also wanted to find out when he could get his brother's property back. I asked () what property in particular that he was interested in. He sated that he wanted to get the gun back. () described the gun that Paul had as a .22 caliber revolver. He stated that the gun belonged to his aunt who lives in Michigan. I asked for his aunt's name and he stated that it was (). I advised () that his brother's property would not be released until the case had been reviewed by the District Attorney's office.

On 5/24/06, at approximately 1420 Hrs., I received a phone call from a male subject who identified himself as (), brother of Paul Frazier. () stated that he lived in Oakland and wanted to give a little background into his family. () stated that his family belonged to the Saints organization on Fairfield Street. He described the Saints as a religious communal organization, but said that it was similar to a cult. He described the property on Fairfield Street as being like a compound.

() stated that his father () was part of the Saints until he passed away last year. He sated that his uncle () is currently a member of the organization. () stated that the Saints are a small organization. () stated that he did not agree with the organization and did not belong.

() stated that his brother Paul was a member of the Saints. It was ()'s opinion that Paul membership to the Saints contributed to his mental problems. He stated that they did a lot of drinking. () described Paul as being normal in the past. He stated that Paul's problems began in the past 10 years. He stated that Paul only acted out of control when he was drinking.

() stated that he was not familiar with the gun that Paul had. He stated that he grew up pretty close to Paul. He stated that he last saw Paul at their father's funeral about four to six months ago. He stated



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that he lived in that trailer off and on and that he also had an apartment with the church.



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Follow Up Report # SA 2

Follow Up Report # SA 2

Assignment Information

Assigned to: **472 - JOHNSON, COREY 0656** Rank: **POLICE OFFICER**

Capacity: **SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE)** Org unit: **OOO PATROL DIST 2 MID (INACTIVE)**

Assigned on: **Apr-23-2005 (Sat.) 111** by: **472 - JOHNSON, COREY 0656**

Report due on: **Apr-23-2005 (Sat.)**

Submission Information

Submitted on: **Apr-21-2005 (Thu.) 1926**

Approved on: **Apr-22-2005 (Fri.)** by: **268 - ENRIQUEZ, F 3020 (REDACTED)**

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **04 OBSERVATIONS**

Author: **472 - JOHNSON, COREY 0656**

Related date/time: **Apr-21-2005 (Thu.) 1911**

On 04-21-05 at approx. 1718 rs. I Ofc. Johnson #656 responded, Code 3, while in full uniform and a marked patrol vehicle, to the area of Dixieanne and Selma regarding a subject who was armed with a handgun and had run from officers. I arrived on scene at approx. 1725 hrs. I deployed my AR-15 as I am a rifle team member.

I took a perimeter position across the street from the Saint yard and held my position fixed on the trailer where the subject was last seen. I was relieved of my position at approx. 1800 hrs. I responded to the command post to await further instruction.

At approx. 1823 hrs., while waiting by the command post I heard a small caliber gunshot and then a large caliber shot. I was then advised over the radio that the subject was down. At approx. 1910 hrs. I cleared the scene



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Follow Up Report # SA 3

Follow Up Report # SA 3

Assignment Information

Assigned to: 733 - NYGREN, E 3067 () Rank: SERGEANT

Capacity: SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE) Org unit: OOO PATROL DIST 1 MID
(TEAM 3)

Assigned on: Apr-23-2005 (Sat.) 111 by: 733 - NYGREN, E 3067 ()

Report due on: Apr-23-2005 (Sat.)

Submission Information

Submitted on: Apr-22-2005 (Fri.) 125

Approved on: Apr-22-2005 (Fri.) by: 268 - ENRIQUEZ, F 3020 ()

Follow Up Conclusion

Follow Up concluded: Yes

Narrative Text Report # 1

Document: 04 OBSERVATIONS

Author: 733 - NYGREN, E 3067 ()

Related date/time: Apr-22-2005 (Fri.) 100

At approximately 1712 Hours, 04 21-05 R/O (SGT E. Nygren #3067) was working within his assignment as the Mid-Shift Sector's 1&2 Supervisor. R/O was in full SPD uniform and driving a marked SPD vehicle #9003.

R/O responded to a call of a suspicious person who had just brandished a handgun at K9 Officer D. Smith and then retreated inside a small trailer at Selma. Officer Smith had been checking the area in regards to two separate calls where a subject was reported to be brandishing a handgun and wearing distinctive clothing.

R/O assumed initial control of the scene directing an inner and outer perimeter to be established, ensuring the evacuation of all buildings in the immediate area and requesting Regional Transit cancel stops at the Swanson Station which was directly East from the location. As well as gathering intelligence on the Suspect and the inner perimeter.

The Suspect opened the trailer door several times and Officer's attempted to communicate with him unsuccessfully. Members from the Department SID unit also arrived on scene to assist.

The Watch Commander LT D. Pelletta responded to the scene and assumed



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command of the incident initiating a Critical incident call out.

During this time frame the Suspect fired one round from the handgun into the air. A short time later he again opened the trailer door reportedly pointing the handgun towards Officer's at which time shots were fired and he fell to the ground.

SPD Fire & Medical units, which had been previously summoned to stage near the area, responded and ultimately transported the Suspect to UCDMEDCEN where he was pronounced deceased.

R/O then assisted the Watch Commander with the follow-up procedures as needed.



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Follow Up Report # SA 4

Follow Up Report # SA 4

Assignment Information

Assigned to: **3322 - DOUGHERTY, JOHN 3034** Rank: **POLICE OFFICER**

Capacity: **SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE)** Org unit: **OOO PATROL DIST 2 MID (INACTIVE)**

Assigned on: **Apr-23-2005 (Sat.) 111** by: **3322 - DOUGHERTY, JOHN 3034**

Report due on: **Apr-23-2005 (Sat.)**

Submission Information

Submitted on: **Apr-22-2005 (Fri.) 522**

Approved on: **Apr-22-2005 (Fri.)** by: **268 - ENRIQUEZ, F 3020 ()**

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **04 OBSERVATIONS**

Author: **3322 - DOUGHERTY, JOHN 3034**

Subject: **OBSERVATIONS-DOUGHERTY, 0290**

Related date/time: **Apr-22-2005 (Fri.) 106**

On 04-21-05 at 1726 hrs, I arrived on scene at [REDACTED] Selma St. in response to an armed subject in a trailer on the property.

POP units, patrol units, 3SM1 (Sgt. Nygren), and K9 units were already on scene. A perimeter had already been set up by on scene units. I went to the Command Post (mid-block on Selma, just south of Dixieanne) to see where I could be of assistance.

I assisted Sgt. Nygren in getting information on the subject and his prior history.

SWAT arrived on scene and took up primary positions within the perimeter.

From my position at the command post, I had no visual of the subject or his position.

At approx. 1820, I heard a single gunshot. I could not see where the gun fire came. A moment later, I heard a louder more powerful gunshot. From my position I could not see where the second shot came from either.



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Follow Up Report # SA 4

Units adv sub was down.

Per 3SM1 Sgt. Nygren, Ofc. Murawski and I began to set up a crime scene. I cordoned off Selma St just north of the 2300 block with yellow crime scene tape and assisted Ofc. Murawski in getting names of individuals within the perimeter.

At approx. 1900 hrs, I was positioned at the east perimeter on Dixieanne until RT47 Richardson relieved me.

At 1916 hrs I was back in service for patrol.



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 5

Follow Up Report # SA 5

Assignment Information

Assigned to: **591 - LUCKIE, J H 0629** () Rank: **POLICE OFFICER**

Capacity: **SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE)** Org unit: **OOO PATROL DIST 2 DAY (TEAM 7)**

Assigned on: **Apr-23-2005 (Sat.) 111** by: **591 - LUCKIE, J H 0629** ()

Report due on: **Apr-23-2005 (Sat.)**

Submission Information

Submitted on: **Apr-21-2005 (Thu.) 2250**

Approved on: **Apr-22-2005 (Fri.)** by: **268 - ENRIQUEZ, F 3020** ()

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **04 OBSERVATIONS**

Author: **591 - LUCKIE, J H 0629** ()

Related date/time: **Apr-21-2005 (Thu.) 2012**

4-21-05, about 1711 hrs I heard a radio broadcast from Officer Smith (K912) that he had a subject running that had a gun. He then said the subject had pointed the gun at him. I responded to his location C3 and took a perimeter position in the Dixieanne Lt Rail Station one block to the east.

While in the lot (about 1725 hrs) I contacted Lt Rail security and confirmed they had the info to not let the trains stop at this station.

About 1727 hrs I heard a radio broadcast that the susp with the gun was in a property associated with Saints Towing. From past contacts I recognized that property as [REDACTED] Selma St, the location of a trailer inhabited by Paul Frazier (MBA 9-12-60, XREF [REDACTED]). I had a PF2 print out and a photo of Frazier in my folder of 290 registrants for Dist 21. I advised Sgt Nygren I had the print out (see photo copy of print out). I went to Sgt Nygren's location on Selma St just south of Dixieanne Ave and gave him the print out. I advised Sgt Nygren that Frazier was known to me to be often 5150/922 and had a lengthy criminal history.

I moved to a position just west of the trailer the susp was in. I saw the susp come to the door of the trailer and look out. I saw that it was in fact Frazier and advised Sgt Nygren.



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
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1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 5

Sgt Nygren asked me if I felt Frazier would respond to me if I talked to him over the PA system. Because several of my contacts with Frazier in the past had been somewhat cordial, I felt it was worth a try. About 1736 hrs I got on the PA system and addressed Frazier for several minutes. I called him by name, told him it was Officer Luckie (he knew me well enough to recognize my name), and told him I wanted him to come out of the trailer and show the officers he had nothing in his hands, and to come over and talk to us so that noone would get hurt. I repeated this several times. There was no response.

Subsequently, about 1915 hrs I went to Lexington St south of Dixieanne Ave and picked up wit [REDACTED] and transported him to the area of Selma St/Dixieanne Ave, then to the Hall Of Justice, then to the Kinney Station for an interview with a detective.



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 6

Follow Up Report # SA 6

Assignment Information

Assigned to: **745 - OSBORN, R 7784 (OLD BADGE 0580)** () Rank: **POLICE OFFICER**
Capacity: **SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE)**
Assigned on: **Apr-23-2005 (Sat.) 111** by: **745 - OSBORN, R 7784 (OLD BADGE 0580)** ()
Report due on: **Apr-23-2005 (Sat.)**

Submission Information

Submitted on: **Apr-21-2005 (Thu.) 1948**
Approved on: **Apr-22-2005 (Fri.)** by: **268 - ENRIQUEZ, F 3020** ()
Follow Up Conclusion
Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **04 OBSERVATIONS**
Author: **745 - OSBORN, R 7784 (OLD BADGE 0580)** ()
Related date/time: **Apr-21-2005 (Thu.) 1925**

4-21-05, approx. 1721 hrs. Officer Osborn (#580), driving a marked police veh, in full police uniform, responded to the area of Green st. and Dixieanne to assist patrol officers on scene with a suspect possibly armed with a gun. R/O arrived at approx. 1724 hrs.
R/O contacted Sgt. Nygren (3sml) and was advised to respond with my police canine partner "Devo" to a position north/east of suspects location. R/O responded to the rear of () Dixieanne and with the help of air1 took up a position approx. 20 yards north/east of suspects trailer. R/O could hear suspect yelling at officers, but could not understand or see the suspect due to cover position.
Approx. 1820 hrs. R/O heard via radio that suspect had gone back into the trailer. R/O responded to area of Selma/Dixieanne to assist with operation of the police robot.
Approx. 1821 hrs. R/O heard a loud gunshot and what sounded like someone falling.



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 7

Follow Up Report # SA 7

Assignment Information

Assigned to: **3436 - MORALES, ORLANDO 3071** Rank: **POLICE OFFICER**
Capacity: **SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE)** Org unit: **OOO TRAINING NORTH**
Assigned on: **Apr-23-2005 (Sat.) 111** by: **3436 - MORALES, ORLANDO 3071**
Report due on: **Apr-23-2005 (Sat.)**

Submission Information

Submitted on: **Apr-22-2005 (Fri.) 105**
Approved on: **Apr-22-2005 (Fri.)** by: **268 - ENRIQUEZ, F 3020 ()**

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **04 OBSERVATIONS**
Author: **3436 - MORALES, ORLANDO 3071**
Related date/time: **Apr-21-2005 (Thu.) 1947**

On Thursday 04-21-05 at approximately 1710 hrs, Ofc Lozoya #237 and myself Ofc Morales #738 (WH25) responded to a call for cover made by Ofc D. Smith (K-912) at Selma/Dixieanne. The call was regarding an armed black male adult subject who was running and entered a trailer. We were in a marked police vehicle in full police uniform responding from Del Paso Blvd/ El Camino.

Upon arrival, at approx 1716 hrs, Ofc D. Smith was on scene with his handgun drawn, pointing it in the direction of where he saw an armed suspect (later identified as suspect Frazier) enter a trailer.

Ofc Lozoya directed me to arm myself with the shotgun and he would get his rifle. Ofc Lozoya exited the vehicle and grabbed his rifle, and riot helmet from the trunk, and I armed myself with the shotgun, and put on my riot helmet.

I then parked my patrol car angled against a tree approx 15 ft from the west entrance to the property, in a s/e position. The perimeter of the property was surrounded by a chain link fence approx 6-7 ft tall and some type of aluminum/tin was interwoven in the fence, preventing a clear view of the trailer without being in an elevated position or at the west gate entrance.



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 7

More units began arriving and a decision was made to open the main west double door gate into the property. The gate was opened and a patrol car was placed at the entrance to provide officers some cover.

Officers in position around the patrol car at the west gate stated that they observed suspect Frazier step out of the tailor and brandish a handgun (possibly a revolver). Communication between officers and the suspect began immediately and the suspect did not follow instructions. I was near my patrol vehicle and did not see the suspect.

The SWAT team arrived a short time later and relieved some officers around the scene. About 15 minutes later Sgt Nygren directed myself and another officer to evacuate the people at the business directly west of the scene. We went over there (█████ Lexington) and advised them that they had to stay clear of the area.

A few minutes later a shot was heard and one officer advised over the the radio that the suspect had fired a shot into the air from the trailer.

About five minutes later I heard several shots and an officer advise that officers had fired and hit the suspect. The suspect was said to be motionless.

I was at the Command Post at the time of the shooting. The Command Post was located approx 80yds north of the west gate entrance into the property.

Fire responded to the scene and transported suspect Frazier to UCD Med Center.

At 1849 hrs Ofc Lozoya and myself responded to UCDCMC, and arrived on scene at 1854 hrs. At 1855 hrs Dr. ██████ pronounced suspect Frazier dead.

I unhandcuffed suspect Frazier and placed the handcuffs in a bag to be booked as evidence.

We observed suspect Frazier's body and noted 2 small bullet size holes in the area of his right chin. Five bullet size holes were in his collar/chest area, and there were two in his right forearm.

At 2049 hrs we responded back to the command post at Selma/Dixieanne and arrived at 2056 hrs.

We protected the crime scene until 0000 hrs when we were relieved by Ofc Yaya #846 and Trimpey #806.



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

**GO# SA 2005-133658 CLEARED
EXCEPTIONALLY**

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 7



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GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 8

Follow Up Report # SA 8

Assignment Information

Assigned to: **390 - HARSHBARGER, JOHN 0484** Rank: **POLICE OFFICER**

Capacity: **SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE)** Org unit: **OOO PATROL DIST 2 POP/**

GRANT TEAMS

Assigned on: **Apr-23-2005 (Sat.) 111** by: **390 - HARSHBARGER, JOHN 0484**

Report due on: **Apr-23-2005 (Sat.)**

Submission Information

Submitted on: **Apr-21-2005 (Thu.) 2025**

Approved on: **Apr-22-2005 (Fri.)** by: **268 - ENRIQUEZ, F 3020 ()**

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **04 OBSERVATIONS**

Author: **390 - HARSHBARGER, JOHN 0484**

Subject: **OFC HARSHBARGER (DT21)**

Related date/time: **Apr-21-2005 (Thu.) 1958**

Observations:

On 4-21-05 at appx. 1713 hrs, Ofc. Lange and I (DT21) arrived The area of Dixianne/Selma. K9 Ofc. Smith advised a possibly armed subject had just ran from him and went inside a trailer located in a junk yard at this location. I observed the following in summary:

Just prior to our arrival Ofc. Smith advised the subject just pointed a gun at him from the area of the trailer. When we arrived I saw the junk yard was on the e/cl of Selma just south of Dixieanne. Ofc. Smith pointed out the trailer to me. I had a patrol vehicle pull up to a tree that was directly west of the front door of the trailer. I stood on the push bumper of the patrol vehicle, and took cover behind the tree to get a clear look at the front door. I was equiped with my department issue M-16 rifle.

While I was in this position, the suspect, later identified as (s) Frazier, opened the door of the trailer, exposing himself with a small black hand gun in his right hand. At the time the hand gun was pointed down at the ground along his right hip area. He said something, but I could not hear it. Fraizer then closed the door and went back inside. I held my position



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as Frazer opened the door several more times exposing himself without a gun. He was talking but I could not hear him. I held my position until releieved by SWAT members.

While at the command post several minutes after being releieved by SWAT, I heard a small caliber gun fire. I heard over the radio that Frazier had just fired off a round. A couple of minutes after that I heard a large blast and a medium caliber rifle fire.

I was at the command post at the time and did not Frazier or the officers that shot.



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GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 9

Follow Up Report # SA 9

Assignment Information

Assigned to: **3299 - MURAWSKI, BRIAN 0871** Rank: **POLICE OFFICER**

Capacity: **SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE)** Org unit: **OOO PATROL DIST 2 MID (TEAM 9)**

Assigned on: **Apr-23-2005 (Sat.) 112** by: **3299 - MURAWSKI, BRIAN 0871**

Report due on: **Apr-23-2005 (Sat.)**

Submission Information

Submitted on: **Apr-21-2005 (Thu.) 2206**

Approved on: **Apr-22-2005 (Fri.)** by: **268 - ENRIQUEZ, F 3020 ()**

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **04 OBSERVATIONS**

Author: **3299 - MURAWSKI, BRIAN 0871**

Related date/time: **Apr-21-2005 (Thu.) 2147**

On 4/21/05, at approx. 1723 hrs., I Ofc Murawski responded to the area of Selma and Dixieanne, to assist on a perimeter. The perimeter had been set up on a subject that K912 (Ofc. D. Smith), had followed into a camper trailer. The subject was possibly armed with a gun.

Once at the scene, I contacted 3SM1 (Sgt. Nygren). 3SM1 asked me to make a diagram of all of the officers that were at the scene. I then had dispatch conduct a role call of all of the officers at the scene. After hearing the role-call, I made a diagram of the officers positions at the scene and gave it to 3SM1.

3SM1 then provided me with the name of the subject (Paul Frazer). I then contacted SPD records to inquire about the subject past history. Records advised me that the subject was a 290 PC registrant, and that he had been arrested numerous times on various charges. Records also advised me that (Frazer) had been placed on a 5150 hold five times since 1994. Twice in 2001, once in 1995, and twice in 1994. As I was talking to records, at the corner of Selma and Dixieanne, I heard what sounded like gun-shots from where the subject was located. I then heard a unit come over the air and broadcast that shots had been fired.



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Follow Up Report # SA 9

Ofc. Dougherty (WIL25) then began to set up a crime scene, with crime scene tape. As soon as the scene was set up, I began a crime scene log. I kept recording until I was relieved by CSO Packwood (3CS24).



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1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 10

Follow Up Report # SA 10

Assignment Information

Assigned to: **3172 - GRIGGS, JEFFREY 3014** Rank: **POLICE OFFICER**

Capacity: **SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE)** Org unit: **OOO PATROL DIST 2 MID (INACTIVE)**

Assigned on: **Apr-23-2005 (Sat.) 112** by: **3172 - GRIGGS, JEFFREY 3014**

Report due on: **Apr-23-2005 (Sat.)**

Submission Information

Submitted on: **Apr-21-2005 (Thu.) 2133**

Approved on: **Apr-22-2005 (Fri.)** by: **268 - ENRIQUEZ, F 3020 ()**

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **04 OBSERVATIONS**

Author: **3172 - GRIGGS, JEFFREY 3014**

Related date/time: **Apr-21-2005 (Thu.) 1916**

On 4-21-05 at approx 1711 Hrs I, OFC Griggs #0670 and OFC Shiraishi #0562 (BA23) were dispatched to the area of Green St/Dixeanne Ave to assist K912 OFC Smith #468 who advised that he had visual on a subject who was possibly armed based on an earlier call for service. The earlier call for service described a MBA armed with a small black handgun. OFC Smith (K912) broadcasted that the subject was running from him and reaching for his waist band. We responded code 3 with our emergency lights/siren activated.

OFC Smith broadcast that he had chased the subject to a trailer where the subject had brandished a handgun at him.

We arrived on scene at approx 1716 Hrs and took a perimeter position on the southeast side of the junk yard at [REDACTED] Selma St. We were inside the parking lot of the Swanston Regional Transit Light Rail station east of the south end of Selma st. OFC Smith's patrol vehicle was parked approx 30 feet east of ours.

In the south east corner portion of the yard at [REDACTED] Selma st, the yard was fenced by a chain link fence covered by sheet metal. We did not have a visual of the interior of the yard at [REDACTED] Selma st, the trailer in question, Officer's inside, or the suspect.



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At approx 1821 Hrs I heard a gunshot come from the area of the yard at [REDACTED] Selma st. Officers on scene advised that the subject had fired on shot from a small revolver.

At approx 1822 Hrs I heard a louder gunshot come from inside the yard at [REDACTED] Selma St. Officers advised that a shot had been fired and the suspect was down.

At 1915 Hrs SGT Nygren (3SM1) instructed my partner and I to split up. I took a perimeter position on the North side of the Swanston light rail station and OFC Shiraishi took a perimeter position on the South side of the light rail station.



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GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 10

Narrative Text Report # 2

Document: **04 OBSERVATIONS**

Author: **3271 - SHIRAISHI, JEFFREY 4073**

Subject: **OBSERVATIONS: SHIRAISHI #562**

Related date/time: **Apr-21-2005 (Thu.) 2005**

On 04/21/05, at approximately 1711 hours, my partner (Ofc. Griggs #670 - BA23) and I (Ofc. Shiraishi #562 - BA23) were dispatched to Green St and Dixeanne Ave regarding a cover call to assist K9 Ofc. Smith #468 - K912. My partner and I drove code 3 from the area of 16th St and G St. We arrived on scene at approximately 1716 hours.

My partner and I took a perimeter position on the southeast side of a junk yard at [REDACTED] Selma St in the Swanston Regional Transit Light Rail Station's parking lot. We posted by a chain link fence that separated the parking lot from the south end of Selma St.

From our perimeter position, we could not see into the junk yard that the suspect was holding himself inside. The perimeter fence of the junk yard has metal sheets that prevent someone from looking into the yard.

My partner advised me that we should be wearing our riot helmets, so we dawned our riot helmets. We put our helmets on because we were afraid of the suspect shooting in our direction.

At approximately 1820 hours, I heard a gunshot. The shot sounded as if it were from a small calibre firearm. As my partner and I heard the shot, we took cover behind our patrol vehicle.

At approximately 1822 hours, I heard a second gunshot which sounded to be from a much large calibre firearm. Again, my partner and I took cover behind our patrol vehicle.

When we heard that the suspect was down and not moving, my partner and I took off our riot helmets and kept our perimeter position per Sgt. Nygren 3SM1.

I did not know the suspect. I did not see the suspect. I did not see the suspect with a handgun.



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GO# SA 2005-133658 CLEARED
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1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 11

Follow Up Report # SA 11

Assignment Information

Assigned to: **3162 - BECERRA, RAUL 0399** Rank: **POLICE OFFICER**

Capacity: **SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE)** Org unit: **OOO PATROL DIST 2 MID (TEAM 10)**

Assigned on: **Apr-23-2005 (Sat.) 112** by: **3162 - BECERRA, RAUL 0399**

Report due on: **Apr-23-2005 (Sat.)**

Submission Information

Submitted on: **Apr-21-2005 (Thu.) 2348**

Approved on: **Apr-22-2005 (Fri.)** by: **268 - ENRIQUEZ, F 3020 ()**

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **02 WITNESS STATEMENT**

Author: **3162 - BECERRA, RAUL 0399**

Subject: **()**

Related date/time: **Apr-21-2005 (Thu.) 2202**

Witness Statement: **() , ()**

On 04-21-05 at approx 2040 hrs I Ofc Becerra #0399 (DT12) contacted (W) **()** by telephone at his residence. I obtained his home telephone from his place of employment (2349 Lexington St (Medic Ambulance)). He related the following in summary:

I was inside the ambulance bay when I heard a gun shot outside the building. It sounded like it was nearby. I walked outside and I saw the subject standing on the corner (s/w corner of Dixieanne and Lexington) right outside of our building. The subject was a male black, approximately 28 years old. He was wearing a sort of white long sleeve shirt with white pants. He started walking away, e/b on Dixieanne away from our building. The subject was sort of shouting something and I could not understand what he was saying. He was walking on the south side of the street and also walked out onto the street.

The subject walked past the next building across the street (east of our building) and he came to where the empty field starts. He pointed the gun toward a building east of the field and he fired another round. At that



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point I turned away and started to walk back to our building to call the police. As I went into our building I heard another round being fired. The subject was holding a revolver with his right hand. I seemed to be a medium size type of revolver dark in color. It might have been a .38 caliber or something similar. He did not point the gun at me while I was out there.



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1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 11

Narrative Text Report # 2

Document: **04 OBSERVATIONS**

Author: **3162 - BECERRA, RAUL 0399**

Related date/time: **Apr-21-2005 (Thu.) 2236**

Observations: Becerra #0399

On 04-21-05 at approx 1712 Hrs SPD Ofc Daniels and I, Ofc Becerra (DT12) were dispatched to the area of Green St and Dixieanne to assist SPD Ofc Smith (K9-12) with a report of a subject that had been seen in the area shooting off a gun. Prior to this there had been two separate calls from citizens regarding a subject dressed in white walking on the street with a gun and both had been checked with negative results. SPD Ofc Smith broadcasted over the radio that the subject he saw matched the description of the subject in the two prior calls regarding the a subject with a gun.

Ofc Daniels and I were near the area and arrived to the area Dixieanne and Green St soon after Ofc Smith advised that he had possible seen the subject. Ofc Smith then advised over the radio that the subject was ran away from him and ran into a mobile trailer. Ofc Daniels and I were unable to locate Ofc Smith initially. Ofc Smith then broadcasted over the radio that the subject had opened the door from the trailer and pointed the gun at him. We finally located Ofc Smith in the area of Dixieanne and Selma St.

The subject had barricaded himself inside a trailer located on a junk yard lot on Selma St (█████ Selma St). Upon arriving at the scene Ofc Daniels and I took a cover position by the front gate of █████ Selma St. SPD Ofc Lozoya was covering the front gate to the yard with his rifle deployed. I then parked my car in front of the gate as the gate was opened to establish a better cover and allow better visual of the trailer and the subject. I immediately stepped out of the car and took a position of cover behind the vehicle. By that time more officers had arrived on scene and a perimeter was being set up around the yard where the trailer was located. SPD Sgt Nygren arrived on scene and took control of the scene. Initially Ofc Daniels and I were designated as the arrest team and we both took a position of cover outside the yard behind a patrol car.

SPD Sgt Miller and his SWAT Team members started arriving on scene and started replacing the officers who initially responded to the scene. Ofc Daniels and I remained in front of the location as we were still the designated arrest team. Ofc Luckie attempted to make contact with the subject by using the loud speaker of the patrol car parked by the front gate with negative results. Sgt Miller then established verbal contact with the subject and they talked for approximately twenty to thirty



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Follow Up Report # SA 11

minutes. Sgt Miller tried to convince the subject to come out peacefully but was unable to convince him to come out. The subject did step out of the trailer to talk to Sgt Miller but he refused to come all the way out to The subject refused to come out and eventually went back into his trailer. Soon after the subject went back into his trailer I heard a shot being fired. An Officer then stated that the subject had opened the door and shot a round onto the air. Sgt Miller then told Ofc Daniels and I to leave the area for a safer position away from the front gate and we did.

A short time after Ofc Daniels and I left the area of the front gate a heard what sounded like a shot gun being fired. I then heard one officer broadcast over the radio that the subject was down and did not appear to be moving. The whole time I was near the gate I did not see the subject at all. I was aware of his actions and movements due to other officers broadcasting them over the radio. After the subject was shot I did not return to the area and took a position in the outer perimeter to control the crime scene. I later responded to 2349 Lexington St to attempt to contact the employee ((W) [REDACTED]) who had hailed Ofc Smith regarding the armed subject. I contacted an employee who provided me with (W) [REDACTED]'s home phone number and I contacted him by telephone.



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GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 12

Follow Up Report # SA 12

Assignment Information

Assigned to: 216 - DANIELS, BOBBY 0488 () Rank: POLICE OFFICER

Capacity: SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE) Org unit: OOO PATROL DIST 1 POP/

GRANT TEAMS

Assigned on: Apr-23-2005 (Sat.) 112 by: 216 - DANIELS, BOBBY 0488 ()

Report due on: Apr-23-2005 (Sat.)

Submission Information

Submitted on: Apr-22-2005 (Fri.) 42

Approved on: Apr-22-2005 (Fri.) by: 268 - ENRIQUEZ, F 3020 ()

Follow Up Conclusion

Follow Up concluded: Yes

Narrative Text Report # 1

Document: 02 WITNESS STATEMENT

Author: 216 - DANIELS, BOBBY 0488 ()

Subject: ,

Related date/time: Apr-21-2005 (Thu.) 2206

On 04-21-05 at about 1845 hours I, officer Daniels #488, contacted Witness at Cooks Collision (2310 Lexington). Witness stated the following in summary:

I saw a male black wearing a white shirt open the door of the trailer look out and go back in several times. I went around the side of the building and I didn't see or hear anything for a while. Then I heard a few small shots fired and one loud one.



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GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 12

Narrative Text Report # 2

Document: 02 WITNESS STATEMENT

Author: 216 - DANIELS, BOBBY 0488 ()

Subject: ,

Related date/time: Apr-21-2005 (Thu.) 2217

On 04-21-05 at about 1850 hours I, officer Daniels #488, contacted Witness at Cooks Collision (2310 Lexington St). Witness stated the following in summary:

I saw a male black wearing a white shirt and a beanie hat walking south on Selma Street talking to himself. I heard a dog barking and the male black was now walking backwards north bound Selma talking to someone. The male black turned and started running north bound. I saw a police officer chasing after him. The male black ran into the gated yard and closed the gate.

Later I saw the male black open his trailer door with a gun in his hand and he fired a shot and went back inside. I ran around the side of the building and heard a loud boom.



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 12

Narrative Text Report # 3

Document: 02 WITNESS STATEMENT

Author: 216 - DANIELS, BOBBY 0488 ()

Subject: ,

Related date/time: Apr-21-2005 (Thu.) 2247

On 04-21-05 at about 1900 hours I, officer Daniels #488, contacted Witness at Cooks Collision (2310 Lexington Street). Witness stated the following in summary:

I saw an officer chase a male black through the gate on Selma. The male black came out of the trailer with something in his hand and the officer backed out of the gate. I went back around the building where I work and didn't see or hear anything for awhile. About a half hour ago I heard a single shot and a few minutes later I heard a loud shot.



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GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 12

Narrative Text Report # 4

Document: **04 OBSERVATIONS**

Author: **216 - DANIELS, BOBBY 0488** ()

Subject: **B. DANIELS #488**

Related date/time: **Apr-21-2005 (Thu.) 2303**

On 04-21-05 I, officer Daniels #488, was working in a marked patrol vehicle and in full uniform with officer Becerra #399. We were patrolling the East side of the levee when a second call was broadcasted regarding a male black dressed in all white shooting a gun into the air on Lexington. We needed to go back to the the Kinney station and responded to call from the West side of the levee.

While we were in the area of El Camino and Boxwood officers located a stolen vehicle and we assisted them on the felony stop. We cleared the stop once the suspects were in custody. We continued looking for the male black suspect dressed in all white.

We were on Dixianne when officer Smith, (K9-12), located a subject matching the description. The subject ran from officer Smith on Selma. Officer Smith broadcasted the subject barricaded himself inside a trailer and opened the trailer door pointed a gun at him.

We arrived on scene and put on our ballistic helmets and took a position of concealment outside the gate with officer Smith. Officer Loyoya deployed his rifle and also took a position of concealment outside the gate. Officer Smith returned to his vehicle to put on his ballistic helmet. Because we had had concealment and not cover we positioned a patrol vehicle outside the front of the gate and took cover behind it.

Sgt. Nygren arrived on scene and order me to high ground along with officer C. Johnson. We took a position of cover on top of a dump truck on the West side of Selma. Officer Johnson deployed his rifle and we had a clear look at the front door of the trailer. We remained there until SWAT Sgt. Miller arrived with his SWAT team and waved us down.

Sgt Miller advised officer Becerra and I that we were the arrest team when the subject surrendered. We stood by while Sgt Miller was communicating with the subject for about 20 minutes before an officer broadcasted that the subject went back into the trailer. A few minutes later I heard a single shot fired from the direction of the trailer. Sgt Miller ordered officer Becerra and I out of the area.

I was standing about 40 yards form the trailer when I heard a loud bang and



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two or three small caliber shots. The loud bang and the small caliber rounds occurred at about the same time.

At about 1840 hours Sgt Nygren ordered me to interview three possible witnesses at Cooks Collision (2310 Lexington street). This business back to Selma. I contacted Witness [REDACTED], [REDACTED], and [REDACTED] through the back fence of 2310 Lexington and took their statements.

I drove to 2349 Lexington to contact Witness [REDACTED] but he had left for the day. I then went [REDACTED] Response Rd [REDACTED] and contacted witness [REDACTED]. He stated earlier today he called the police because he was stopped at a light on El Camino at Lexington when he saw a male black dressed in all white holding a brown paper bag. When the subject turned around he saw a small black revolver in the subjects hand. I contacted Lt. Quinn and per his request I transported witness [REDACTED] to the kinney station to be interviewed by homicide detectives.



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Follow Up Report # SA 13

Follow Up Report # SA 13

Assignment Information

Assigned to: **536 - LANGE, MICHAEL 3067** Rank: **POLICE OFFICER**

Capacity: **SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE)** Org unit: **OOO PATROL DIST 2 POP/**

GRANT TEAMS

Assigned on: **Apr-23-2005 (Sat.) 113** by: **536 - LANGE, MICHAEL 3067**

Report due on: **Apr-23-2005 (Sat.)**

Submission Information

Submitted on: **Apr-21-2005 (Thu.) 2015**

Approved on: **Apr-22-2005 (Fri.)** by: **268 - ENRIQUEZ, F 3020 ()**

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **04 OBSERVATIONS**

Author: **536 - LANGE, MICHAEL 3067**

Subject: **OFFICER LANGE #0451**

Related date/time: **Apr-21-2005 (Thu.) 1950**

On 4-21-05, at appx 1713 hrs, I (Ofc Lange #0451) and my partner Ofc Harshbarger # 0484 were on duty, in full uniform and driving a fully marked SPD patrol vehicle. We were working as unit Delta 21.

We responded to the area of Dixieanne/Selma to assist K9 Officer Smith who was in foot pursuit of a possibly armed subject. Just prior to our arrival, Ofc Smith advised that the subject ran into a mobile home trailer at [REDACTED] Selma. We took up perimeter positions in front of the house. Ofc Harshbarger deployed his M16 rifle, while I deployed a shotgun. I directed additional responding units to perimeter locations.

We maintained our point positions with a clear view of the front door while waiting for SWAT officers to arrive.

At one point the subject appeared in the front door of the trailer and was yelling at us. Because of his positioning, I could not see his hands. He yelled at us for a few moments and then went back into the trailer.

A few minutes later, he re-emerged at the front door to the trailer. Using the PA microphone on a squad car, I gave him verbal orders to exit the



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Follow Up Report # SA 13

trailer. I repeatedly identified ourselves as the Police Department and requested him to come out of the trailer. He was yelling back at me, but because of the helicopter noise I was unable to hear him. After speaking to him for a few minutes, he returned inside the trailer. I continued talking to him over the PA, but he did not respond. Ofc Luckie stated that he had prior dealings with the subject and took over attempting to communicate with him.

I was relieved at my position by SWAT officers. A few minutes later, I heard (1) one gun shot from what sounded like a small caliber weapon. The SWAT officers on point advised that the subject had just fired a round. I returned to the command post to await further instruction.

Appx 10 minutes later, I heard 1 (one) gun shot from a large caliber weapon and multiple shots (appx 2-3) from a smaller caliber weapon. From my position at the command post, I could not see who fired the rounds.

I stayed on scene until directed to return back into service by Sgt Nygren



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Follow Up Report # SA 14

Follow Up Report # SA 14

Assignment Information

Assigned to: **174 - CHESTERMAN, RONALD R 7793** Rank: **POLICE OFFICER**
Capacity: **SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE)**
Assigned on: **Apr-23-2005 (Sat.) 113** by: **174 - CHESTERMAN, RONALD R 7793**
Report due on: **Apr-23-2005 (Sat.)**

Submission Information

Submitted on: **Apr-21-2005 (Thu.) 2015**
Approved on: **Apr-22-2005 (Fri.)** by: **268 - ENRIQUEZ, F 3020 ()**

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **04 OBSERVATIONS**
Author: **174 - CHESTERMAN, RONALD R 7793**
Related date/time: **Apr-21-2005 (Thu.) 1948**

Observations

On 4/21/05 at 1742 hrs, I responded to Selma and Dixieanne assist other Officers with an armed suspect who had barricaded himself in a travel trailer. The call indicated that the suspect had pointed a handgun at an Officer.

At 1758hrs, I arrived onscene. My K9 partner Max and I took up a position inside of a RV junk yard that was on the north side of the suspects(later identified as Frazer, Paul) residence. I had a clear view of the north and east side of the trailer Frazer was in. I was about twenty five feet from the trailer.

After being at my spot for about 10 minutes I heard the front door to the trailer open and then I heard a shot come from a small caliber handgun. The shot sounded like it might have been a 22 caliber. I then heard the trailer door shut again. Officers then put out over the Police radio that Frazer had just come outside and fired his gun into the air. There was no activity for a few minutes, then I heard shots from a shotgun and a smaller caliber gun almost at the same time. I then heard Officers indicating shots fired and the Frazer was down.

After Sgt Nygren advised me to move from my spot I cleared the area.



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GO# SA 2005-133658 CLEARED
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1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 15

Follow Up Report # SA 15

Assignment Information

Assigned to: **32 - AZEVEDO, JOHN S 3051** Rank: **POLICE OFFICER**

Capacity: **SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE)** Org unit: **OOO PATROL DIST 5 POP/**

GRANT TEAMS

Assigned on: **Apr-23-2005 (Sat.) 113** by: **32 - AZEVEDO, JOHN S 3051**

Report due on: **Apr-23-2005 (Sat.)**

Submission Information

Submitted on: **Apr-21-2005 (Thu.) 2022**

Approved on: **Apr-22-2005 (Fri.)** by: **766 - PEASE, LEWIS 7779**

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **04 OBSERVATIONS**

Author: **32 - AZEVEDO, JOHN S 3051**

Subject: **OFFICER AZEVEDO OBSERVATIONS**

Related date/time: **Apr-21-2005 (Thu.) 1856**

Officer observations on officer involved shooting: (CH12)

4/21/05, approximately 1710hrs, I, officer Azevedo #809 (CH12), was notified via radio that officer Smith (K912) had located a reported armed subject in the area of Selma/Dixieanne. I responded code three to the area and took a position of cover on the perimeter at the light rail station just east of the location. I maintained my perimeter spot while a S.W.A.T. call-out was initiated. While on scene I heard what I recognized as a shot-gun round being fired. I was then notified via radio that the suspect had been hit and was not moving. I continued to hold my position until I instructed to clear the area and be available for calls.

end of observations



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Follow Up Report # SA 16

Follow Up Report # SA 16

Assignment Information

Assigned to: **589 - LOZOYA, RANDY 0237** () Rank: **POLICE OFFICER**

Capacity: **SUPPLEMENTAL ADD (NOT FOR DETECTIVE USE)** Org unit: **OOO PATROL DIST 2 MID (INACTIVE)**

Assigned on: **Apr-23-2005 (Sat.) 113** by: **589 - LOZOYA, RANDY 0237** ()

Report due on: **Apr-23-2005 (Sat.)**

Submission Information

Submitted on: **Apr-22-2005 (Fri.) 102**

Approved on: **Apr-22-2005 (Fri.)** by: **268 - ENRIQUEZ, F 3020** ()

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **04 OBSERVATIONS**

Author: **589 - LOZOYA, RANDY 0237** ()

Related date/time: **Apr-21-2005 (Thu.) 2153**

04-21-05, 1715 HOURS, AS WORKING UNIT WH25, MORALES #0738 AND I (R. LOZOYA #0237) RESPONDED TO SELMA ST AND DIXIEANNE AVE IN REGARDS TO OFFICER D. SMITH WHO WAS IN FOOT PURSUIT OF A SUBJECT ARMED WITH A GUN. WE WERE DRESSED IN FULL POLICE UNIFORM. WE ARRIVED AT APPROXIMATELY 1716 HOURS. UPON OUR ARRIVAL, I GRABBED MY RIFLE AND RAN TO WHERE SMITH WAS STANDING NEAR THE FRONT DOUBLE SWING GATE AT SELMA ST. I TOOK A FRONT POSITION FACING A WHITE MOBILE HOME TRAILER. APPROXIMATELY ONE MINUTE LATER A MARKED BLACK AND WHITE POLICE CAR WITH OVERHEAD LIGHTS WAS PARKED IN FRONT OF ME. I REMAINED BEHIND THE RIGHT FRONT PASSENGER DOOR AND COVERED THE SIDE TRAILER DOOR WHERE OFFICER SMITH SAID THE SUBJECT RAN INTO AFTER POINTING A GUN AT HIM. APPROXIMATELY 5-10 MINUTES LATER, I SAW A MALE BLACK ADULT (MBA) OPEN THE TRAILER DOOR. HE WAS YELLING SOMETHING, BUT I COULDN'T UNDERSTAND HIM DUE TO THE NOISE FROM THE HELICOPTER OVERHEAD. FROM MY POSITION, I COULDN'T SEE HIS RIGHT HAND. THE MBA WENT BACK INSIDE THE TRAILER. APPROXIMATELY 10 MINUTES LATER THE MBA OPENED THE DOOR A SECOND TIME. I COULD SEE HIS ENTIRE BODY AND HANDS. I DIDN'T SEE A WEAPON. OFFICERS BEHIND ME WERE YELLING AT THE MBA TO KEEP HIS HANDS UP AND COME OUT. THE MBA WENT BACK INSIDE THE TRAILER. APPROXIMATELY 20 MINUTES LATER, I WAS RELIEVED BY SPD SWAT OFFICERS. I WALKED BACK TO THE COMMAND POST AREA (CP). APPROXIMATELY 20 MINUTES LATER, I HEARD A POP FROM THE AREA OF THE TRAILER. OFFICERS ADVISED THE MBA FIRED A GUN.



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APPROXIMATELY FIVE MINUTES LATER, I HEARD TWO TO THREE SHOTS AND A METALLIC BANG FROM THE AREA OF THE TRAILER. AN OFFICER ANNOUNCED OVER THE RADIO "SHOTS FIRED SUSPECT DOWN."

APPROXIMATELY FIVE MINUTES LATER, THE FIRE DEPARTMENT WENT INTO THE TRAILER AREA AND ROLLED THE MBA OUT ON A GURNEY. FIRE DEPARTMENT MEDICS WERE PROVIDING CPR FOR THE MBA. THE AMBULANCE TRANSPORTED THE MBA TO THE UCD MEDICAL CENTER. MORALES AND I RESPONDED TO THE MEDICAL CENTER AT 1849 HOURS. WE ARRIVED AT 1854 HOURS. UPON OUR ARRIVAL, THE EMERGENCY ROOM MEDICAL TRAUMA TEAM ANNOUNCED THAT THE MBA WAS DECEASED AT 1855 HOURS. THE MBA WAS ON HIS BACK, AND FULLY CLOTHED. THE MBA'S LEFT HAND WAS HANDCUFFED TO THE GURNEY RAIL. THE MEDICAL STAFF REMOVED THE MBA'S CLOTHING AND MADE A PILE OF THE CLOTHING ON THE FLOOR. I SAW THAT THE MBA WAS INTUBATED WITH A MEDICAL TUBE, HAD TWO-2 APPRX. SIX MILLIMETER HOLES IN THE RIGHT SIDE OF HIS CHIN, FIVE -5 APPRX. 6 MILLIMETER HOLES IN HIS UPPER CHEST, TWO-2 APPRX. 8-EIGHT MILLIMETER HOLES AND A ONE-1 INCH LACERATION IN HIS RIGHT FOREARM. CSI 17, FIGUEROA, RESPONDED TO THE MEDICAL CENTER. FIGUEROA OBTAINED CUSTODY OF THE MBA'S CLOTHING AND THE HANDCUFFS. I REMAINED WITH THE MBA UNTIL 2049 HOURS. SERGEANT NYGREN ORDERED MORALES AND ME BACK TO [REDACTED] SELMA ST(SCENE). WE ARRIVED AT 2056 HOURS. WE STOOD WATCH AT THE SCENE UNTIL 0000 HOURS ON 4-22-05 WHEN MORALES AND I WERE RELIEVED BY OFFICERS YAYA #0846 AND TRIMPEY #0806(1AL22).



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GO# SA 2005-133658 CLEARED
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Follow Up Report # SA 17

Follow Up Report # SA 17

Assignment Information

Assigned to: **246 - DORRICOTT, R 0635** () Rank: **DETECTIVE**

Capacity: **OFFENSE INVESTIGATION (DETECTIVES ONLY)** Org unit: **OOI MAJOR CRIMES - HOMICIDE**

Assigned on: **Apr-27-2005 (Wed.) 1416** by: **246 - DORRICOTT, R 0635** ()

Report due on: **May-27-2005 (Fri.)**

Submission Information

Approved on: **May-02-2005 (Mon.)** by: **268 - ENRIQUEZ, F 3020** ()

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **02 WITNESS STATEMENT**

Author: **246 - DORRICOTT, R 0635** ()

Subject: **SHIPPEN CHRIS**

Related date/time: **Apr-27-2005 (Wed.) 1417**

4-21-05 2150 hrs.

I interviewed SPD Officer Shippen at the Kinney station (North) on the above listed date and time. The interview was video and audio taped. Officer Shippen stated the following in summary;

I was working in full uniform today. My assignment was Delta 14, as a POP officer. I was working alone at the time of the incident as my partner Jaymie Valdez took time off and went home early.

I was carrying a Sig Sauer 226 duty weapon tonight and it was loaded with 12 in the magazine and one in the chamber. I did not fire my weapon. I also was carrying my shotgun which I did not fire.

At approx. 1730 hrs. tonight I heard a radio broadcast of an armed subject with a handgun near Response Rd. I was in the Kinney station writing reports at the time and I monitored the call.

I left the station to assist when I heard that Officer Dustin Smith (K9 12) spotted the subject and got into a foot pursuit. Officer Smith broadcast that he was chasing a MB who pointed a gun at him and ran toward



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a trailer in the area of Dixianne and Green st.

I responded code 3 and went to the east end of Dixieanne at Calvados to block the street near the light rail station which bordered the area the suspect was last seen.

There were several officers in the area of the light rail station when I arrived and it appeared to be sealed off to the point where I felt I could assist by clearing businesses in the area.

I took my shotgun with me and went west on Dixianne and started contacting businesses to evacuate them. I met Baker 12, Officers Baker and Bryan. One business owner whose business was next to the property where the suspect ran to said that he didn't know the MB but said the subject stayed next door in the adjoining business and had never seen him with a gun.

Officer Dedonder and Nutley joined us at this business and we made our way south through the property to get a visual on the suspects trailer in the adjoining property.

We went south bound through this property and set up in the business which was a scrap yard next to the scrap yard that the suspect was in I don't know the name of the business which was at the corner of Selma and Dixianne.

We went through the businesses yard and made our way to a chain link fence which had sheetmetal stacked up against it. We were in the south end of the scrap yard we had entered which afforded a view of the trailer the suspect was in. I took a position in an RV which faced the suspects trailer and was just north and west of the suspects trailer. Officer Dedonder had a shotgun and took cover behind a VW van at ground level. Officer Dedonder was standing and was approx. 40-50 ft from the suspects trailer with a clear view of the door. Officer Nutley took a position on the roof of motor home behind us. I also had a clear view of the suspect and trailer. We had good cover and concealment and the suspect had no idea we were there. The fence and sheet metal was 5 1/2-6' tall.

Wehn I first got to my position I could hear the dialogue between the suspect and SWAT Sgt. Al Miller. The conversation took 5-10 minutes. The suspect would get agitated and calm down and they would talk about food, politics, and the suspects family. For Several minutes the suspect was in the doorway and one point started down the stairs. During the dialogue he asked if we wanted him to prove he was a man and started to reach towards his pants as if he were going to expose his genitalia. He told the SWAT



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team they would be there all night and he wasn't coming out and told us to go away.

After talking to Sgt. Miller the suspect went back into his trailer and closed the door. The suspect then came back out with a small black handgun and pointed it in the air and fired it. The had opened the door with his left hand, stepped out quickly, fired the gun and immediately retreated back into the trailer.

When the suspect came out the second time, he came out quickly, but this time he had the gun pointed in a horizontal direction. The suspect pointed the gun in a westbound direction so if he fired it would be in the SWAT officers direction.

I was looking directly at the trailer on the suspects right side as the suspects trailer door was facing west and the RV I was in was facing south. Dedonder was to my right (west of me) with a similar view and SWAT was to Dedonders right (further West) directly facing the trailer door with their armored vehicle. The suspects trailer door opened to the left so as it opened Dedonder and I would see into the opening and the suspect sooner than SWAT.

When the suspect came out with the gun the second time and pointed it in the SWAT officers direction I heard a "LOUD BOOM" and a small "POP". Originally I assumed an officer fired a shot causing the loud "BOOM" and the "pop" was from the suspect. I didn't know where the "pop" came from.

The "BOOM" sounded like it came from Dedonders area and sounded like a shotgun. When I heard the "Boom" the suspect fell out of my sight and I assumed he had been hit by an officers round.

Shortly after the shots the SWAT team moved in behind bunkers and I heard a request for "the hands on team" to take the suspect in custody.

I then went to Dedonder and asked if he was alright and he said he was the officer who fired.

After the incident Sgt. Nygren asked where everyone was and had everyone place their riot helmets at the position they were when the shooting occurred.

When the suspect fired the first shot I was concerned because he was an active shooter. I was scared. I was worried about the SWAT team because the suspects attention was focused on them. The suspect was very unstable and



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when he fired the first shot I got the impression he wasn't happy with his life and didn't know if he was just wanting attention or acting out a suicide by cop or what.

When the suspect came out the second time it was within a minute and now the gun was on a horizontal plane in the officers direction. Now I was very scared because he pointed the gun towards the SWAT officers and I could see the gun immediately, but because of the way the door opened I wasn't sure the SWAT officers would be able to see the threat. I wasn't able to react quickly enough as it happened so fast, but the officer Dedonder to my right did and fired. I would have fired in another split second myself. I would have fired because he was armed, had already fired a round, and he was not acting rationally. When the suspect came out the second time I thought he was going to shoot an officer or fire at an officer.

NOTE: I had the officer make and sign a diagram of the scene. Map booked as evidence.



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Follow Up Report # SA 17

Narrative Text Report # 2

Document: 02 WITNESS STATEMENT

Author: 246 - DORRICOTT, R 0635 ()

Related date/time: Apr-28-2005 (Thu.) 739



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GO# SA 2005-133658 CLEARED
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Follow Up Report # SA 17

Narrative Text Report # 3

Document: 05 SUPPLEMENT

Author: 246 - DORRICOTT, R 0635 ()

Subject: ()

Related date/time: Apr-28-2005 (Thu.) 740

On 4-21-05 at approx. 2200 hrs. I interviewed Witness () at the Kinney police station. The interview was audio and video taped. () stated the following in summary;

I work at Cooks Collision on Lexington. The parking lot of my business is directly across the street from the area where the suspects trailer was.

I saw a male black subject walking down the street cussing and I saw him going to some bushes by a telephone pole and digging around in it. I then heard a dog bark and he started backing up. At that time I saw an officer approach him and the subject started backing up waving his hands like bring it on as the cop was telling him to stop. The subject was cussing at the cop saying, "bring it!" and he kept backing up before running to the gate of the business across the street and ran into a trailer. Other cops arrived and started talking to him. The SWAT team arrived and then the subject came out of the trailer and fired a shot from what appeared to be a gun. I couldn't describe it and only know that he shot something in his hand when he fired the shot and ran right back inside. The guy came out a second time and I heard a loud gunshot and didn't know what had happened. I later saw the police approach him as he was on the ground.

I know the guy from the area and have seen him many times. Two days ago he threw trash over the fence from the yard his trailer was in. That is why all the trash is all over the place. I have never talked to the guy and have stayed away from him because he is always talking to himself. I have seen him almost daily and have worked at Cooks for about a year. I have never seen him with a gun before.

I was about 100 yds away from the subjects trailer in the parking lot of Cooks and was directly behind the gate where the SWAT officers set up. I saw the subject run through the gate when the officer chased him. I was looking through this area from about 100 yds away when I saw him fire the shot in the air. I didn't see him with the gun the second time he came out I just heard the loud "KABOOM" and I got out of there.

When I saw the subject come out the first time I saw him come out and shoot. It looked like he fired in the air. When I heard the loud "KABOOM" during the second shots I was trying to get back to work and looking over



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off and on and didn't see the subject come out with a gun. When I heard the "KABOOM" I got out of the way. I was afraid of being shot as I was about 100 yds away.

When the officer first approached the guy I just waited to see what would happen. When the guy fired the shot in the air I figured the guy was completely crazy. When I saw him digging around in the bushes by the telephone pole he looked at me and I turned away because he freaked me out. He was way "pissed off". He was "pissed off" at everything it seemed like. Prior to the officer approaching he had been just walking up and down the street.

When I have seen the guy prior I have just seen him walking up and down the street. I have seen him in the area of the trailer before but didn't know where he lived. I have never seen him act like this such throwing stuff over the fence the other day or angry like he was today and the other day.

NOTE: The witness made a diagram which I booked as evidence. He also viewed a booking photo of the suspect and said thats the guy.



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Follow Up Report # SA 17

Narrative Text Report # 4

Document: **06 DETECTIVE SUPPLEMENT**

Author: **246 - DORRICOTT, R 0635** ()

Related date/time: **Apr-27-2005 (Wed.) 1645**

AUTOPSY:

On 4-22-05 at approx. 0950 hrs I attended the autopsy of Suspect Paul Frazier performed by Dr. Elizabeth Albers, a forensic pathologist with the Sacramento County Coroners Office.

CSI:

Prior to the start of the autopsy I requested CSI for photo's. CSI Cathy Modeste responded and photographed the autopsy.

EXAMINATION:

Upon initial examination the suspects nude body was in the coroners bag with only two white hospital sheets within. The suspects hands were bagged and he had a white hospital band on the right wrist.

The coroner assistants removed the bags from the suspects hands and took fingernail scrapings.

I asked the pathologist about GSR and she said that she authorized it to be taken last night and believes it had been done.

I asked the pathologist about the clothing and she believed the officers retrieved it from the hospital as the suspect came in without it.

The doctor stated she also approved the taking of the suspects core temperature at the hospital and received a report that it was 99.6 which is only slightly elevated.

VISIBLE WOUNDS:

Upon external examination the suspect had a visual through and through wound to his right jaw area with the entrance wound slightly above the chin and the exit just below the chin.

There were five entry wounds to the upper torso of the suspect as follows;

- 1) One to the upper right shoulder
- 2) Three to the upper right chest
- 3) One to the upper left chest area

All of the aforementioned wounds were in a downward, right to left, front



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to back direction per Dr. Albers. The wound into the top of the upper right shoulder would be consistent with an individual in a crouched position.

All of the aforementioned wounds were consistent in size corresponding to five shotgun pellets removed from the suspects body.

The external examination also revealed a through and through wound to the suspects right forearm. The entrance wound was on the external right forearm and the exit on the interior of the right forearm. There was another elongated wound above the external entrance wound on the forearm which Dr. Albers stated could be a graze caused by another round or tearing of the skin which could be caused by the through and through wound. The wounds on the right forearm were described by Dr. Albers to be of a different size than those to the upper torso and believed these may have been caused by a seperate weapon than the shotgun.

BULLETS REMOVED FROM THE SUSPECT:

Two shotgun pellets were removed from the suspect prior to the internal examination and were located just under the skin on his upper right back area. One shotgun pellet was removed from just under the skin in the upper left back area after the internal exam revealed the location and easier access via the outer skin area.

One shotgun pellet was located adjacent to the suspects spinal cord and one shotgun pellet was removed from the spinal cord as it lodged in the same.

INTERNAL INJURIES:

Dr. Albers described the following internal injuries;

- 1) Two punctures wounds to the right lung
- 2) One round punctured the left lung
- 3) One round punctured the aorta
- 4) One round punctured the esophagus
- 5) One round imbedded in the spinal cord

CAUSE OF DEATH:

Per Dr. Albers the cause of death was internal injuries from the gunshot wounds to the lungs and aorta.



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Assignment Information

Assigned to: **445 - HUSTED, CHARLES 5020** () Rank: **DETECTIVE**

Capacity: **OFFENSE INVESTIGATION (DETECTIVES ONLY)** Org unit: **OOI MAJOR CRIMES - HOMICIDE**

Assigned on: **May-10-2005 (Tue.) 1834** by: **445 - HUSTED, CHARLES 5020** ()

Report due on: **Jun-01-2005 (Wed.)**

Submission Information

Checked by: **403 - HENDRICKSON, JAMES 7793** ()

Approved on: **Sep-28-2005 (Wed.)** by: **403 - HENDRICKSON, JAMES 7793** ()

Follow Up Conclusion

Follow Up concluded: **Yes**

Narrative Text Report # 1

Document: **02 WITNESS STATEMENT**

Author: **445 - HUSTED, CHARLES 5020** ()

Subject: **Office Lau Statement (4/21/05)**

Related date/time: **May-10-2005 (Tue.)**

4/21/05 at approx. 2130 Hrs., R/O (Det. Husted) interviewed SPD Officer Stephen Lau at the Public Safety Center. The interview was recorded on audio and videotape, and the tapes can be reviewed for exact details. The following is a summary of the statement provided by Officer Lau:

I have been a police officer since July 1994, and I have been assigned to the SWAT team for about three years. I have SSM off, and my standard shift is 1500-0100 Hrs. Due to training I was working 1300-2300 Hrs. today.

I was at the Kinney Police station today with SWAT Officer Blessing when the radio call came in. What I overheard on the radio was an officer chasing a subject into a trailer, and the subject was seen reaching into his waistband. I also heard radio traffic indicating that the subject was then coming out of the door of the trailer and pointing a handgun at the officer. I called SWAT Sgt. Miller to advise him to listen to the radio, as the incident may be an impending SWAT callout.

Officer Blessing and I then left the station in my vehicle and responded to the scene to assist. We were wearing our standard "Sam-Brown" duty belt, a ballistic vest, and then a black raid vest with "Police" marked in



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yellow. Once we arrived at the scene I deployed my MP-5 Sub-Machine gun, and Officer Blessing had his P226 pistol. We were the first SWAT personnel to arrive at the scene.

We then contacted Sgt. Nygren on-scene and he indicated that the scene was contained with a perimeter, and rifle team members were deployed. Officer Blessing and I then took a position next to a squad car that was at the open gate near the suspect's trailer. The gate was an entrance to a junkyard and the suspect's trailer was located inside the junkyard area. The squad car that we used for cover was facing the trailer. Officer Lazoya was on the passenger side of the squad car with his M-16 rifle deployed. I also observed Officer Harshbarger on the scene with his M-16 rifle deployed.

I then began preparing a sketch of the scene for Sgt. Miller in the event we have a subsequent tactical deployment. I then moved away from the squad car for a few minutes and then I heard over the radio that the suspect was coming out of the trailer. I then took a position at the same squad car located at the front gate with my MP-5. There were officers telling the suspect to come outside. Officer Lange got on the PA and was telling the suspect to come out. We had learned at some point that the suspect was named Paul, and Officer Lange was calling him by name. The suspect was not out long and he had gone back inside the trailer. I didn't see a gun. Officer Lucky then got on the PA and he tried to call the suspect outside. Officer Lucky indicated that he had dealt with the suspect on previous occasions and that he was familiar with the suspect.

Sgt. Miller, SWAT Officer McCain, and SWAT Officer Morrison then arrived at the scene. I then briefed Sgt. Miller and provided him with the sketch that I had prepared. I then deployed the Arwen 37mm less lethal weapon at Sgt. Miller's direction. At that point I had benched my MP-5. Sgt. Greenlee arrived at the scene and he was deployed as lethal cover. Sgt. Miller deployed his Colt Commando .223 rifle. I also put on my tactical gear at this time at the direction of Sgt. Miller.

Someone on the radio then advised that the suspect was coming out of the trailer again. Sgt. Greenlee, Sgt. Miller, and myself responded to the squad car located at the front gate. I could see that the suspect was in the threshold of his trailer. The door of the trailer opened outward to the left of the suspect. The suspect was a MBA, 5'10" - 6'0", 190-210 lbs, about 45yrs old, and he was wearing a white T-shirt and dark pants. The suspect had his left hand on the doorknob and his right hand on the doorjamb. I could see that he did not have a gun in either hand. I could see that he was talking, but with the helicopter overhead I could not tell



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if he was saying something to us or to himself. I could hear Sgt. Miller trying to call the suspect out to surrender.

Sgt. Miller had good dialogue with the suspect and it seemed like this went on for about twenty minutes. At one point during this time the suspect stepped all the way out of the trailer about 1-2 feet out from the door. When he was out of the trailer the door had closed behind him. Sgt. Miller and the suspect continued to talk but it was difficult to hear exactly what was being said. I did hear the suspect saying things about God, and something about someone had been calling him a faggot. I don't recall him saying anything about wanting to kill himself.

The suspect then went back inside the trailer for about 5-10 minutes. He then came back out to the threshold of the door and had continued dialogue with Sgt. Miller. At that point the air unit had moved to a higher altitude in an effort to reduce the noise. The suspect then talked with Sgt. Miller for another 10-15 minutes, and they were having the same type of conversation as they were before.

Officer McCoin then arrived at the scene with the armored car. I had him stop down the street while the suspect was still outside so the sight of the armored car wouldn't irritate the suspect further. Once the suspect went back into his trailer Officer McCoin brought the armored car into the front gate area, trading places with the squad car we had been using for cover. The front of the armored car was pointed directly at the suspect's trailer. Officer Morrison was deployed in the high cover position of the armored car with his MP-5. We opened both the driver's side and passenger side doors of the armored car for cover. Sgt. Greenlee took a position behind the driver's side door of the armored car. I was at the open back hatch of the armored car at the time. Sgt. Miller had directed Officer Dobson to take Officer Morrison's high cover position because Officer Dobson was using a HK-53 .223 rifle. As Officer Dobson was switching into the high cover position, I was looking through the front windshield of the armored car towards the suspect's trailer. I then saw the trailer door open and the suspect had a gun in his right hand. The suspect was in the threshold of the doorway as he pointed the gun towards the armored car. The gun looked small and was dark colored.

It seemed like another 5-10 seconds before any shots were fired. I then heard a couple small "pops", but I didn't know who had fired. I didn't see a muzzle flash from the suspect's gun. I then heard about 2-3 shots fired from Sgt. Greenlee's suppressed MP-5. I knew the shots came from Sgt. Greenlee's gun because I recognized the very specific sounds of his gun being fired.



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I then saw the suspect fall straight down headfirst. I advised on the radio that shots were fired and the suspect was down. I then checked on Sgt. Greenlee. We then formed a team to approach the suspect. Officer Dobson and Sgt. Greenlee remained in a cover position, while Sgt. Miller, Officer Blessing, Officer McCain, Officer Walters, and myself approached the suspect. Officer Walters and myself were hands-free so we could do the handcuffing once the suspect was contacted.

We initially approached a parked vehicle located to the right (south) of the suspect. From there I could see that the suspect was on his stomach and there was a small black revolver on the ground near his head. It looked like a 22cal. We then approached the suspect and I took the gun by the trigger guard in an effort to move the gun away from the suspect. While I recovered the gun Officer Walters handcuffed the suspect. The suspect's hands were under his body when we approached.

I then placed the gun on the parked car to the right of the suspect's trailer. I protected the gun for a while until Lt. Quinn advised us to clear the scene. I let Lt. Quinn know that the gun was left on the parked car.

I have never personally contacted the suspect prior to this incident.



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Narrative Text Report # 2

Document: 02 WITNESS STATEMENT

Author: 445 - HUSTED, CHARLES 5020 ()

Subject: Officer DeDonder Statement

Related date/time: May-24-2005 (Tue.)

SPD OFFICER DEDONDER STATEMENT:

4/21/05 at approx. 2320 Hrs., R/O (Detective Husted) interviewed SPD Officer Dedonder #302 at the Public Safety Center. The interview was recorded on audio and videotape, and the tapes can be reviewed for exact details of the interview. Also present in the interview was Officer Dedonder's attorney, David Mastagni Jr. The following is a transcribed summary of Officer Dedonder's statement:

HUSTED: I'm just going to try to take some notes.

DE DONDER: Okay.

HUSTED: Real quick. These are some of our standard questions. And what's your full name?

DE DONDER: Brian De Donder.

HUSTED: Okay, and your badge number?

DE DONDER: 302.

HUSTED: Okay, and how long have you been a police officer here?

DE DONDER: About eight years, a little over eight years.

HUSTED: Any prior law enforcement experience?

DE DONDER: I was a CSO in Woodland.

HUSTED: How long?

DE DONDER: About two years.

HUSTED: Okay. And you're currently assigned where?

DE DONDER: Central 5-POP.



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HUSTED: Is that a uniform capacity?

DE DONDER: Yeah, it's kind of a combination of both, uniform and sometimes we'd go out in plain clothes, but primarily uniformed.

HUSTED: Okay. How long have you been assigned to that team?

DE DONDER: This is my third year, actually I've gone through two full years, and this is the beginning of the third year.

HUSTED: And prior to POP you were working where?

DE DONDER: I worked dayshift east, and before that I worked graveyard south.

HUSTED: Basic patrol?

DE DONDER: Patrol, right.

HUSTED: All right, so you worked patrol, about five years of patrol and then three years POP?

DE DONDER: Correct.

HUSTED: Do you work with a partner?

DE DONDER: Yeah.

HUSTED: Who is that?

DE DONDER: Officer Nutley.

HUSTED: And what are your normal work hours?

DE DONDER: 1300 to 2300 Hrs.

HUSTED: Okay, and days off?

DE DONDER: Saturday, Sunday and Monday.

HUSTED: Okay, and today were you working your 1300 to 2300 hour shift?

DE DONDER: Yes. We were assigned to work patrol up north as Baker-11.

HUSTED: Okay.



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DE DONDER: I guess there was a shortage of patrol officers up north so they asked us to come up and work north patrol. Thursdays are our back-fill day.

HUSTED: Okay, so you were working back-fill today?

DE DONDER: Yeah.

HUSTED: Okay, and you were doing that since 1:00 p.m. today?

DE DONDER: Well, by the time we got up there it was probably more like 3:00. We really didn't get out there until about 3:00.

HUSTED: Okay. And last night, prior to coming to shift did you get a full night's sleep?

DE DONDER: Yeah.

HUSTED: Okay. The call-out that we're talking about today, was that your first call that you went to when you were north?

DE DONDER: No, we had a couple, two or three other calls prior to that.

HUSTED: What type of calls, just briefly?

DE DONDER: The first one was, like a hit-and-run type of thing at the Arby's, that by the time we got to, another unit had already gone to for us. The next call after that was a family 415 over some, uh, a deceased mother had some property, and it was just kind of a family 415. The next call after that was a CHP calling for back up on a 10851 suspect. A follow-up that he wanted to do. And the call after that was a 5150 up off of (inaudible) Avenue up by Rio Linda. And we were actually at that call and we heard Dustin on the radio hollering about somebody pointing a gun at him, so we cleared out of there in a hurry.

HUSTED: And when you said Dustin, who is that?

DE DONDER: K-9 Officer Dustin Smith.

HUSTED: Do you know his identifier?

DE DONDER: I can't remember, it's K9-4, something like that. I can't remember.



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HUSTED: And what specifically did you hear him say on the radio?

DE DONDER: Well, I was actually doing most of the talking on this 5150 call. And Nutley said we might have to get out of here in a hurry. And I could hear a lot of chit-chat on the radio, and I was trying to listen to the radio at the same time I was trying to kind of wrap things up with this 5150 lady. And, just my understanding was that he had a guy in a, some sort of a mobile home that had pointed a gun at him, and I heard other units rolling, so, other than that I didn't really catch on to exactly what-what he had. But I, it was my understanding it was related to this suspicious subject call that they broadcasted earlier about a male black wearing all white clothing.

HUSTED: Okay. After hearing that broadcast, about how long did it take before you guys actually responded to the scene?

DE DONDER: Well we probably took off out of the house that we were in up in the north area at about, probably about a minute after we heard the initial ruckus on the radio.

HUSTED: Okay.

DE DONDER: And, um-

HUSTED: Did you respond code or anything?

DE DONDER: Yeah we did.

HUSTED: Code 3?

DE DONDER: Yeah.

HUSTED: Lights and siren?

DE DONDER: Yes

HUSTED: And you said you were on Rude Avenue?

DE DONDER: Yeah, we were way up north.

HUSTED: About how far is that in relation to where the call was?

DE DONDER: Oh, I'd say at least two miles, maybe three.



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HUSTED: Tell me about how long it took you to get there?

DE DONDER: Probably a couple to three minutes. You know, it took us a few to get down there. But luckily it was a straight shot down Marysville, um, down to Raley, and then we took Del Paso Boulevard down to, uh, I think it was Boxwood that cuts across there across El Camino. We took El Camino over to Lexington down by Dixieanne and then we stopped at Dixieanne and Selma. Because we asked Sergeant Nygren if he needed another rifle, because Officer Nutley brought his rifle with him.

HUSTED: Are you a rifle team member?

DE DONDER: I am. Normally the way it works, we work a two-man car together and he usually takes the rifle, and I usually just, if we, if it comes to a situation like that I'll just deploy the shotgun. That's kind of the way, that way we don't have too much gear in the car and we're not bogged down too bad.

HUSTED: How long have you been a rifle team member?

DE DONDER: Probably about three years.

HUSTED: Okay. And are you driving or was Officer Nutley?

DE DONDER: Officer Nutley was driving.

HUSTED: While you were responding, did you hear any other radio traffic?

DE DONDER: I just hear people setting up perimeter spots and, just saying that he went inside his trailer. He's inside here. I just hear people responding. And I was pretty much looking it up on the map book, as you can probably imagine, not working in the north area, I kind of had to look-look that one up because I hadn't been down here for awhile, for up here for awhile.

HUSTED: Sure. When you get to the scene, where did you respond?

DE DONDER: Well, Sergeant Nygren wanted us at Dixieanne and Selma, so that's where we stopped the car and parked it. We got out and originally walked up down that little alleyway that runs, north and south, where Sergeant Nygren's car was. And we talked to him and we asked him where he wanted us, and he told us to go get on, get on this high ground over there in that junk yard, motor home, yeah, motor home junk yard over there.



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HUSTED: Is that north of where the suspect was located?

DE DONDER: Yes, just north of it.

HUSTED: What weapon did you deploy when you got there?

DE DONDER: I used the shotgun.

HUSTED: And Officer Nutley deployed what?

DE DONDER: His rifle, his M-16.

HUSTED: And then I assume you also had your duty gear on?

DE DONDER: Correct.

HUSTED: And what do you carry?

DE DONDER: A Sig, the .40cal Sig.

HUSTED: Okay. And what you're wearing today, your full police uniform, badge and the gun and Sam Brown, that's the same uniform you had on at the time?

DE DONDER: Yeah, exactly.

HUSTED: And you were driving a fully marked police car?

DE DONDER: Yes.

HUSTED: Officer Nutley was dressed similar to you?

DE DONDER: Yes.

HUSTED: Were you guys wearing ballistic helmets by chance?

DE DONDER: Yes, we both put on ballistic helmets.

HUSTED: Okay. How do you normally keep your shotgun?

DE DONDER: Locked in the little locking mechanism in between the two seats in the front.

HUSTED: Is that a shotgun specifically issued to you?



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DE DONDER: Yes.

HUSTED: Okay. And how do you carry it in a car as far as the capacity? Is it loaded or do you load it when you get it out?

DE DONDER: It's loaded, but not one in the, you know, rack one in, it's duty-loaded.

HUSTED: Okay. Then how many do you keep in the chamber or the barrel, I'm sorry?

DE DONDER: I think it can hold four.

HUSTED: Okay.

DE DONDER: So four.

HUSTED: So you keep four in the tube, but one out of the chamber?

DE DONDER: Right.

HUSTED: And then when you deploy, you rack the gun at that point?

DE DONDER: Yeah, and that's exactly what I did when I exited the car, I racked it right then and there.

HUSTED: All right, and Sergeant Nygren tells you guys to go onto the junk yard, find high ground, north of the suspect's location?

DE DONDER: Correct.

HUSTED: Were you given any other instructions as far as what the suspect may have done at that point?

DE DONDER: No, none at all.

HUSTED: What was your understanding of what had occurred?

DE DONDER: It was my understanding that, he had pointed a gun at Officer Smith, and then I don't know what happened prior to that other than he matched the description of a suspicious subject in the area. But other than that I really didn't know what was going on.



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HUSTED: Okay. Once you deploy on foot into that junk yard north of the suspect, what happened next?

DE DONDER: We kind of wormed our way up into the, you know, through the complex there and Officer Nutley took a position kind of up higher above, like on top of some sort of thing that holds the motor home junk. And I kind of worm my way up towards that fence that separates the suspect's motor home and the junk yard.

HUSTED: Okay.

DE DONDER: And I was probably ten yards from his front door.

HUSTED: From the suspect's front door?

DE DONDER: Yeah.

HUSTED: What type of fence was that between you?

DE DONDER: It was a chain link, but it had like metal sheets somehow wedged in there so that you really couldn't see through it. It wasn't like a chain link fence where you could see through it. It had like solid metal sheets that, you know, obviously blocked it. And then there was razor wire or bobbed wire on top of that.

HUSTED: How much of the suspect's residence could you see?

DE DONDER: I could see probably 80% of it. The only part I really couldn't see was probably the northern-most corner of his motor home.

HUSTED: Could you see the front door?

DE DONDER: Yeah. Clearly.

HUSTED: And when you got in position, was he outside or inside?

DE DONDER: When I got there originally there was nobody at all. He was obviously inside because there was nobody standing in the doorway.

HUSTED: Had the SWAT Team deployed at that point yet?

DE DONDER: They were kind of setting up, and I don't think there was any SWAT Team there already when I got there. I think we were there before they were.



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HUSTED: All right. What happened then?

DE DONDER: I know at some point he came outside and started making conversation with Sergeant Miller. He started having a conversation with him.

HUSTED: Do you recall what was being said?

DE DONDER: Well at first he was just kind of talking to himself, like looking at the ground and he was kind of talking to himself. He really didn't seem to have any direction with what he was saying. I really couldn't hear because the helicopter was up above. And then at some point Sergeant Miller got his attention and they started making conversation. And the guy was kind of up and down, where, for one time, he would talk like he was making sense. And then the next minute he would kind of go, you know, go on some weird tangent, talking about Jesus or God, what if I were the president? And you know, and you got a gun. The sergeant was all like, "Do you have a gun?" And he was like, "Yeah, you got one too?" You know, he's kind of like, "Well you've got a gun." And he just kind of got upset, and then he'd come back down. And then he was saying, "Well, why don't you come over here? Why don't you come in here one at a time?" You know. You know, "You've got all of your boys with you, you know, come on one at a time. I'll take you one at a time," in a kind of threatening manner. But you could clearly see his hand. I could clearly see his hands, that he didn't have anything in his hands during that time during this conversation.

HUSTED: Had he come all of the way out of his trailer during this conversation?

DE DONDER: He would step out to where, you know, there was like a little step right there. I couldn't tell if he was stepping on it during the original conversation. At some point he did come all the way out and the door actually closed, and there was still a conversation that was going on. But yeah, he was up and down. And then he'd go back inside, you know, he'd get all mad and upset, you know, and he'd go back inside.

HUSTED: About how long did this transpire?

DE DONDER: It was like a good thirty minutes back and forth, I'd probably say, of him, you know, coming out and talking for a few minutes and he'd go back inside for a few minutes. Come back outside and talk for a few minutes, and then he'd get all upset and come back and go back inside.



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HUSTED: Okay. Were there any other officers trying to tell the suspect to come out or anything like that at that point?

DE DONDER: You know, there might have been. I couldn't see anybody, but I thought I could hear people trying to talk or say something but I don't remember what was being said.

HUSTED: Do you remember what Sergeant Miller was telling the suspect during this back and forth?

DE DONDER: Yeah, he was just saying, "We just want to help you," um, and he was like, "Well, what kind of help can you give me?"

You know, "What can you do for me?" You know, "You can't help me." And just being very antagonistic towards him, and just, you know. He said, "I'm not coming out." You know, "You're going to arrest me. You're going to say I'm drunk in public and you're going to arrest me." And Sergeant Miller said, "No, we're just going to get you some help." And he's like, "Well, you're not a psychiatrist." And you know, "Are you a man? Are you a man? I'm a man." He was really off of his rocker. He wasn't making any sense.

HUSTED: Okay. After that back-and-forth, you said he went back into his trailer?

DE DONDER: Correct.

HUSTED: What happened after that?

DE DONDER: Well, I turned my head to look around and I noticed that there was a SWAT officer up about maybe 10 yards from me off to my right, and he was like up in the bushes or up in this tree. He wasn't in a tree, but there was a fence and then there was a tree, he was right up there by that tree, and right as I was looking at him, I hear a "pop!" And I look back, and by the time I look back he was already, the guy was already, the suspect was already going back inside his door. And that scared the shit out of me. And I was like; I figured the sucker would turn around and I'm not looking, this guy, you know, pops off a round.

HUSTED: So when you hear the "pop!" that's when you heard the gunshots actually?

DE DONDER: Right. And yeah, it was a gunshot.

HUSTED: From the suspect?



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GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 18

DE DONDER: Yeah, from that direction. And that got me, "Whoa!" You know, that got me going, that got me scared.

HUSTED: And when you heard that.

DE DONDER: I couldn't correlate. He'd already closed-started closing the door, but I couldn't see any gun.

HUSTED: Okay, but you did see the door start to close?

DE DONDER: I saw the door close. And somebody was like, "Shots fired!" And then Officer Nutley, who was in a better vantage point, was probably watching the door at the time, said, "Hey," he pointed the gun up in the air and squeezed off a round.

HUSTED: And did he advise that on the radio?

DE DONDER: Yeah, and they said it was like a small caliber handgun. So at that point, it was like, okay, I got to start watching this door, and you know, keep my site right on it, because that's not happening again. I'm not going to be, you know, be caught with my pants down again, looking the other way when this guy's coming out.

HUSTED: Sure.

DE DONDER: So maybe twenty or thirty seconds later, it might have been a minute, you know, it was hard to gauge exactly how much longer, but he comes out and he has the door, and I could see he has the gun in his hand, and he starts bringing it down and he holds it in this direction, just level in the direction where that officer was up in the tree, and he says, "Come on! Come on!" Like that, and I waited about one second after that, and I was like, okay, that's enough of that, there's just no way, we can't let this guy, with his weapon, it's-it's targeting these other officers over there, and I kind of figured maybe they couldn't see because he had the door at an angle, where it was partially closed on itself to where they probably couldn't have seen it. So I just shot, took a head shot with the shotgun.

HUSTED: When the door opens up and the suspect comes out and you described the gun in his hand, you're using your right hand to kind of describe it. Is that the hand that the suspect was holding?

DE DONDER: I believe it was in his right hand, yeah.



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1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 18

HUSTED: Okay. And he had his other hand, which would be his left hand, on his door?

DE DONDER: I think he was holding the door, yeah, exactly.

HUSTED: How far open would you say the door got?

DE DONDER: Probably about half way.

HUSTED: Okay. And in your mind, you weren't sure that the other officers actually could see that he was pointing the gun towards their direction?

DE DONDER: Right. And I really figured that if those guys could have seen it, they probably would have shot at him. And I figured, well, they probably just can't see it, and I don't want to wait for this guy to shoot off a round at them before they have a shoot-out, because that's one more round that they've got to deal and contend with.

HUSTED: Right.

DE DONDER: Plus the officer that was up in the tree, I was like, that's right where he's at. You know? So, you know, I can't have that. And I didn't know if he could see it or not because he was still a little bit further south than me. And I thought, well, maybe his eyes just are not quite on him. He's maybe not quite, can't see that from the door.

HUSTED: Was the suspect in the threshold of the door at this time?

DE DONDER: Correct. Yeah, buut more out of the door. I mean he was, yeah, he was within the door threshold.

HUSTED: Okay. And he's pointing the gun essentially towards the officer that's by the tree?

DE DONDER: Correct.

HUSTED: In that direction?

DE DONDER: Yeah, just a little bit south of him, but in that direction, yeah. Just directly-almost directly straight out that door.

HUSTED: Okay. And you fired one shot with your shotgun?

DE DONDER: Correct.



SACRAMENTO POLICE DEPARTMENT

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Follow Up Report # SA 18

HUSTED: You were aiming towards the suspect?

DE DONDER: Yeah.

HUSTED: And what type of rounds do you keep in the shotgun?

DE DONDER: Double-odd Buck.

HUSTED: Okay. After you fired your one shot, what happened?

DE DONDER: Well I heard what I thought sounded like another shot. It was kind of a quieter shot. So I didn't know if it was some other officer taking a shot with maybe a suppressed weapon or maybe he hit him with his little, whatever little revolver that he had. Because it sounded similar to what the first shot sounded like. It was kind of quiet. It wasn't a loud one.

HUSTED: Okay. And you said revolver. You could clearly see the suspect's gun?

DE DONDER: Yeah.

HUSTED: What type of revolver. Could you tell?

DE DONDER: Yeah, he had a little black, I don't know, it was either a .22 or a .38 or something. It wasn't a big-big one.

HUSTED: Okay.

DE DONDER: Yeah, it was pretty small.

HUSTED: Short barrel or long barrel?

DE DONDER: It looked short barreled to me.

HUSTED: Okay. When you fired the one shot from your shotgun, did the suspect go down?

DE DONDER: Yeah, immediately.

HUSTED: And was it almost simultaneous you heard the other shot?

DE DONDER: Yeah, I mean, it was just, "Bang!" Just like that. And it was



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Follow Up Report # SA 18

just like, I didn't know, I didn't know where it came from or what it was. I thought it was maybe either another officer shot or, um, or maybe it was he pulling a trigger on his gun again. I didn't know.

HUSTED: Okay, what happened next?

DE DONDER: I couldn't see anything from there. Because he dropped down from the fence line to where I couldn't see him at all.

HUSTED: Okay.

DE DONDER: And I just held my position there. And I could hear people talking, and they sent a couple of guys on the SWAT Team up to check him out.

HUSTED: Okay.

DE DONDER: That was about it. I don't know.

HUSTED: From your vantage point, how much of the suspect could you see? Could you see him from head-to-toe?

DE DONDER: I couldn't see him from head-to-toe, I could see from about-I wouldn't quite say his belly button-maybe a couple of inches above his belly button above. Um, up above that, so.

HUSTED: Okay, and were there any obstructions between you and him that would prevent you from having a clear shot?

DE DONDER: Well, there was a fence there, but I could clearly shoot above it. The razor wire was kind of in the way, but I kind of figured with a shotgun it's probably not going to matter. It's not going to get in the way of that. So, it was a pretty clear shot, other than the fence, the little razor wire-bobbed wire that was there.

HUSTED: And you said that you were about 10 yards away?

DE DONDER: Yeah. That's about right.

HUSTED: Okay. After the suspect goes down, you said the SWAT Team comes up to check on him. At what point did you clear out of there?

DE DONDER: Well, everybody said, "Stay put. So I stayed put until Sergeant Nygren told me I could leave.



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GO# SA 2005-133658 CLEARED
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Follow Up Report # SA 18

HUSTED: Okay. How long have you had that shotgun issued to you?

DE DONDER: Well, when I did the PSP training I got it, I know it was sometime last year.

HUSTED: What's PSP training?

DE DONDER: The perishables skills training. PSP training, whatever it's called.

HUSTED: What does that entail?

DE DONDER: It was a full day of shotgun training.

HUSTED: And that was last year sometime?

DE DONDER: Yeah, it wasn't that long ago. It was probably, I would guess like September or October of last year maybe. It doesn't seem like it was that long ago.

HUSTED: And prior to that had you qualified with the shotgun as well?

DE DONDER: Correct.

HUSTED: And do you recall how often you qualified?

DE DONDER: We did the shotgun qualification every quarter or so.

HUSTED: Okay.

DE DONDER: Any time it was offered or issued for us to go out and do it, I always went out and qualified.

HUSTED: Okay. Did you have any questions?

MASTAGNI: Just one. What was the lighting at the time that you discharged your weapon?

DE DONDER: It was daylight. it was about the time where, you know, I didn't have my sunglasses on because it was at the point where the sun was, you know, far enough out of my view, plus there was a big motor home right next to me that kind of put me in the shade, but he was clearly in the sunlight, so, it was still daylight.



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
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1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 18

HUSTED: Do you remember about what time?

DE DONDER: I guess about 6:30 or 7:00 at the latest, 7:00.

HUSTED: Okay.

HUSTED: I've got just one more question and we'll be out of here. I just have to get it on record. What type of shotgun? I know it's your issued one.

DE DONDER: Remington 870.

HUSTED: Remington 870. Okay.



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GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 18

Narrative Text Report # 3

Document: **06 DETECTIVE SUPPLEMENT**

Author: **445 - HUSTED, CHARLES 5020** ()

Subject: **DETECTIVE HUSTED SUPPLEMENT**

Related date/time: **May-10-2005 (Tue.)**

4/21/05 at approx. 1905 Hrs., R/O (Det. Husted) arrived at Selma / Dixieanne regarding an officer involved shooting call-out. R/O observed the scene to be secured by officers and crime scene tape.

At approx. 1940 Hrs., Lt. Peletta provided a briefing in regards to the incident based upon information known to him at the time. Lt. Peletta explained that Sgt. Greenlee and Officer Dedonder shot the armed suspect, Paul Ramon Frazier (9/12/60). Lt. Peletta indicated that Sgt. Greenless fired three rounds from a MP5 while Officer Dedonder had fired one round from a shotgun.

At approx. 1954 Hrs., R/O participated in a walk-thru of the incident with Sgt. Greenlee. Sgt. Greenlee was represented by his attorney David Mastagni Jr. Sgt. Greenlee directed investigators to the front gate of the suspect's property, indicating that as the location where he fired three rounds at the armed suspect.

At approx. 2003 Hrs., R/O participated in a walk-thru of the incident with Officer Dedonder. Officer Dedonder was represented by his attorney David Mastagni Jr. Officer Dedonder directed investigators to a property along the north side of where the suspect was located, indicating that as the location where he fired one round from a 12-gauge shotgun.

At approx. 2130 Hrs., R/O interviewed SPD Officer Lau at the Public Safety Center. The interview was recorded on audio and video tape, and the tapes can be reviewed for exact details (see statement).

At approx. 2320 Hrs., R/O interviewed SPD Officer Dedonder at the Public Safety Center. The interview was recorded on audio and video tape, and the tapes can be reviewed for exact details (see statement).



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Follow Up Report # SA 18

Narrative Text Report # 4

Document: **06 DETECTIVE SUPPLEMENT**

Author: **445 - HUSTED, CHARLES 5020** ()

Subject: **Ofc. DeDonder's Shotgun**

Related date/time: **May-24-2005 (Tue.)**

4/21/05 at approx. 2340 Hrs., R/O (Detective Husted) and Sgt. Enriquez unloaded Officer DeDonder's shotgun in a recorded interview room. The process was recorded on the end of Officer DeDonder's interview videotape.

The shotgun had two live 12-gauge shotgun rounds in the magazine tube, and one live 12-gauge shotgun round in the chamber. The shotgun was a SPD issued Remington 870 12-gauge shotgun equipped with a pistol grip and shoulder strap (SER#).



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Clearance Information

Agency: **SACRAMENTO PD**

Cleared status: **CLEARED EXCEPTIONALLY - DEATH OF OFFENDER**

Cleared on: **Apr-21-2005 (Thu.)**

Cleared by Officer 1: **271 - EVANS, CLAUDIA 6305 ()**

Org Unit: **RECM - OOI RECORDS MANAGER**

Approved by: **403 - HENDRICKSON, JAMES 7793 ()**

Org Unit: **HOMIC - OOI MAJOR CRIMES - HOMICIDE**



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)

Report Information

Property Report #: 354190

Property case status: PHOTO EVIDENCE - SPD PHOTOS ONLY

Submitted on: Apr-25-2005 (Mon.) by: MODESTE, KATHLEEN 6375 ()

Related:

Offense: GO SA 2005- 133658

Related items: 1

Articles - Evidence

Status: PHOTO EVIDENCE - SPD PHOTOS ONLY Tag #: 354190- 1

Article: YSIDPHO- MISCELLANEOUS

Model:

of pieces: 1

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: 196 P.C. - CD WITH 53 PHOTOGRAPHS

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: ID PHOTO FILES

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)

Report Information

Property Report #: 354589

Property case status: PHOTO EVIDENCE - SPD PHOTOS ONLY

Submitted on: Apr-27-2005 (Wed.) by: LAWSON, K 6357 ()

Related:

Offense: GO SA 2005- 133658

Related items: 2

Articles - Evidence

Status: PHOTO EVIDENCE - SPD PHOTOS ONLY Tag #: 354589- 1

Article: YSIDPHO- MISCELLANEOUS

Model:

of pieces: 1

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: 196PC/ 230 PHOTOS ON CD -- 1 OF 2

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: ID PHOTO FILES

Articles - Evidence

Status: PHOTO EVIDENCE - SPD PHOTOS ONLY Tag #: 354589- 2

Article: YSIDPHO- MISCELLANEOUS

Model:

of pieces: 1

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: 196PC/ 281 PHOTOS ON CD -- 2 OF 2

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: ID PHOTO FILES

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)

Report Information

Property Report #: 354695

Property case status: SEIZED (EVIDENCE)

Submitted on: Apr-21-2005 (Thu.) by: DORRICOTT, R 0635 ()

Related:

Offense: GO SA 2005- 133658

Related items: 6

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 354695- 1

Article: RTAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES

Model:

of pieces: 2

Serial # 1: 0

OAN:

Value: \$0.00

Color:

Description: AUDIO WITNESS SHIPPEN AND ()

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 354695- 2

Article: RVIDCAR- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES

Model:

of pieces: 2

Serial # 1: 0

OAN:

Value: \$0.00

Color:

Description: VIDEO TAPE INTERVIEW OFFICER SHIPPEN WIT ()

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 354695- 3

Article: IDIAGRA- ITEMS OF IDENTIFICATION

Model:

of pieces: 2

Serial # 1: 0

OAN:

Value: \$0.00

Color:

Description: DIAGRAMS BY OFFICER SHIPPEN AND WITNESS ()

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)

Report Information

Property Report #: 354787

Property case status: SEIZED (EVIDENCE)

Submitted on: Apr-28-2005 (Thu.) by: SCHNEIDER, ERIC 7764 ()

Related:

Offense: GO SA 2005- 133658

Related items: 10

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 354787- 1

Article: RATAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES

Make: MAXELL

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: AUDIO TAPED INTERVIEW OF OFFICER DOBSON

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 354787- 2

Article: RVTAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES

Make: MAXELL

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: VIDEO TAPED INTERVIEW OF OFFICER DOBSON

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 354787- 3

Article: RATAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES

Make: MAXELL

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: AUDIO TAPED INTERVIEW OF OFFICER MCCOIN

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 354787- 4

Article: RVTAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES

Make: MAXELL



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**

Color:

Description: **AUDIO TAPED INTERVIEW OF OFFICER MCCOIN**

Recovered date: -

Recovered value: **\$0.00**

Flags: *e

Current Location: **EP BL/10021801**

Articles - Evidence

Status: **SEIZED (EVIDENCE)**

Tag #: **354787- 5**

Article: **RATAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES**

Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**

Color:

Description: **AUDIO/VIDEO OF OFC. B MORRIS INTERVIEW**

Recovered date: -

Recovered value: **\$0.00**

Flags: *e

Current Location: **EP BL/10021801**

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)

Report Information

Property Report #: 354597

Property case status: SEIZED (EVIDENCE)

Submitted on: Apr-27-2005 (Wed.) by: HUSTED, CHARLES 5020 ()

Related:

Offense: GO SA 2005- 133658

Related items: 6

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 354597- 1

Article: RATAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: AUDIO/VIDEO STEPHEN LAU STATEMENT

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 354597- 2

Article: RATAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: VIDEO BRIAN DEDONDER STATEMENT

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 354597- 3

Article: RATAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: AUDIO OFFICER DEDONDER 4/21/05

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)

Report Information

Property Report #: 355738

Property case status: SEIZED (EVIDENCE)

Submitted on: May-04-2005 (Wed.) by: HUSTED, CHARLES 5020 ()

Related:

Offense: GO SA 2005- 133658

Related items: 4

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 355738- 1

Article: RATAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: AUDIO TAPE OF DISPATCH CALL

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 355738- 2

Article: RATAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: VIDEO TAPE FROM AIR UNIT

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)

Report Information

Property Report #: 354454

Property case status: PHOTO EVIDENCE - SPD PHOTOS ONLY

Submitted on: Apr-26-2005 (Tue.) by: FIGUEROA, A 6383 ()

Related:

Offense: GO SA 2005- 133658

Related items: 1

Articles - Evidence

Status: PHOTO EVIDENCE - SPD PHOTOS ONLY Tag #: 354454- 1

Article: YSIDPHO- MISCELLANEOUS

Model:

of pieces: 1

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: 245PC (OFF INV SHTNG) CD W/ 65 PHOTOS

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: ID PHOTO FILES

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)

Report Information

Property Report #: 353813

Property case status: SEIZED (EVIDENCE)

Submitted on: Apr-22-2005 (Fri.) by: LAWSON, K 6357 ()

Related:

Offense: GO SA 2005- 133658

Related items: 83

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 353813- 1

Article: YCASING- MISCELLANEOUS

Make: SPEER/LUGER +P

Model: 9MM

of pieces:

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color: SILVER/ALUMINUM

Description: #1 ONE(1) EXPENDED SHELL CASING/SILVER/SPEER LUGER +P/9MM

Recovered date: -

Recovered value: \$0.00

Recovered location: ON GROUND BY THE WEST GATE @ SELMA ST.

Flags: *e

Current Location: EP BM/04071401

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 353813- 2

Article: YCASING- MISCELLANEOUS

Make: SPEER/LUGER +P

Model: 9MM

of pieces:

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color: SILVER/ALUMINUM

Description: #2 ONE(1) EXPENDED SHELL CASING/SILVER/SPEER LUGER +P/9MM

Recovered date: -

Recovered value: \$0.00

Recovered location: FRONT DRIVER SEAT OF SWAT VEHICLE

Flags: *e

Current Location: EP BM/04071401

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 353813- 3

Article: YCASING- MISCELLANEOUS

Make: SPEER/LUGER +P

Model: 9MM

of pieces:

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color: SILVER/ALUMINUM

Description: #3 ONE(1) EXPENDED SHELL CASING/SILVER/SPEER LUGER +P/9MM

Recovered date: -

Recovered value: \$0.00

Recovered location: FRONT FLOOR BOARD OF SWAT VEHICLE

**SACRAMENTO POLICE DEPARTMENT****GENERAL OFFENSE HARDCOPY**GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Flags: *e

Current Location: EP BM/04071401

Articles - EvidenceStatus: **SEIZED (EVIDENCE)**Tag #: **353813- 5**Article: **YAMMO- MISCELLANEOUS**Make: **REMINGTON**Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**

Color:

Description: **#4A FIVE(5) .22 CAL ROUNDS FROM ITEM #4 (RG .22 REVOLVER)**

Recovered date: -

Recovered value: **\$0.00**

Flags: *e

Current Location: EP BM/04071401

Articles - EvidenceStatus: **SEIZED (EVIDENCE)**Tag #: **353813- 6**Article: **YCASING- MISCELLANEOUS**Make: **REMINGTON**Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**

Color:

Description: **#4B ONE(1) EXPENDED .22 CAL CASING (FROM #4 RG .22 REVOLVER)**

Recovered date: -

Recovered value: **\$0.00**

Flags: *e

Current Location: EP BM/04071401

Articles - EvidenceStatus: **SEIZED (EVIDENCE)**Tag #: **353813- 7**Article: **YCASING- MISCELLANEOUS**Make: **REMINGTON**Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**

Color:

Description: **#5 ONE(1) EXPENDED SHELL CASING .22 CAL**

Recovered date: -

Recovered value: **\$0.00**Recovered location: **UNDER A CHAIR IN THE FRONT OF THE TRAILER**

Flags: *e

Current Location: EP BM/04071401

Articles - EvidenceStatus: **SEIZED (EVIDENCE)**Tag #: **353813- 8**Article: **YCASING- MISCELLANEOUS**Make: **WINCHESTER**Model: **DBL X MAGNM 00B**

of pieces:

Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**Color: **RED**Description: **#6 ONE(1) EXPENDED SHOTGUN SHELL CASING**

Recovered date: -

Recovered value: **\$0.00**Recovered location: **NORTH ADJOINING PROPERTY**

Flags: *e

**SACRAMENTO POLICE DEPARTMENT****GENERAL OFFENSE HARDCOPY**GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Current Location: **EP BM/04071401****Articles - Evidence**

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 9**
Article: **YAMMO- MISCELLANEOUS**
Make: **REMINGTON**
Model: **.22** # of pieces:
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **#7 TWENTY-THREE(23) .22 CAL LIVE ROUNDS**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **KITCHEN COUNTER TOP OF TRAILER**
Flags: *e
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 10**
Article: **YBOTTLE- MISCELLANEOUS**
Make: **PEACH CISCO**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **#8 ONE(1) PARTIALLY CONSUMED PEACH CISCO BEVERAGE BOTTLE**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM KITCHEN COUNTER TOP OF TRAILER**
Flags: *e
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 11**
Article: **YSAMPLE- MISCELLANEOUS**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **#8A ONE(1) SAMPLE FROM ITEM #8 (PEACH CISCO ALCOHOL BOTTLE)**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM ITEM #8**
Flags: *e
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 15**
Article: **YTOY- MISCELLANEOUS**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **#12 ONE(1) TOY CAP GUN**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM LEDGE ON SOUTH SIDE OF DOOR IN TRAILER**
Flags: *e
Current Location: **EP BM/04071401**



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 12**
Article: **YCAN- MISCELLANEOUS**
Make: **211**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **#9 ONE(1) EMPTY 211 BEER CAN**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **KITCHEN COUNTER TOP OF TRAILER**
Flags: ***e**
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 13**
Article: **ETOBOWT- EQUIPMENT, MEASURING DEVICES, AND TOOLS**
Make: **AMERICAN EAGLE**
Model: **.22** # of pieces:
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **#10 ONE(1) EMPTY .22 CAL LONG RIFLE CARTRIDGE BOX**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FLOOR BENEATH BED IN TRAILER**
Flags: ***e**
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 14**
Article: **PSHIRT- PERSONAL ACCESSORIES**
Make:
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color: **WHITE**
Description: **#11 ONE(1) WHITE T-SHIRT W/BULLET HOLES**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM AIR CONDITIONER AND BENCH NORTH OF TRAILER DOOR**
Flags: ***e**
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 16**
Article: **EFIREEX- EQUIPMENT, MEASURING DEVICES, AND TOOLS**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **#13 ONE(1) FIRE EXTIGUISHER WITH BULLET HOLE**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM WALL NORTH OF THE TRAILER DOOR**
Flags: ***e**
Current Location: **EP BM/04071401**



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 20**
Article: **YCASING- MISCELLANEOUS**
Make: **SPEAR LUGGER +P**
Model: **9MM** # of pieces:
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color: **SILVER/ALUMINUM**
Description: **#17 ONE(1) EXPENDED 9MM SHELL CASING**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM REAR PASSENGER SIDE SEAT OF SWAT VEHICLE**
Flags: *e
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 17**
Article: **YBOTTLE- MISCELLANEOUS**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **#14 ONE(1) ALCOHOL BEVERAGE BOTTLE IN BRO PAPER BAG/W BLOOD**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM GROUND IN FRONT OF TRAILER**
Flags: *e
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 18**
Article: **YCASING- MISCELLANEOUS**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **#15 ONE(1) EXPENDED BULLET**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM EAST WALL OF TRAILER**
Flags: *e
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 19**
Article: **YAMMO- MISCELLANEOUS**
Make: **REMINGTON**
Model: **.22** # of pieces:
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **#16 ONE(1) LIVE REMINGTON .22 CAL ROUND**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM BED IN TRAILER**
Flags: *e
Current Location: **EP BM/04071401**



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 21**
Article: **YCASING- MISCELLANEOUS**
Make:
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color: **SILVER/ALUMINUM**
Description: **#18 ONE(1) EXPENDED SHOTGUN PELLET**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM UNDER THE BED IN THE TRAILER**
Flags: *e
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 22**
Article: **YSAMPLE- MISCELLANEOUS**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **#19 ONE(1) GSR KIT**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **PERFORMED ON RED VOLKSWAGEN VAN , CA**
Flags: *e
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353813- 23**
Article: **YBAG- MISCELLANEOUS**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **2 PAPER HAND BAGS FROM CORONERS OFFICE**
Recovered date: - Recovered value: **\$0.00**
Flags: *e
Current Location: **EP BM/04071401**

Firearm - Evidence

Status: **SEIZED (EVIDENCE)**
Tag #: **353813- 4**
Make: **MADE IN GIBRALTAR**
Item: **PISTOL** Type: **REVOLVER**
Model: Caliber: **.22**
Serial #: **[REDACTED]**
OAN: Value: **\$0.00**
Recovered date: - Recovered value: **\$0.00**
Flags: *e
Current Location: **EP HH/02015801**

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)

**SACRAMENTO POLICE DEPARTMENT****GENERAL OFFENSE HARDCOPY**GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)**Report Information****Property Report #: 353797**Property case status: **SEIZED (EVIDENCE)**Submitted on: **Apr-21-2005 (Thu.)** by: **FIGUEROA, A 6383** ()**Related:**Offense: **GO SA 2005- 133658**Location: **2315 STOCKTON BLVD**Municipality: **SACRAMENTO** County: **SACRAMENTO COUNTY**District: **6** Zone: **62**Related items: **33****Articles - Evidence**Status: **SEIZED (EVIDENCE)**Tag #: **353797- 1**Article: **PUNDERW- PERSONAL ACCESSORIES**Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**

Color:

Description: **ITEM #1: ONE WHITE SOILED MENS UNDERWEAR, SIZE 36, W/ BLOOD**

Recovered date: -

Recovered value: **\$0.00**Recovered location: **FROM EMERGENCY ROOM FLOOR**Flags: ***e**Current Location: **EP BM/04071401****Articles - Evidence**Status: **SEIZED (EVIDENCE)**Tag #: **353797- 2**Article: **PSHOES- PERSONAL ACCESSORIES**Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**

Color:

Description: **ITEM #2:ONE PAIR BROWN SKECHER SHOES,SZ11,W/1PAIR WHITE SOCK**

Recovered date: -

Recovered value: **\$0.00**Recovered location: **FROM FLOOR IN EMERGENCY ROOM**Flags: ***e**Current Location: **EP BM/04071401****Articles - Evidence**Status: **SEIZED (EVIDENCE)**Tag #: **353797- 3**Article: **PHANDCU- PERSONAL ACCESSORIES**Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**

Color:

Description: **ITEM #3: ONE PLASTIC BAG AND ONE PAIR HANDCUFFS**

Recovered date: -

Recovered value: **\$0.00**Recovered location: **FROM FLOOR IN EMERGENCY ROOM**Flags: ***e**Current Location: **EP BM/04071401****Articles - Evidence**



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Status: **SEIZED (EVIDENCE)** Tag #: **353797- 4**
Article: **PPANTS- PERSONAL ACCESSORIES**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **ITEM#4:ONE WHITE SOILED ANCHOR BLUE PANTS W/ BLOOD&GREEN BLT**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM FLOOR IN EMERGENCY ROOM**
Flags: *e
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353797- 5**
Article: **PWALLET- PERSONAL ACCESSORIES**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **ITEM #4A:ONE BLACK WALLET, W/ ID CARD# [REDACTED], & MISC PAPERS**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM FRONT RIGHT POCKET OF PANTS (ITEM #4)**
Flags: *e
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353797- 7**
Article: **PLIGHTE- PERSONAL ACCESSORIES**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **ITEM #4C: ONE GREEN LIGHTER**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM FRONT LEFT POCKET OF PANTS (ITEM #4)**
Flags: *e
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353797- 8**
Article: **YSAMPLE- MISCELLANEOUS**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:
Description: **ITEM #5: ONE GSR KIT ON PAUL RAMON FRAZIER'S HANDS**
Recovered date: - Recovered value: **\$0.00**
Recovered location: **FROM EMERGENCY ROOM**
Flags: *e
Current Location: **EP BM/04071401**

Articles - Evidence

Status: **SEIZED (EVIDENCE)** Tag #: **353797- 9**
Article: **PSHIRT- PERSONAL ACCESSORIES**
Serial # 1: **UNKNOWN** OAN:
Value: **\$0.00** Color:



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Description: **ITEM #6: ONE WHITE SZ LARGE SHIRT, CUT UP W/ BLOOD**

Recovered date: -

Recovered value: **\$0.00**

Recovered location: **FROM FLOOR IN EMERGENCY ROOM**

Flags: *e

Current Location: **EP BM/04071401**

Securities - Evidence

Status: **SEIZED (EVIDENCE)**

Tag #: **353797- 6**

Type: **CURRENCY, U.S./ CASH / MONEY**

Denomination	Number	Value
\$1000		\$0.00
\$100		\$0.00
\$50		\$0.00
\$20		\$0.00
\$10		\$0.00
\$5		\$0.00
\$2		\$0.00
\$1		\$0.00
Half dollars		\$0.00
Quarters		\$0.00
Dimes		\$0.00
Nickels		\$0.00
Pennies		\$0.00

Denomination: **\$0.16**

Value: **\$0.00**

Country / Issuer: **UNITED STATES**

Description: **ITEM #4B:ONE NICKEL, ONE DIME, AND ONE PENNEY=.16 CENTS**

Recovered date: -

Recovered value: **\$0.00**

Recovered location: **FROM FRONT RIGHT POCKET OF PANTS (ITEM #4)**

Flags: *e

Current Location: **EP BM/04071401**

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)

**SACRAMENTO POLICE DEPARTMENT****GENERAL OFFENSE HARDCOPY**GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)**Report Information****Property Report #: 354543**Property case status: **SEIZED (EVIDENCE)**Submitted on: **Apr-27-2005 (Wed.)** by: **ENRIQUEZ, F 3020 ()****Related:**Offense: **GO SA 2005- 133658**Related items: **6****Articles - Evidence**Status: **SEIZED (EVIDENCE)**Tag #: **354543- 1**Article: **RATAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES**Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**

Color:

Description: **AUDIOTAPE OF INTERVIEW WITH ()**Recovered date: **-**Recovered value: **\$0.00**Flags: ***e**Current Location: **EP BL/10021801****Articles - Evidence**Status: **SEIZED (EVIDENCE)**Tag #: **354543- 2**Article: **RVTAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES**Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**

Color:

Description: **VIDEOTAPE OF ITNERVIEW ()**Recovered date: **-**Recovered value: **\$0.00**Flags: ***e**Current Location: **EP BL/10021801****Articles - Evidence**Status: **SEIZED (EVIDENCE)**Tag #: **354543- 3**Article: **RCABLEC- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES**Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**

Color:

Description: **PHOTO OF SUSP ()**Recovered date: **-**Recovered value: **\$0.00**Flags: ***e**Current Location: **EP BL/10021801**

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)

Report Information

Property Report #: 481078

Property case status: SEIZED (EVIDENCE)

Submitted on: Jun-06-2007 (Wed.) by: GUTIERREZ, YER 6752 ()

Related:

Offense: GO SA 2005- 133658

General remarks: FROM COUNTY CORONER

Related items: 1

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 481078- 1

Article: YTOX- MISCELLANEOUS

Serial # 1: NONE

OAN:

Value: \$0.00

Color:

Description: TOX BAG & TISSUE

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP GR/16040201

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)

Report Information

Property Report #: 616407

Property case status: SEIZED (EVIDENCE)

Submitted on: Sep-29-2009 (Tue.) by: HEGJI, LEE 6314

Related:

Offense: GO SA 2005- 133658

General remarks: FROM SAC CO CORONER

Related items: 1

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 616407- 1

Article: YTOX- MISCELLANEOUS

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: TOX BOX - FRAZIER, PAUL RAMON #05-02169

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP GN/10040403

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)

**SACRAMENTO POLICE DEPARTMENT****GENERAL OFFENSE HARDCOPY**GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)**Report Information****Property Report #: 406799**Property case status: **SEIZED (EVIDENCE)**Submitted on: **Mar-22-2006 (Wed.)** by: **OLIVEIRA, STEVEN B 5045****Related:**Offense: **GO SA 2005- 133658**General remarks: **INTERVIEW TAPES**Related items: **6****Articles - Evidence**Status: **SEIZED (EVIDENCE)**Tag #: **406799- 1**Article: **RVTAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES**Make: **MAXELL**Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**Color: **BLUE**Description: **INTERVIEW OF OFC. NUTLEY**Recovered date: **-**Recovered value: **\$0.00**Flags: ***e**Current Location: **EP BM/04071401****Articles - Evidence**Status: **SEIZED (EVIDENCE)**Tag #: **406799- 2**Article: **RVTAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES**Make: **MAXELL**Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**

Color:

Description: **INTERVIEW OF SGT. GREENLEE**Recovered date: **-**Recovered value: **\$0.00**Flags: ***e**Current Location: **EP BM/04071401****Articles - Evidence**Status: **SEIZED (EVIDENCE)**Tag #: **406799- 3**Article: **RVTAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES**Make: **MAXELL**Serial # 1: **UNKNOWN**

OAN:

Value: **\$0.00**

Color:

Description: **INTERVIEW OF OFC. SMITH**Recovered date: **-**Recovered value: **\$0.00**Flags: ***e**Current Location: **EP BM/04071401**

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)

Report Information

Property Report #: 358176

Property case status: SEIZED (EVIDENCE)

Submitted on: May-19-2005 (Thu.) by: POROLI, MICHAEL 3103 ()

Related:

Offense: GO SA 2005- 133658

Related items: 6

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 358176- 3

Article: DDISK- DATA PROCESSING EQUIPMENT

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: 1 FLOPPY DISK CONTAINING AERIAL PHOTOS OF SCENE

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 358176- 1

Article: RVTAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: 8MM VIDEO TAPE OF SCENE SELMA ST

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 358176- 2

Article: RVTAPE- RADIO, TV, AND SOUND ENTERTAINMENT DEVICES

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: 1 VHS COPY OF SCENE VIDEO

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BL/10021801

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

GO# SA 2005-133658 CLEARED
EXCEPTIONALLY

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

Related Property Report(s)

Report Information

Property Report #: 409534

Property case status: SEIZED (EVIDENCE)

Submitted on: Apr-10-2006 (Mon.) by: ELLIS, D (COUNTY CRIME LAB) (Other Agency)

Related:

Offense: GO SA 2005- 133658

Related items: 2

Articles - Evidence

Status: SEIZED (EVIDENCE)

Tag #: 409534- 1

Article: YAUTKIT- MISCELLANEOUS

Serial # 1: UNKNOWN

OAN:

Value: \$0.00

Color:

Description: MALE AUTOPSY KIT

Recovered date: -

Recovered value: \$0.00

Flags: *e

Current Location: EP BM/04071401

Flags = d (disposed) x (x-reference) n (entered on NCIC) *e (evidence)



SACRAMENTO POLICE DEPARTMENT

GENERAL OFFENSE HARDCOPY

**GO# SA 2005-133658 CLEARED
EXCEPTIONALLY**

1310-2 245(D)(1)AWDW/FIREARM/OFFICER

***** END OF HARDCOPY *****

MEMORANDUM**SACRAMENTO POLICE DEPARTMENT**

Professional Standards Unit

**DATE:** June 30, 2005**REF:** PSU 06-03

TO: Albert Nájera
Chief of Police

ATTN: Steve Segura, Deputy Chief
Office of Investigations

Brian Louie, Captain
Internal Affairs

FROM: Dru Donat, Sergeant
Professional Standards Unit

RE: Shooting Review Disposition W05-05

A shooting review was held on Wednesday, June 29, 2005 during the management session of Infocom. All findings were made with the concurrence of the Deputy Chief, Office of Investigations. Those in attendance were:

Deputy Chief Segura	Capt. Schiele	Capt. LaCosse
Capt. Mandalla	Capt. Louie	Capt. McCarthy
Capt. LaCosse	Capt. Valenzuela	Capt. Somers
Lt. Bray	Lt. Westin	Lt. Haynes
Lt. Peletta	Lt. Nenneman	Lt. Hahn
Lt. Quinn	Lt. Sweeney	Lt. Jensen
Lt. Dowden	Sgt. Donat	Sgt. Enriquez
Sgt. Hendrickson	Sgt. McCloskey	Sgt. Miller
Off. Wann	Off. Maxwell	Off. Evans
Off. Anglesey	Joe Crady	Larry Nelson
Tracy Youngstedt		

The following is the recommendation for the shooting:

W05-05**JUSTIFIED**

Officer involved	Presenter	Division Commander
Mark Greenlee	Sgt. Enriquez	Capt. Mandalla
Brian Dedonder		Capt. Somers

On April 21, 2005 at approximately 1622 hours, SPD received the first of two calls for service regarding a subject armed with a black handgun. Units checked the area of El Camino and Van Ness, but were unable to locate the subject. At approximately 1644 hours a second call of the subject waving a handgun was received. Units checked the area of Dixieanne and Lexington, but again were unable to locate the subject. K-9 Officer Dustin Smith remained in the area. At approximately 1710 hours, Officer Smith observed the subject. The subject was uncooperative, and fled on foot from the officer. As the subject fled from Officer Smith, he ran into a trailer situated in a packed junkyard. During the foot pursuit the subject was seen reaching into his waistband, and subsequently pointed a handgun at Officer Smith.

The subject remained in the trailer as a perimeter was established and specialized units responded. Patrol officers and SWAT attempted to have the subject surrender, to no avail, as he opened and closed the trailer door, communicating on and off. During this time the subject exited the trailer and fired a round from his handgun into the air, then went inside. Approximately one minute later, the subject emerged from the trailer, assumed an aggressive combat crouch shooting position, and pointed his handgun directly at officers saying "Come on! Come on!"

Fearing for the safety of the officers based on the suspect's actions, Officer Dedonder fired one round from his issued Remington 870 12 gauge shotgun striking the subject with several pellets. At that same time SWAT Sergeant Greenlee observed the threat. Fearing for his safety and those about him, Sgt Greenlee fired three rounds from his issued H&K MP5SD suppressed 9mm sub-machine gun striking the subject.

Recommendations:

There were no training issues or recommendations identified.

[Handwritten signature]
[Handwritten signature]
7-12-05

MEMORANDUM

SACRAMENTO POLICE DEPARTMENT

Professional Standards Unit



DATE: July 13, 2005
REF: PSU 07-02

TO: Officer Brian Dedonder
FROM: Dru Donat, Sergeant
Professional Standards unit
RE: Officer Involved Shooting - Review Disposition OIS# W05-05

The department reviewed the shooting incident that occurred on April 21, 2005. It was found that the shooting was justified.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Dru Donat". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Dru Donat, Sergeant
Professional Standards Unit
808-3791

MEMORANDUM

SACRAMENTO POLICE DEPARTMENT

Professional Standards Unit



DATE: July 13, 2005
REF: PSU 07-01

TO: Sergeant Mark Greenlee
FROM: Dru Donat, Sergeant
Professional Standards unit
RE: Officer Involved Shooting - Review Disposition OIS# W05-05

The department reviewed the shooting incident that occurred on April 21, 2005. It was found that the shooting was justified.

Please feel free to contact me if you have any questions or concerns.

Sincerely,

SIGNED COPY MAILED

Dru Donat, Sergeant
Professional Standards Unit
808-3791

City of
SACRAMENTO
Police Department

KATHERINE LESTER
Chief of Police

5770 Freeport Blvd., Suite 100
Sacramento, CA 95822-3516

(916) 808-0800
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Report Number: 2005-133658

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 constitute an unwarranted invasion of personal privacy (Cal. Gov. Code § 7927.700; see also *City of San Jose v. Superior Court* (1999) 74 Cal.App.4th 1008);

Records or information, the disclosure of which is exempted or prohibited pursuant to federal or state law (Cal. Gov. Code § 7927.705; see also Cal. Const. art. 1 § 1; Cal. Pen. Code § 832.7(a); Cal. Evid. Code § 1040);

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)); and

Records or information, the disclosure of which is exempted or prohibited pursuant to federal or state law (Cal. Gov. Code § 7927.705; see also Cal. Const. art. 1 Sec. 1; and Cal. Pen. Code § 15150 et seq.).

Sacramento Police Department
Professional Standards Unit
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