

Sacramento Police Department

Use Of Force Report

Incident Entered By: Police Sergeant Aaron Thompson - 990
Assigned Investigator: [Incident pending assignment]

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
9/19/2017	9/19/2017	14:53
Record ID #	Report Number	IA No
19329	17-270083	UOF2017-108
Date/Time Entered		
9/25/2017 23:01		

Incident Summary

On 9/19/17, at approximately 1457hrs., Ofc. Bohrer(1B67), Ofc. Jensen and Ofc. Jennings(2B32) were dispatched to █████ Crete Av regarding a 242P (misdemeanor assault in progress). At approximately 1502hrs., Ofc. Bohrer arrived onscene contacting victim █████. Per Ofc. Bohrer, victim █████ had significant swelling to her eye and a laceration under the eye that would require stitches. SFD was requested for victim █████'s injuries. Victim █████ advised that her son █████ had punched her in the face when he was told he was no longer welcome at her home.

Ofc. Trejo (1C68) and Ofc. Donnell/Ofc. Paiz (2B64) replaced out of District officers Jensen and Jennings. Ofc. Donnell and Ofc. Paiz arrived on scene at approximately 1511hrs., assisting Ofc. Bohrer who is waiting at the front door of the residence (█████ Crete Av). Ofc. Bohrer had heard noises from inside the residence advising that the suspect may have fled out the backdoor. Ofc. Paiz walked around to the back of the residence while Ofc. Bohrer and Ofc. Donnell maintained visual on the front door.

As Ofc. Paiz walked around the south side of the residence he observed suspect █████ standing just inside the backdoor with his back turned to Ofc. Paiz. Ofc. Paiz drew his firearm ordering suspect █████ to show his hands. Suspec █████ turned around and walked out of the residence sitting down on the rear steps. Ofc. Paiz advised Ofc. Donnell and Ofc. Bohrer to come around to the back of the residence as he was talking to the suspect. Ofc. Paiz took control of suspect █████'s left wrist, orderin █████ to put his right hand behind his back. Suspect █████ complied at first but stopped, tensing both of his arms and balling his fists. Ofc. Paiz told suspect █████ to relax and not resist but █████ did not comply. As Ofc. Bohrer and Ofc. Donnell rounded the corner of the residence, suspec █████ stood trying to spin towards Ofc. Paiz positioning himself into a fighting stance.

Ofc. Paiz knew that suspect █████ was wanted for 243d PC(felony) after punching his own mother in the face and believed that suspect █████ was now going to assault Ofc. Paiz or the other officers on scene. Ofc. Paiz was unable maintain a grip on suspect █████, noting █████'s strength and behavior was like that of a person under the influence of narcotics.

Ofc. Paiz decided to place suspect █████ in a carotic control hold in an attempt to quickly and safely render the violent suspect unconscious. Ofc. Paiz applied the carotic control hold once he was in the proper position. The application of the hold lasted approximately 10-15 seconds as Ofc. Donnell and Ofc. Bohrer were struggling to handcuff the resisting █████. Ofc. Paiz advised that he could hear suspec █████ snoring at which time he released the carotid control hold.

As suspect █████ woke, he continued to resist and fight. Ofc. Bohrer immediately requested SFD for suspect █████ due to the application of the use of force. Ofc. Paiz placed suspect █████ into a position of recovery monitoring his breathing and overall medical condition. Suspec █████ was transported to UCDMC for medical clearance.

Ofc. Paiz sustained minor bruising to his right forearm and complaint of pain to his lower back. Ofc. Donnell had a minor scratch to his left hand.

The incident was captured on BWCs worn by Ofc. Donnell, Ofc. Bohrer and Ofc. Paiz. **It should be noted that during the struggle with suspec █████, Ofc. Paiz's camera was knocked loose from his person falling onto the ground.

A neighborhood canvass was conducted by responding officers. I photographed victim █████'s injuries, Ofc. Donnell and Ofc. Paiz's injuries and the scene. CSI was requested for photographs of suspect █████'s injuries(abrasion/contusion to his forehead).

After reviewing all BWC footage, the submitted reports, injuries sustained by the victim and dispatch audio files, I believe that the force used by Ofc. Paiz was within the Use of Force Policy of the Sacramento Police Department.

*****COPIES OF ATTACHED FILES AND BT REPORT TURNED OVER TO DOJ AS PART OF THE PHASE 2 COOPERATIVE AGREEMENT***** P. Freeman #7767

Incident Location

██████████ Crete Avenue, Sacramento, CA 95824 - Location of Occurrence: 6 - East - Precinct: 6C

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

Reporting/Involved Citizen Information

DOB ██████████ Race: White/Hispanic/Mid-East/East Indian (W) Ethnicity: Hispanic (Race: W) Gender: Male

Address
██

Phone
████████████████████

Role
•

Types of Resistance Citizen Used Against Officer(s)

- Physical Resistance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
Medical Clearance Required		

Charges against this Citizen

- Penal Code - Felony
- Assault on Officer

Involved Officers

Police Officer Daniel Paiz - Badge Number: 0270

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

- Carotid Control Hold - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Carotid Control Hold	Yes		

Injuries sustained by this officer

Injury	Regions	Injury Locations
COP/Brusing		

Citizen Witnesses

Phone



Role

-

Officer Witnesses

Police Officer Cynthia Bohrer - Badge Number: 0250

Video Footage: [No Response]

Role

-

Police Officer Justin Donnell - Badge Number: 0407

Video Footage: [No Response]

Role

-

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

Date Attached	Attachment Description	Attachment Type
9/25/2017	CAD	pdf
9/25/2017	Report	pdf
9/25/2017	Red Border	pdf
9/25/2017	Dispatch Audio Recording	wav

9/25/2017	Dispatch Audio Recording-2	wav
9/25/2017	Dispatch Audio Recording -3	wav
9/25/2017	Dispatch Audio Recording - 4	wav
9/25/2017	Dispatch Audio Recording - 5	wav
9/25/2017	Dispatch Audio Recording - 6	wav
9/25/2017	Dispatch Audio Recording - 7	wav
9/25/2017	Dispatch Audio Recording - 8	wav

Assignment History

Sent Dt	From	To
1/26/2018	Ofcr. Mark Scurria #0526	(None Specified)
<p>Assignment notes Field status changed in IAPro from To IA to Released</p>		
<p>Email sent to receiver No email sent</p>		
1/26/2018	Ofcr. Mark Scurria #0526	(None Specified)
<p>Assignment notes Released back to IAPro</p>		
<p>Email sent to receiver No email sent</p>		

Chain of Command History

Routing #1	
Sent From:	Police Sergeant Aaron Thompson
Sent To:	Police Lieutenant-Exempt Jason Morgado
CC:	(none)
Sent Date/Time:	9/27/2017 10:35 PM
Instructions from Police Sergeant Aaron Thompson to Police Lieutenant-Exempt Jason Morgado:	
Use of force- Carotid control hold by Ofc. Paiz	
Comments/Response from Police Lieutenant-Exempt Jason Morgado:	
Approved: Not approved	
Reason: Need Additional Information	
Comments: [Forwarded by Police Lieutenant-Exempt Jason Morgado]	
Routing #2	
Sent From:	Police Lieutenant-Exempt Jason Morgado
Sent To:	Police Sergeant Aaron Thompson
CC:	(none)
Sent Date/Time:	10/5/2017 8:38 AM
Instructions from Police Lieutenant-Exempt Jason Morgado to Police Sergeant Aaron Thompson:	
Fix the date on your summary. Should be 9/19/17. Thanks!	
Comments/Response from Police Sergeant Aaron Thompson:	
Approved: Approved	
Reason:	
Comments: Date changed.....corrections made..	
Routing #3	

Sent From:	Police Sergeant Aaron Thompson
Sent To:	Police Lieutenant-Exempt Jason Morgado
CC:	(none)
Sent Date/Time:	10/5/2017 1:24 PM
Instructions from Police Sergeant Aaron Thompson to Police Lieutenant-Exempt Jason Morgado:	
Date Changed....corrections made	
Comments/Response from Police Lieutenant-Exempt Jason Morgado:	
Approved: Approved	
Reason:	
Comments: Use of force justified and within policy.	

Routing #4	
Sent From:	Police Lieutenant-Exempt Jason Morgado
Sent To:	Police Lieutenant-Exempt James Harrington
CC:	(none)
Sent Date/Time:	10/9/2017 7:37 PM
Instructions from Police Lieutenant-Exempt Jason Morgado to Police Lieutenant-Exempt James Harrington:	
Use of force ready for 2nd review.	
Comments/Response from Police Lieutenant-Exempt James Harrington:	
Approved: Approved	
Reason:	
Comments: This use of force was within policy and justified.	

Routing #5	
Sent From:	Police Lieutenant-Exempt James Harrington
Sent To:	Police Captain Daniel Monk
CC:	(none)
Sent Date/Time:	10/11/2017 5:27 PM
Instructions from Police Lieutenant-Exempt James Harrington to Police Captain Daniel Monk:	
Another one for your final approval.	
Comments/Response from Police Captain Daniel Monk:	
Approved: Approved	
Reason:	
Comments: This report is complete.	

Routing #6	
Sent From:	Police Captain Daniel Monk
Sent To:	Police Sergeant Mark Scurria
CC:	(none)
Sent Date/Time:	12/14/2017 3:34 PM
Instructions from Police Captain Daniel Monk to Police Sergeant Mark Scurria:	
For your review	
Comments/Response from Police Sergeant Mark Scurria:	
Approved: Approved	
Reason:	
Comments: [Forwarded by Police Officer Mark Scurria]	

Routing #7	
Sent From:	Police Sergeant Mark Scurria
Sent To:	Police Captain Daniel Monk
CC:	(none)

Sent Date/Time:	1/3/2018 4:24 PM
Instructions from Police Sergeant Mark Scurria to Police Captain Daniel Monk:	
Lt Monk, Per our conversation, please forward to the Area Captain - Ofc Scurria	
Comments/Response from Police Captain Daniel Monk:	
Approved: Approved	
Reason:	
Comments: [Forwarded by Police Lieutenant-Exempt Daniel Monk]	

Routing #8	
Sent From:	Police Captain Daniel Monk
Sent To:	Police Sergeant Mark Scurria
CC:	(none)
Sent Date/Time:	1/4/2018 8:39 AM
Instructions from Police Captain Daniel Monk to Police Sergeant Mark Scurria:	
Thanks	
Comments/Response from Police Sergeant Mark Scurria:	
Approved: Approved	
Reason:	
Comments: [Forward to IA/PSU by Police Officer Mark Scurria]	

Assigned Investigator Signature Line

[Incident pending assignment]

Chain of Command Signature Lines

Police Lieutenant-Exempt Jason Morgado

Police Sergeant Aaron Thompson

Police Lieutenant-Exempt James Harrington

Police Captain Daniel Monk

Police Sergeant Mark Scurria

City of
SACRAMENTO
Police Department

DANIEL HAHN
Chief of Police

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Report Number: 2017-270083

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 constitute an unwarranted invasion of personal privacy (Cal. Pen. Code § 6254(c); 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 § 6254(k); see also Cal. Const. art. 1 Sec. 1.

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