Sacramento Police Department
Use Of Force Report

Incident Entered By: Police Sergeant Sherry Bell - 65
Assigned Investigator: [Incident pending assignment]

Incident Details

<table>
<thead>
<tr>
<th>Date Received</th>
<th>Date of Occurrence</th>
<th>Time of Occurrence</th>
</tr>
</thead>
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<table>
<thead>
<tr>
<th>Record ID #</th>
<th>Report Number</th>
<th>IA No</th>
</tr>
</thead>
<tbody>
<tr>
<td>17065</td>
<td>15-156519</td>
<td>UOF2015-089</td>
</tr>
</tbody>
</table>

Date/Time Entered
6/13/2015 18:08

Incident Summary

Officers responded on a possible burglary in progress call at the [redacted] A Street. The complainant advised he was inside his residence when "Kevin" broke one of the windows of complainant's cottage, attempting to break in. They then got into a verbal argument.

AIR1 arrived in the area and observed the suspect as he walked away from the scene. They gave updates and at one point requested units to expedite due to the suspect's aggressive behavior toward motorists. I responded along with other officers.

I arrived at North B and Ahern, at which point AIR1 advised the subject was walking N/B on Ahern from North B. I observed the suspect and advised him over my patrol cars PA system to stop. The subject refused numerous commands to stop and continued walking N/B, putting his hand visibly behind his back or head. At one point he had his hands behind his head and was flipping me off.

The subject walked in front of a car that was driving E/B on No. C Street, causing her to have to suddenly stop. He then began running around the car.

Officer Yager and Morrison arrived on scene. I displayed my taser and advised the subject to stop and get on the ground. He continued to refuse to obey lawful commands.

Officer Yager and Morrison grabbed the subject and he attempted to pull away. They managed to get the subject to the ground and Officer Yager, feeling the subject was still a danger, applied the Carotid control hold on the subject. Officers were able to handcuff the subject and he was very briefly unresponsive to other commands. Code 3 fire was requested however by the time they arrived the subject was able to stand and communicate clearly. Fire checked the subject and he checked ok.

He was transported and booked for misdemeanor vandalism and resisting/interfering with police.

ICC footage is available and was reviewed.

Due to the subjects demeanor and actions, the use of the carotid was within policy and guidelines.

Incident Location

- N/A North C / Ahern Intersec, Sacramento, CA - Location of Occurrence: 3 - Central - Precinct: 3A

Use of Force Specific Information

<table>
<thead>
<tr>
<th>Reason for Use of Force</th>
<th>Service Being Rendered</th>
<th>Weather Condition</th>
<th>Lighting Condition</th>
<th>Distance to Citizen</th>
<th>Citizen Injured</th>
<th>Citizen Taken to Hospital</th>
<th>Citizen Arrested</th>
</tr>
</thead>
<tbody>
<tr>
<td>927 Circ.</td>
<td>Calls For Service</td>
<td>Clear</td>
<td></td>
<td>1 feet to 3 feet</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>
More than 1 Citizen Involved

No

Citizen's Build  Citizen's Height
Med  6'1" to 6'3"

Officer Assessment of Citizen Condition During Incident

Drugs

Officer(s) Injured  Officer(s) Taken to Hospital
No  No

Reporting/Involved Citizen Information

DOB: 9/16/1976  Race: White  Ethnicity:  Gender: Male

Address
• [redacted] N. A Street, Sacramento, CA

Phone
• [redacted]

Role
•

Types of Resistance Citizen Used Against Officer(s)
• Other Noncompliance
• Physical Resistance

Charges against this Citizen
• 148(a) PC - Misdemeanor
• Penal Code - Misdemeanor

Involved Officers

Police Officer Anthony Yager - Badge Number: 0880
Assignment at time of incident: Title: Police Officer OOF/DWNTWN CORE/HIDTA/MOUNTED

Video Footage: [No Response]

Role
•

Force used by this officer against the citizen
• Carotid Control Hold - Was force effective: Yes

<table>
<thead>
<tr>
<th>Force Used</th>
<th>Effective?</th>
<th>Regions</th>
<th>Points of contact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Carotid Control Hold</td>
<td>Yes</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Officer Witnesses

Police Sergeant Sherry Bell - Badge Number: 3036
Video Footage: [No Response]

Role

Reserve Police Offi 09006 Pete Diaz - Badge Number: 7764

Video Footage: [No Response]

Role

Police Officer Kelly Morrison - Badge Number: 0404

Video Footage: [No Response]

Role

Police Officer Jason Wacker - Badge Number: 0541

Video Footage: [No Response]

Role

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

No attachments

Assignment History

<table>
<thead>
<tr>
<th>Sent Dt</th>
<th>From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>10/20/2015</td>
<td>AA Thuy Nguyen #6502</td>
<td>(None Specified)</td>
</tr>
</tbody>
</table>

Assignment notes
Released back to IAPro

Email sent to receiver
No email sent

Chain of Command History

Routing #1
Sent From: Police Sergeant Sherry Bell
Sent To: Reserve Police Offi 09002 Lisa Hinz
CC: (none)
Sent Date/Time: 6/13/2015 6:36 PM

Instructions from Police Sergeant Sherry Bell to Reserve Police Offi 09002 Lisa Hinz:
For review

Comments/Response from Reserve Police Offi 09002 Lisa Hinz:
Approved: Approved
Reason:
Comments:
UOF was within policy. Car 11444, which was driven by Officer Morrison did not have an activated ICC.

Routing #2
Sent From: Reserve Police Offi 09002 Lisa Hinz
Sent To: Police Captain Robert McCloskey
CC: (none)
Sent Date/Time: 6/24/2015 9:38 PM

Instructions from Reserve Police Offi 09002 Lisa Hinz to Police Captain Robert McCloskey:
Please review and forward to Captain Lester. The delay in reporting the Carotid was addressed. Sgt Bell did not see the UOF and it was assumed she had.

Comments/Response from Police Captain Robert McCloskey:
Approved: Approved
Reason:
Comments:
I agree with Lt Hinz's assessment that the carotid control was used within SPD policy.

Routing #3
Sent From: Police Captain Robert McCloskey
Sent To: Deputy Chief of Police Katherine Lester
CC: (none)
Sent Date/Time: 7/1/2015 8:15 PM

Instructions from Police Captain Robert McCloskey to Deputy Chief of Police Katherine Lester:
Captain, please provide your approval/input and forward to PSU.

Comments/Response from Deputy Chief of Police Katherine Lester:
Approved: Approved
Reason:
Comments:
Within policy.

Routing #4
Sent From: Deputy Chief of Police Katherine Lester
Sent To: Admin Analyst Thuy Nguyen
CC: (none)
Sent Date/Time: 10/20/2015 10:06 AM

Instructions from Deputy Chief of Police Katherine Lester to Admin Analyst Thuy Nguyen:
Within Policy.

Comments/Response from Admin Analyst Thuy Nguyen:
Approved: N/A
Reason:
Comments:
Routing was NOT handled in BlueTeam. The incident was forwarded into IAP by IAP user Admin Analyst Thuy Nguyen, # 6502

Assigned Investigator Signature Line

[Incident pending assignment]

Chain of Command Signature Lines

Reserve Police Offi 09002 Lisa Hinz
Police Captain Robert McCloskey

Dep Chief of Police Katherine Lester

Admin Analyst Thuy Nguyen
Report Number: 2015-156519

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, 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)(6));

- Records or information wherein the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure (Cal. Gov. Code § 6255(a));

- 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)(5)(C));

- Records or information, the disclosure of which is exempted or prohibited pursuant to federal or state law (Cal. Gov. Code § 6254(k); see also Cal. Const. art. 1 Sec. 1.)