

MEMORANDUM**SACRAMENTO POLICE DEPARTMENT**

Professional Standards Unit

**TO: Rick Braziel
Chief of Police****DATE: February 7, 2012
REF: PSU 12-01****ATTN: Brian Louie, Deputy Chief
Office of the Chief****Sam Somers, Deputy Chief
Office of Field Services****Mike Bray, Captain
Office of the Chief
Internal Affairs Division****FROM: Alisa Buckley, Sergeant
Office of the Chief
Professional Standards Unit****RE: Shooting Review Disposition #2011-05**

A shooting review was held on Wednesday, January 18, 2012. All findings were made with the concurrence of the Deputy Chief, Office of Field Services. Those in attendance were:

CHIEF OF POLICE**Rick Braziel****DEPUTY CHIEFS****Sam Somers****Brian Louie****Dan Schiele****Dana Matthes****CAPTAINS****Neil Schneider
Stephen Quinn
Jacque Dowden****Kathy Lester
Kevin Gardner****Michael McCarthy
James Beezley****Dave Peletta
James Maccoun****LIEUTENANTS****Tom Sweeney
Don Rehm
Jeff Watson
Don Davis****Gina Haynes
Eric Poerio
Justin Eklund****Dave Johnson
James Hendrickson
Mark Greenlee****William Champion
Dave Risley
Marc Coopwood****ADDITIONAL ATTENDEES****Francine Tournour (OPSA)
Ofc. Dustin Smith (SPOA)
Ofc. Mike Hight (PSU)****Larry Nelson (Risk Mgmt)
Sgt. Alisa Buckley (PSU)
Sgt. Paul Martinson (Felony Assaults)****Cpl. Bob Mueller (Dept. Range Master)
Sgt. Gerard Camous (Training)****Officer(s) involved:
Officer Brian Laird #0459****Presenter
Sgt. Bob McCloskey
(Homicide)****Division Commander
Captain Neil Schneider**

Summary:

On September 6, 2011 at approximately 1531 hours, officers responded to the area of 2700 24th Street regarding a male subject walking down the street breaking windows with a baseball bat. At approx. 1535 hours, MTR61 (Officer Laird #0459) arrived and located the suspect (S) on the N/E corner of 24th Street/Burnett Avenue. The suspect was in possession of a baseball bat. Ofc. Laird was riding a marked Sacramento Police motorcycle, and in full motor officer uniform. As Ofc. Laird pulled up and dismounted his motorcycle the (S) continued to swing the metal baseball bat wildly in the air. Ofc. Laird confronted the (S) at gunpoint, and repeatedly ordered him to "Put the bat down!" The (S) refused and at one point took a step towards Ofc. Laird and then began walking N/B along the west sidewalk of 24th Street.

Ofc. Laird observed multiple citizens behind the (S) and in the line of fire. Ofc. Laird requested "Cover" and paralleled the (S). The (S) was mumbling and looked at Ofc. Laird and said, "shoot me." Ofc. Laird replied, "I don't want to shoot you!" The (S) continued to walk N/B and refused to drop the baseball bat. The (S) was approaching a gas station at the corner of 24th Street and Broadway, where citizens had gathered and were watching the incident. Ofc. Laird attempted to get ahead of the (S) to cut him off from the citizens and gain a clear back-drop. Ofc. Laird believed if the (S) got past him, he could begin hitting innocent bystanders with the bat. As Ofc. Laird stepped onto the sidewalk, the (S) continued to hold the bat with both hands and made an abrupt movement towards Ofc. Laird. Fearing the (S) was going to hit him with the baseball bat, Laird fired three (3) rounds from his handgun, striking the (S). The (S) fell to the ground and dropped the bat. Ofc. Laird advised "shots fired" and requested Code-3 fire.

Other officers arrived and the (S) was still refusing to comply with orders to lie on the ground. The suspect was handcuffed and taken into custody without further incident. Fire arrived and transported the suspect to the hospital, where he was pronounced deceased.

The Coroner Pathologist reported one round struck the (S)'s femoral vein and internal bleeding was likely the cause of death.

Justified - **Yes**

Within Policy - **Yes**

Recommendations:

Review C.E.D. Policy regarding whether officers should be required to carry the C.E.D. on their person while on duty.

Review training regarding single-action deployment of firearms.