

Sacramento Police Department Use Of Force Report

Incident Entered By: Police Sergeant Daniel Farnsworth - 2392

Assigned Investigator: [Incident pending assignment]

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
3/18/2017	3/18/2017	17:36
Record ID #	Report Number	IA No
18956	17-77378	UOF2017-042
Date/Time Entered		
3/26/2017 12:02		

Incident Summary

On 3/18/17 at approximately 1745 hours, Officers Wagstaff #922 and Case #667 responded to a welfare check of a man lying near the railroad tracks. Upon locating the individual it was apparent the subject (later identified as [REDACTED]) had urinated on himself, his penis exposed indicating that he had urinated on himself from outside his clothing. The officers contacted [REDACTED] who jumped up (obviously not injured or in current need of medical assistance) and immediately became confrontational with the officers. [REDACTED] misconstrued the intentions of the officers who merely responded to check on [REDACTED]'s possible need for medical needs with an arrest motivation. [REDACTED] related his intentions to harm the officers by telling them he was going to "fuck them up". [REDACTED] got into an aggressive fighting stance as if to initiate violent physical contact. [REDACTED] also found it necessary to give some verbal bona fides or warning that he was a Special Forces soldier. The officers attempted to gain some level of compliance verbally from [REDACTED]. At each instance [REDACTED] would revert to his surly combative demeanor.

Officer Case made ready his collapsible baton as Officer Wagstaff moved toward [REDACTED]. Wagstaff was successful in taking [REDACTED] off his feet but unsuccessful in obtaining or maintaining a control hold sufficient to thwart [REDACTED]'s now combative movements or obtain [REDACTED]'s submission. [REDACTED] was swinging his arms to punch at Wagstaff and kicking his legs out at Case to keep him from assisting Wagstaff. Officer Case communicated with Wagstaff a plan of action. The plan was for Wagstaff to disengage with [REDACTED] and allow Case to employ his baton without also harming Wagstaff. Wagstaff successfully disengaged with [REDACTED] and Case successfully employed his baton on the right lower leg of [REDACTED] as [REDACTED] attempted to regain his footing and continue his assault on the officers. Case struck [REDACTED]'s lower right leg approximately 4 times. [REDACTED] fell to the ground and although still resistive to the efforts of the officers, had become generally compliant due to his immobilized state. [REDACTED] was cuffed and medics were immediately requested. As the sergeant in charge of the officers I was en route and the officers also advised me over the air of their situation. A canvass was conducted and two citizens were contacted ([REDACTED] and [REDACTED]). A canvass for surveillance video was conducted with negative results.

On scene I noted that the officers appeared to be fit for continued duty. I was informed that Case had an ICC malfunction but that Wagstaff's appeared to be functioning. [REDACTED] was yelling at the assembled police and fire crew and still wishing to fight. I observed through both sight, hearing and smell that [REDACTED] was in violation of 647f PC.

[REDACTED] was transported to UCDMC by medic 8. Doctors confirmed that [REDACTED] was intoxicated and that he indeed had a broken right lower leg.

From the injuries reported and the statements of Wagstaff and Case, physical evidence indicated to me that the officers:

1. Responded to a call for service from a citizen
2. Located [REDACTED] in an inebriated state
3. Was confronted by [REDACTED] who clearly communicated his intent to do violence on the officers
4. [REDACTED] was subdued (after the officers communicated a viable plan to each other) by use of Departmentally approved and POST instructed baton strikes to approved non lethal portions of [REDACTED]'s body only after trying to gain compliance through presence, verbal commands and physical control techniques had failed.

[REDACTED] was issued a citation at UCDMC for urinating in public and resisting the arrest.

Incident Location

- N/A Light Rail Tracks/51st St Intersec, Sacramento, CA 95816 - Location of Occurrence: 6 - East - Precinct: 6D

Use of Force Specific Information

Reason for Use of Force

Assault

Service Being Rendered

Calls For Service

Weather Condition

Clear

Lighting Condition

Distance to Citizen

1 feet to 3 feet

Citizen Injured

Yes

Citizen Taken to Hospital

Yes

Citizen Arrested

Yes

More than 1 Citizen Involved

No

Citizen's Build

Med

Citizen's Height

5'4" to 5'6"

Officer Assessment of Citizen Condition During Incident

Alcohol

Officer(s) Injured

No

Officer(s) Taken to Hospital

No

Reporting/Involved Citizen Information

DOB: [REDACTED] Race: White Ethnicity: Gender: Male

Address

- [REDACTED]

Phone

- [REDACTED]

Role

-

Types of Resistance Citizen Used Against Officer(s)

- Physical Resistance
- Punch/Kick

Injuries sustained by this citizen

Injury	Regions	Injury Locations
Admitted to Hospital		
Visible Injury		
broken right lower leg		

Charges against this Citizen

- 148(a) PC - Misdemeanor
- Penal Code - Misdemeanor

Involved Officers

Police Officer Michael Case - ABRA Number:

Assignment at time of incident: Title: Police Officer OOO/Patrol/District 6

Video Footage: [No Response]

Role

-

Force used by this officer against the citizen

- Baton/Collapsible Baton - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Baton/Collapsible Baton	Yes		

Police Officer Alexander Wagstaff - ABRA Number:

Assignment at time of incident: Title: Police Officer OOO/Patrol/District 6

Video Footage: [No Response]

Role

-

Force used by this officer against the citizen

- Takedowns - Was force effective: Yes
- Physical-Other - Was force effective: No

Force Used	Effective?	Regions	Points of contact
Takedowns	Yes		
Physical-Other	No		

Citizen Witnesses

Address

- [Redacted]

Phone

- [Redacted]

Role

-

Address

- [Redacted]

Phone

• [REDACTED]

Role

•

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

Date Attached	Attachment Description	Attachment Type
3/26/2017	CAD CALL	pdf
3/26/2017	ARREST REPORT	pdf
3/26/2017	RED BORDER	pdf

Assignment History

Sent Dt	From	To
6/6/2017	Ofcr. Mark Scurria #0526	(None Specified)
Assignment notes		
Released back to IAPro		
Email sent to receiver		
No email sent		

Chain of Command History

Routing #1	
Sent From:	Police Sergeant Daniel Farnsworth
Sent To:	Reserve Police Offi 09006 Shawn Rogers
CC:	(none)
Sent Date/Time:	3/26/2017 2:15 PM
Instructions from Police Sergeant Daniel Farnsworth to Reserve Police Offi 09006 Shawn Rogers:	
I believe this incident was within policy	
Comments/Response from Reserve Police Offi 09006 Shawn Rogers:	
Comments: I feel the UOF in the case was justified and within the department's policy.	

Routing #2	
Sent From:	Reserve Police Offi 09006 Shawn Rogers
Sent To:	Police Lieutenant-Exempt James Harrington
CC:	(none)
Sent Date/Time:	3/27/2017 2:44 PM
Instructions from Reserve Police Offi 09006 Shawn Rogers to Police Lieutenant-Exempt James Harrington:	
2nd review please.	
Comments/Response from Police Lieutenant-Exempt James Harrington:	
Comments:	

Based on my review of this incident, I believe this use of force was within policy and justified.

Routing #3	
Sent From:	Police Lieutenant-Exempt James Harrington
Sent To:	Reserve Police Offi 09006 James Beezley
CC:	(none)
Sent Date/Time:	4/6/2017 7:09 PM
Instructions from Police Lieutenant-Exempt James Harrington to Reserve Police Offi 09006 James Beezley:	
For your final review and approval.	
Comments/Response from Reserve Police Offi 09006 James Beezley:	
Comments: [Forward to IA/PSU by Police Captain James Beezley]	

Assigned Investigator Signature Line

[Incident pending assignment]

Chain of Command Signature Lines

Reserve Police Offi 09006 Shawn Rogers

Police Lieutenant-Exempt James Harrington

Reserve Police Offi 09006 James Beezley

Report Number: 2017-077378

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 compromise the anonymity of complainants or witnesses (Cal. Pen. Code § 832.7(b)(5)(B));

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)); and

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.

Sacramento Police Department
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