

Sacramento Police Department Use Of Force Report

Incident Entered By: Police Sergeant James Magee - 3434
Assigned Investigator: [Incident pending assignment]

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
11/26/2017	11/26/2017	01:30
Record ID #	Report Number	IA No
19460	17-338898	UOF2017-100
Date/Time Entered		
11/26/2017 05:24		

Incident Summary

SUMMARY:

Ofc. Eckert (1A64) was enroute to jail with a suspect from a previous call when he was hailed at 3rd and J regarding an assault. Ofc. Eckert stopped and spoke with a few FBA's who had just left the Pier Lounge and found out that one of the girls in their group had been pistol whipped by a MBA who was with two other men. Ofc. Eckert began broadcasting suspect information and their direction of travel. Sgt. Magee responded to assist Ofc. Eckert. Officer Truesdale responded to the scene. While trying to get the details of the incident, a loud disturbance was heard coming from the bottom floor of the Old Sacramento Parking Garage. Ofc. Eckert and Ofc. Truesdale responded to investigate, while Sgt. Magee stayed with Ofc. Eckert's prisoner who was secured in the back of his patrol vehicle. Officers found that the disturbance in the parking garage was related to the incident that Ofc. Eckert was hailed on.

In the subsequent investigation, officers found out that a group of FBA's and one MBA, up from Fresno, were enjoying an evening at the Pier Lounge. They left the Pier and walked over to the SE corner of the Old Sacramento City Parking Garage, on the bottom floor, where their car was parked and could not find the car key. While looking for the key, 3 MBA's went down into the parking garage and began cat calling the females. The male that was with the females told the 3 MBA's to back off but instead they commenced to beating down the guy. One of the females in the group, [REDACTED], removed her high heel shoe and struck one of the MBA who were attacking her BF in the ear. The three assailants then went up stairs in the parking garage. [REDACTED] stated that she saw one of them go to his car, get a gun out, and rack it. The three assailants, who were then joined by a MHA, later identified as [REDACTED] went back after the group of girls and the BF. After a short run through the parking garage, the group stopped and tried to talk the guy with the gun down. The MBA with the gun then pistol whipped [REDACTED] for ripping his ear open with her shoe. The three MBA suspects then fled, apparently in a white Mercedes (unknown plate). [REDACTED], who joined them half way through, remained on scene.

Additional units were requested as Ofc. Eckert and Ofc. Truesdale were dealing with a large crowd in the parking garage. Units responded Code 3 to the location. [REDACTED], who was the main aggressor, was proned out and detained in handcuffs. While Ofc. Eckert was dealing with [REDACTED] a FHA, later identified as [REDACTED]s girlfriend ([REDACTED]), walked up to officers as they were detaining [REDACTED] and was yelling. Ofc. Truesdale made sure the Ofc. Eckert was in control of [REDACTED] and then turned her attention toward [REDACTED] to deal with her and keep her back. Ofc. Eckert then assisted [REDACTED] to a seated position where he seemed to be compliant. Ofc. Eckert engaged [REDACTED] in dialogue and he was calm and cooperative. Ofc. Eckert assisted [REDACTED] to his feet, and began walking him out of the parking garage to detain him in a patrol car. While being walked out, [REDACTED] attempted to break free from Eckert and attack the females. Ofc. Eckert took [REDACTED] to the ground and [REDACTED] hit his face on the ground causing an injury requiring medical treatment. [REDACTED] was ultimately transported to Sutter General Hospital where he was eventually cleared for incarceration, diagnosed with a jaw contusion and subtle fracture to his left cheek area. [REDACTED] was booked for 148(a)(1) PC, 647(f) PC and 415(1) PC.

OPINIONS:

I viewed Ofc. Eckert's BWC footage and it clearly shows Ofc. Eckert walking [REDACTED] out of the parking garage when [REDACTED] suddenly lunges forward, out of the control of Ofc. Eckert, toward [REDACTED] in an effort to attack her. Ofc. Eckert then took [REDACTED] to the ground to gain control of him and prevent him from assaulting [REDACTED]. Upon noticing the injury to [REDACTED], Ofc. Eckert immediately placed [REDACTED] in a position of recovery and requested medical aide. After reviewing the Body Camera Footage, the report (including witness statements), and speaking with the involved officers on scene, it is my opinion, given the circumstances of

the call, the events that preceded Ofc. Eckert's actions, as well as the degree of active resistance and aggression displayed by [REDACTED], that the use of force was justified and within the policy of the Sacramento Police Department. (There was no available ICC footage due to all of the patrol cars being parked at the intersection of 3rd and J St during the UOF).

CONCERNS AND CORRECTIVE ACTION

I spoke with Ofc. Eckert on scene regarding this incident. I advised Ofc. Eckert that when dealing with a previously combative individual, who is prone out and handcuffed, to think about keeping him on the ground and waiting for additional units to assist him prior to moving the suspect. Additional units were already requested and responding at the time Ofc. Eckert had the suspect detained on the ground. I told Ofc. Eckert that waiting for another unit to assist him in walking the suspect to the patrol car would help in controlling him. Ofc. Eckert understood and was receptive. No further actions recommended.

Incident Location

• 125 I Street, Sacramento, CA 95814 - Location of Occurrence: 3 - Central - Precinct: 3M

Use of Force Specific Information

Reason for Use of Force

Assaulting Citizen

Service Being Rendered

Flag Down

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

5'10" to 6'0"

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: Unknown Ethnicity: Gender: Male

Role

- Arrested Person

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

- 148(a) PC - Misdemeanor
- Other Misdemeanor
- Alcohol Violation

Involved Officers

Police Officer Scott Eckert - 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

Force Used	Effective?	Regions	Points of contact
Takedowns	Yes		

Citizen Witnesses

Address

- [Redacted]

Phone

- [Redacted]

Role

-

Address

- [Redacted]

Role

-

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
11/29/2017	CAD call 17-338898	pdf
11/29/2017	Report 17-338898	pdf
11/30/2017	Red Border	pdf

Assignment History

Sent Dt	From	To
1/5/2018	Ofcr. Mark Scurria #0526	(None Specified)
Assignment notes		
Field status changed in IAPro from To IA to Released		
Email sent to receiver		
No email sent		
1/5/2018	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 James Magee
Sent To:	Police Lieutenant-Exempt Adam Green
CC:	(none)
Sent Date/Time:	11/30/2017 9:58 PM
Instructions from Police Sergeant James Magee to Police Lieutenant-Exempt Adam Green:	
Please see the attached UOF report for your review.	
Comments/Response from Police Lieutenant-Exempt Adam Green:	
Comments: This UOF was justified and within policy. The BWC for this contact is under Case Number 17-338831 and was recorded on 11/26 at 0024 AM. The interaction with the suspect in this case begins at 0140 Hrs.	

Routing #2	
Sent From:	Police Lieutenant-Exempt Adam Green
Sent To:	Police Lieutenant-Exempt Michael Hutchins
CC:	(none)
Sent Date/Time:	12/6/2017 2:02 PM

Instructions from Police Lieutenant-Exempt Adam Green to Police Lieutenant-Exempt Michael Hutchins:

Lt. Hutchins, Please conduct a secondary review of this incident. Thank you. Lt. Green

Comments/Response from Police Lieutenant-Exempt Michael Hutchins:

Comments:

This UOF was justified and within policy.

Routing #3

Sent From:	Police Lieutenant-Exempt Michael Hutchins
Sent To:	Police Captain Norman Leong
CC:	(none)
Sent Date/Time:	12/8/2017 1:57 AM

Instructions from Police Lieutenant-Exempt Michael Hutchins to Police Captain Norman Leong:

Capt. Leong - For your final review.

Comments/Response from Police Captain Norman Leong:

Comments:

Use of force was within justified and within policy. Training comments made by Lt. Hutchins were appropriate.

Assigned Investigator Signature Line

[Incident pending assignment]

Chain of Command Signature Lines

Police Lieutenant-Exempt Adam Green

Police Lieutenant-Exempt Michael Hutchins

Police Captain Norman Leong

DANIEL HAHN
Chief of Police

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Report Number: 2017-338898

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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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