

**Sacramento Police Department  
Internal Affairs Division**

**Summary**

**IAD2022-039**

**Allegations:** Discourtesy  
Improper Search and Seizure  
Conduct Unbecoming an Employee  
Force  
Improper Tactics

**Complainant:** Sacramento Police Department

**Report Prepared by:** Sergeant Michael Rinehart #3057

**Investigating Office:** Internal Affairs Division

**Accused Employee(s):** Officer Joel McVey #293

**Background:** On 02/09/2022, Sacramento Police Department Officer conducted a self-initiated contact, described as a suspicious occupied vehicle at 1443 Arcade Blvd (Speed Wash), documented under SPD 22-38292.

Officer McVey contacted a vehicle for suspended registration (4000(A)CVC). Officer McVey exited his patrol vehicle and engaged a male citizen who was standing near the passenger side of the vehicle. Officer McVey spoke with the male citizen, then detained him in handcuffs and secured him in a patrol vehicle. Officer McVey then contacted the female driver.

The male citizen was upset regarding this contact and requested a supervisor. Sgt. Nutley #3105 responded to the scene. The male citizen and driver were identified and released. A report was authored under SPD 22-38292.

Sgt. Nutley conducted a review of SPD 22-38292, identified areas of concern regarding this contact, which was subsequently forwarded to IAD.

[Print](#)

Sacramento Police Department

Division Investigation Report

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
02/10/2022	02/09/2022	04:16
Record ID Number	Report Number	IA No
30213	22-38292	IAD2022-039
Date/Time Entered	Entered By	
02/14/2022 12:43	[IAPro entry - Admin Tech Desiree Sayles #6643]	
Sacramento PD Blue Team Assigned Investigator	IAPro Assigned Investigator	
Police Sergeant Michael Rinehart II	Sgt. Michael Rinehart #3057	

Incident Summary

██████████ (OPSA2022-0052) was upset with the way his contact with Ofc. McVey was conducted.

2/14/22: SPD 330 sent to OPSA. -DNS

OPSA will review

On 03/31/22, I attempted contact with the involved citizen by provided phone number with no answer. (Audio attached)Synopsis of the complaint:

- 1) In summary: Mr. ██████████ was upset and unsatisfied with Officer McVey's interaction with him.
- 2) After Sgt. Nutley conducted an initial review of this incident; he noted: "there were observed areas of concern with re to how he made contact with subject ██████████." Further, Sgt Nutley indicated. "I am generating this complaint form based on the requests of subject ██████████ and my observations of Off McVey's body worn camera."

Statements:

See affixed Audio file. The Internal Affairs Division (IAD) attempted to contact Mr. ██████████ by his listed number. It is noted that the phone number appeared to be inoperable and not an active line.

Factual Investigative Summary of the Materials Reviewed During This Investigation:

Computer-Aided Dispatch (CAD) Call #22-38292

The above call was a suspicious vehicle-occupied, initiated by Officer Joel McVey #293. The location was 1443 Arcade Blvd (Speed Wash), in District 2B, on February 9, 2022, at 0416 hours. Officer David Williams #981 also arrived on scene call at approximately 0423 hours (per ICC/BWC this timestamp appears to be delayed). Sgt. Nutley #3105 later arrived to the call at 0429 hours. One vehicle was attached to the CAD Call (2001 Toyota CA License ██████████ - valid from 10/28/20 to 10/28/21). Additionally, there were two CA driver's licenses attached: (DL/NO ██████████ B/D ██████████ \*NAME ██████████ LICENSE STATUS: SUSPENDED OR REVOKED and, L/NO ██████████ B/D ██████████ \*NAME ██████████ LICENSE STATUS: SUSPENDED OR REVOKED).

Officer Williams cleared the call: FOUNDED-Y REPORT-Y.

Report #22-38292

The Information Report was written by Officer Joel McVey and approved by Sgt. Nutley. Mr. ██████████ was listed as subject #1, and Ms. ██████████ was listed as Subject #2. CA Vehicle ██████████ was listed as an involved vehicle.

\*\*It should be noted that the below information was taken from the written report related to this incident and is a summary only. Please refer to the affixed Information Report for the entirety of the written observations and/or statements.\*\*

Per Officer McVey's report: "Officers were requested to show high visibility in the area, by 1SM2 (Sgt. Nutley) and take enforcement action, when necessary." Officer McVey indicated he "was in a fully marked SPD patrol vehicle, wearing my SPD uniform." He further wrote, "I ran a records check on a gray, [Toyota] (CA ██████████ which came back with suspended registration (effective 01/15/2021)".

He noted in his report: "I was unable to determine [if] anyone was inside of the vehicle, so I shined my spotlight through the rear windshield of the vehicle." Officer McVey indicated, "I heard a male yelling at me to turn my spotlight off. I observed a male adult standing outside of the front passenger door of the vehicle (CA [REDACTED]) making gestures towards me." He wrote, "I repositioned my vehicle, behind the Toyota (CA [REDACTED]) and activated my overhead lights to conduct an enforcement stop of the vehicle (CA [REDACTED]), based on it being occupied, with suspended registration." In his report, Officer McVey stated, "I did not see the male exit the vehicle..."

Officer McVey wrote that, "The male subject again asked me to turn my spotlights off. I advised that I did not have to do that." and that, "The male subject started to walk away from the vehicle."

Officer McVey wrote, "Based on not knowing if the if the male subject was the registered owner of the vehicle, I asked him to stop, so I could identify him. The male subject asked me why I was asking him to stop. I approached the male subject and asked the male subject to turn around."

McVey's report indicated, "Based on the male subject being uncooperative, I detained him in the back seat of my patrol vehicle."

Officer McVey then walked up to Ms. [REDACTED] sitting in the driver's seat of the car, noting in his report: "I made contact with a FWA, in the front driver's seat, who verbally identified herself as Subject-[REDACTED] (verified via photo in WEBKPF, [REDACTED])."

Ultimately, McVey writes that: "I went back to my patrol vehicle and asked the male subject detained in the back seat of my vehicle for his name. The male subject verbally identified himself as Subject-[REDACTED] (identity verified via photo in WEBKPF, [REDACTED]). S-[REDACTED] requested a supervisor respond to the scene. I contacted 1SM2 (Sgt. Nutley) who responded to the scene to speak with S-[REDACTED]"

Lastly, McVey noted, "After S-[REDACTED] was removed from my vehicle by 1SM2, I cleared the scene."

Body-worn camera and In-Car Camera Review:  
After a review of Officers McVey and Williams', BWC and ICC videos related to this incident, the following was observed - in summary:

\*\*It should be noted that the below information was taken from the above-noted video recordings and is a summary only. Please refer to the affixed video links for the full recorded version of the Officers' interactions during this incident.\*\*

At the start of Officer McVey's BWC/ICC, he is driving his marked patrol vehicle and approaches the grey Toyota ([REDACTED]) parked facing the front of the Speed Wash (1443 Arcade Blvd). From the "V" of his driver's door, Officer McVey states, stay right there, and broadcasts his suspicious occupied vehicle stop. He steps out of the "V" and begins his approach on foot towards Mr. [REDACTED] who is standing just outside the front passenger's door of the Toyota. He asked Mr. [REDACTED] if he was on probation or parole. Mr. [REDACTED] replies, No, no, I am not, and please don't harass me cause I did nothing wrong. Mr. [REDACTED] further comments, I just asked you to take the light out of my face. Officer McVey responds by telling Mr. [REDACTED]: and I don't have to do that. To which Mr. [REDACTED] appears to reply, ok, well, I don't have to talk to you then; what do you want.

While standing at or near the truck of the Toyota, Officer Mcvey tells Mr. [REDACTED], you are in a vehicle that's expired, and orders Mr. [REDACTED] to turn around. Mr. [REDACTED] replies it's not even my car. Officer McVey gives him a second command to turn around, to which Mr. [REDACTED] replies, for what. Officer McVey responds, "Cause I fucking said so."

(Please refer to the affixed video for detention).

Officer Williams arrives and assists with handcuffing Mr. [REDACTED].

During handcuffing, Mr. [REDACTED] asks what am I being arrested for? Officer McVey states you are being detained because you are being a shithead. Mr. [REDACTED] asks what did I do? Officer Williams responds, he [Officer McVey] said you came out of an expired vehicle. Mr. [REDACTED] replied, so what? It ain't my car.

Officer McVey tells Mr. [REDACTED], now you are going to go sit in the back of my car, and Mr. [REDACTED] replies, why? Officer McVey tells him, 'cause I fucking said so.

Officer McVey and Officer Williams then contact Ms. [REDACTED] in the driver's seat, who verbally identifies herself. Officer McVey had a brief conversation with Ms. [REDACTED] at her open window and asked her for Mr. [REDACTED]'s name. Ultimately he tells Ms. [REDACTED] "If you don't give me his name, I am going to tow your shit."

Officer Mcvey returns to his patrol vehicle, enters his driver's seat and begins speaking with Mr. [REDACTED] During their exchange, Officer McVey remarks to Mr. [REDACTED] saying, cause I am a fucking police officer.

Eventually, Sgt. Nutley is requested to the scene and speaks with Mr. [REDACTED] regarding this incident.

End Summary.

## Incident Location

### Addresses

1443 Arcade Blvd, Sacramento, Ca, 95815  
2B

- Location of Occurrence: 2 - Northeast

## Reporting/Involved Citizen

[REDACTED]

**Date of Birth:** [REDACTED]    **Race:** Black/African American (B)    **Ethnicity:** African American (Race: B)    **Gender:** Male

### Addresses

[REDACTED]

### Phone Numbers

[REDACTED]

[REDACTED]

**Role:** [None Entered]

## Incident Officers

### Police Officer Joel McVey

**Assignment at time of incident:** Police Officer 000/Patrol/District 2// Worn/Activated

**Role:** [None Entered]

**Policy Outcome:** Not yet entered

### Linked Allegations

- Discourtesy -

## Tasks

Task Description	Date Due	Date Completed	Summary
Time Bar	02/10/2023		Automatically generated
Time Bar Warning!	12/12/2022		Automatically generated

## Running Sheet Entries

No running sheet entries to show

## Attachments

Date Attached	Attachment Description	Attachment Types
03/31/2022	210621_0282_IAD CALL TO CITIZEN	MP3
03/31/2022	SPD 332 - Officer McVey	pdf
05/03/2022	BWC Williams, David (4384)	
05/03/2022	Fleet ICC McVey, Joel (4720)	
03/31/2022	CAD 22-38292	pdf

03/31/2022	OPSA REVIEW FORM OPSA2022-0052[IAD2022-039]	pdf
03/31/2022	GO 22-38292	pdf
05/03/2022	Fleet ICC back seat McVey	
03/31/2022	SPD 330	pdf
03/31/2022	Email from Sgt Nutley pg 2	pdf
05/03/2022	BWC McVey, Joel (4720)	
03/31/2022	Email to OPSA - SPD 330	pdf
03/31/2022	Email from Sgt. Nutley 2-10-22	pdf
05/03/2022	BWC Nutley	

## Assignment History

Date/Time Sent	From	To	Activity
03/31/2022 14:39	Sgt M Rinehart #3057		Field status changed in IAPro from null to Field assigned
03/31/2022 14:39	Sgt M Rinehart #3057	Police Captain Vance Chandler	IAPro assigned
04/21/2022 14:18	Police Captain Vance Chandler	Police Lieutenant-Exempt Douglas Morse	Incident re-assigned by Police Captain Vance Chandler to Police Lieutenant-Exempt Douglas Morse for further work-up.
06/22/2022 06:41	AA C Barker #6445		Field status changed in IAPro from Completed - in holding bin to Released
06/22/2022 06:42	AA C Barker #6445		Field status changed in IAPro from Released to Field assigned
06/22/2022 06:42	AA C Barker #6445	Police Sergeant Michael Rinehart II	IAPro assigned
06/22/2022 08:00	Sgt M Rinehart #3057		Field status changed in IAPro from Field assigned to Released

## Chain of Command History

<b>Routing Number: 1</b>
<b>From</b> Police Sergeant Michael Rinehart II
<b>To</b> Police Captain Vance Chandler
<b>Cc:</b>
<b>Date/Time Sent</b> 03/31/2022 14:39
<b>Instructions From [ Police Sergeant Michael Rinehart II ] To [ Police Captain Vance Chandler ]</b>
For your review.
<b>Comments/Response From [ Police Captain Vance Chandler ]</b>
[Police Captain Vance Chandler has re-assigned the incident to Police Captain Vance Chandler]
<b>Routing Number: 2</b>

**From** Police Captain Vance Chandler

**To** Police Lieutenant-Exempt Douglas Morse

**Cc:**

**Date/Time Sent** 04/21/2022 14:18

**Instructions From [ Police Captain Vance Chandler ] To [ Police Lieutenant-Exempt Douglas Morse ]**

Division Investigation.

**Comments/Response From [ Police Lieutenant-Exempt Douglas Morse ]**

-I affixed all associated video to this investigation and completed a summary to include the three required areas:

- Synopsis of the complaint
- Statements (complainant or witness)
- Factual Investigative summary (include material reviewed during investigation)

**Routing Number: 3**

**From** Police Lieutenant-Exempt Douglas Morse

**To** Police Captain Vance Chandler

**Cc:**

**Date/Time Sent** 05/05/2022 11:25

**Instructions From [ Police Lieutenant-Exempt Douglas Morse ] To [ Police Captain Vance Chandler ]**

-Forwarding back to you for your Command Level Review.

Very Respectfully, Lt. Morse

**Comments/Response From [ Police Captain Vance Chandler ]**

Completion notes: Lieutenant Cybuski has been advised that Internal Affairs will take the lead on this complaint.

**Routing Number: 4**

**From** Admin Analyst Colleen Barker

**To** Police Sergeant Michael Rinehart II

**Cc:**

**Date/Time Sent** 06/22/2022 06:42

**Instructions From [ Admin Analyst Colleen Barker ] To [ Police Sergeant Michael Rinehart II ]**

Hello,

This was sent to me in error. Thanks,

Colleen

**Comments/Response From [ Police Sergeant Michael Rinehart II ]**



## Sacramento Police Department Personnel Complaint Form

DEPARTMENT USE ONLY -  
IAD CASE NUMBER

IAD2022-039

### Complainant:

*\*You have the right to remain anonymous. Consider providing some information for an investigator to contact you for follow-up questions.*

NAME	DOB	AGE	GENDER	RACE
[REDACTED]	[REDACTED]	31	M	B
HOME ADDRESS	CITY	STATE	ZIP	
[REDACTED]	Sacramento	Ca	[REDACTED]	
BUSINESS ADDRESS	CITY	STATE	ZIP	
TELEPHONE NUMBER #1	EMAIL ADDRESS	DATE COMPLAINT RECEIVED		
[REDACTED]		2/9/22		

### Involved Employee:

*\*Provide as much information as possible.*

NAME	RANK	BADGE	GENDER	RACE
Off Joel McVey	Officer	293	M	W
UNIFORM TYPE	VEHICLE DESCRIPTION	VEHICLE NUMBER		
Patrol	Squad UV	13746		

### Incident Details:

INCIDENT DATE	INCIDENT TIME	LOCATION (ADDRESS OR INTERSECTION)
2/9/22	0416 Hrs	1443 Arcade Blvd

SUMMARY OF INCIDENT: *Provide witnesses, locations, address, businesses, available photos and video, etc.*

On the above-mentioned date and time 1A26 Off McVey made contact with a 971 parked in front of 1443 Arcade Blvd the Speedy Wash. Off McVey was joined on the contact by 1A24 Off D. Williams. The officers were in full uniform and in marked patrol UV's. The 971 vehicle in question was a Toyota Avalon [REDACTED] occupied by two persons; female in the driver's seat and a male in the front passenger seat later identified as [REDACTED]. This location is chronic for 928 loitering and PEH camping creating calls for service for the 2B beat officers. As Off McVey was illuminating the 971 vehicle/plate the male occupant exited the passenger side and asked him to stop doing that. This resulted in Off McVey contacting the subject which resulted in the subject's detention. From speaking with the officer, the subject and the review of the BWC video, officer and subject remain in conflict over how the contact was conducted. At the request of subject [REDACTED] Off McVey contacted me to respond to the scene. Upon arrival I obtained a brief summary from Off McVey over the reason for the detention and subject [REDACTED] complaint. I then contact subject [REDACTED] who was highly agitated and upset with Off McVey. I attempted to engage [REDACTED] in a discussion over the incident to include explaining police tactics as well as the complaint process. In the end [REDACTED] was not satisfied with what information I had provided him and indicated he wanted to file a formal complaint. On the MCI card we had already provided him with the call # and all of our badge #'s I showed [REDACTED] the IA phone # and attempted to explain further the complaint process. [REDACTED] remained very agitated and upset and advised he did not believe any review of the incident would occur. I emphasized that not only would I do a review to include watching the officers body worn camera but also that he could call IA at any time to make his complaint heard. During this process [REDACTED] was so upset and agitated that he could not let me fully explain the process to his satisfaction. The female occupant of the car provided some input to [REDACTED] attempting to quell his concerns. This had some effect on him and provided me the opportunity to ask if he desired any further assistance from officer's present at that time to which he replied "No". We cleared the scene to avoid further conflict.

☒ I have attached <sup>1</sup> more pages to this form.

### Your Rights:

*You have the right to make a complaint against an employee for improper conduct. California law requires this agency to have a procedure to investigate personnel complaint, provide written description of this procedure, and retain complaints for at least five years.*

*I have read and understand these rights.*

Signature: \_\_\_\_\_

### DEPARTMENT USE ONLY:

ACCEPTING EMPLOYEE NAME AND BADGE NUMBER	ACCEPTING SUPERVISOR NAME AND BADGE NUMBER	DATE AND TIME
SGT D. NUTLEY		

# Sacramento Police Department

## Personnel Complaint Disposition Form

- CONFIDENTIAL AND FOR DEPARTMENT USE ONLY -

- DEPARTMENT USE ONLY -  
IAD CASE NUMBER

IAD2022-039

### Internal Investigation Details:

DATE REPORTED 02/10/2022	TIME REPORT 0533	INCIDENT DATE 02/09/2022	INCIDENT TIME 0416	REPORT NUMBER 21-328796
INCIDENT LOCATION (INTERSECTION OR FULL ADDRESS) 1443 Arcade Blvd		DISTRICT/BEAT 2B	HOW REPORTED Internal	INVESTIGATION TYPE Division
ASSIGNED DATE 02/10/2022	ACTIVE DATE 02/10/2022	SUSPENDED DATE	RESUME DATE	FOLLOW-UP DATE
COMPLETED DATE				

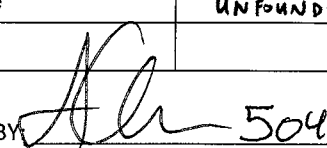
### Involved Employee:

NAME Joel Lavoy McVey	RANK Police Officer	BADGE 293	GENDER M	RACE W
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### Allegations:

<input checked="" type="checkbox"/> Conduct Unbecoming	<input type="checkbox"/> Firearm Discharge	<input type="checkbox"/> Missing Property
<input checked="" type="checkbox"/> Discourtesy	<input type="checkbox"/> Harassment	<input type="checkbox"/> Neglect of Duty
<input type="checkbox"/> Discrimination	<input checked="" type="checkbox"/> Improper Search and Seizure	<input type="checkbox"/> Profiling
<input type="checkbox"/> Dishonesty	<input checked="" type="checkbox"/> Improper Tactics	<input type="checkbox"/> Service
<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Insubordination	<input type="checkbox"/> Traffic
<input type="checkbox"/> False Arrest	<input type="checkbox"/> Intoxication	<input type="checkbox"/> Wage Garnishment
	<input type="checkbox"/> In Custody Death	<input type="checkbox"/> Officer Involved Shooting

### Disposition:

ALLEGATION	FINDING	DISCIPLINE / ACTIONS TAKEN
Discourtesy	SUSTAINED	L.O.R.
Improper Search and Seizure	SUSTAINED	L.O.R.
Improper Tactics	SUSTAINED	"
Conduct Unbecoming	SUSTAINED	"
Force	UNFOUNDED	"
APPROVED BY:  5045           Date: 11-30-2022		

### Skelly or Discipline Settlement:

ALLEGATION	FINDING	DISCIPLINE
APPROVED BY: _____ Date: _____		

INVESTIGATOR NAME AND BADGE NUMBER	INVESTIGATOR SUPERVISOR AND BADGE NUMBER	DATE AND TIME
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City of  
**SACRAMENTO**  
Police Department

KATHERINE LESTER  
Chief of Police

5770 Freeport Blvd., Suite 100  
Sacramento, CA 95822-3516

(916) 808-0800  
Fax: (916) 808-0818  
www.sacpd.org

January 17, 2023  
IAD2022-039

**Final Letter Received**

Date 1-26-2023

Employee [Signature]

Supervisor [Signature]

Officer Joel McVey #293  
5770 Freeport Blvd., #100  
Sacramento, California 95822

Dear Officer McVey,

This letter is to inform you that you are hereby reprimanded in your position as a Police Officer with the City of Sacramento. In addition to the reprimand, you are required to attend retraining related to Search and Seizure, Professionalism, and Tactics. This action is based on the following facts:

1. You have been employed as a Police Officer with the City of Sacramento since June 22, 2019. For calendar year 2022, you were assigned to Late Shift and worked Tuesday through Friday, 9:00 p.m. to 7:00 a.m.
2. On February 9, 2022, you were on duty as a uniformed Sacramento Police Officer while working patrol. Your unit identifier was 1A26.
3. On February 9, 2022, at approximately 0416 hours, you conducted an enforcement stop on a 2001 Toyota (California license plate [REDACTED]) in the parking lot at Speed Wash, 1443 Arcade Boulevard in Sacramento (SPD report 2022-38292).
4. You observed a male subject, later identified as [REDACTED] standing outside the front passenger door of the Toyota. You exited your patrol vehicle, gave a legal order to Mr. [REDACTED] then proceeded to verbally engage him in a confrontational manner.
5. You approached Mr. [REDACTED] and walked next to the occupied Toyota whose occupants you had not contacted or observed.
6. As you approached Mr. [REDACTED] you told him to turn around, he stated, "For what?" to which you replied, "Because I fucking said so." While engaged with Mr. [REDACTED] you turned your back to the occupied Toyota.
7. At approximately 0423 hours, Officer David Williams (Badge #981) responded to the scene to assist you with the enforcement stop.
8. While you and Officer Williams were in process of detaining Mr. [REDACTED] he asked, "What are you arresting me for?" to which you replied, "You are being detained because you are being a shithead." You handcuffed Mr. [REDACTED] and put him in the back seat of your patrol vehicle.
9. You contacted the driver of the Toyota, [REDACTED] Upon learning that Ms. [REDACTED] did not know the identity of Mr. [REDACTED] you threatened to tow her vehicle if she did not reveal his identity.
10. You later told Mr. [REDACTED] that Ms. [REDACTED]'s car was getting towed because of him.

*The Mission of the Sacramento Police Department is to work in partnership with the Community to protect life and property, solve neighborhood problems, and enhance the quality of life in our City.*

11. Mr. [REDACTED] demanded to speak with your supervisor. You contacted your direct supervisor, Sergeant Daniel Nutley (Badge #3105) by telephone and requested he respond. At approximately 0429 hours, Sergeant Daniel Nutley responded to the scene.
12. You did not have legal cause to continue detaining Mr. [REDACTED] after you had identified him and conducted records checks.
13. On August 17, 2022, Officer David Williams participated in a fact-finding interview with the Sacramento Police Department's Internal Affairs Division and stated the following:
  - a. On February 9, 2022, at 0416 hours, he responded to Speed Wash at 1443 Arcade Boulevard and assisted you with your enforcement stop (pages 5-6, lines 217-316).
  - b. He was a cover officer, he did not know details of the enforcement contact when he arrived on scene. You went to detain Mr. [REDACTED] he assisted you by grabbing one of Mr. [REDACTED]'s arms (page 8, lines 313-320).
  - c. He was uncomfortable with the interaction he witnessed between you and Mr. [REDACTED]. Your use of profanity towards Mr. [REDACTED] was unprofessional (pages 7-8, lines 342-361).
  - d. With a driver sitting in the Toyota that was stopped, he believed there were safer ways for an officer to contact Mr. [REDACTED] such as staying behind cover and calling the subject back toward the officer (pages 11-12, lines 474-487).
  - e. The force you used to detain Mr. [REDACTED] is not the way that he would have handled detaining someone. He would have used "More verbal judo...to gain compliance," and tell them exactly what he was doing and why (page 12, lines 502-516).
  - f. He tried to help you on the call but saw the direction it was going, with claims of mistreatment by Mr. [REDACTED] and did not want to be a part of it (page 16, lines 656-659).
  - g. It was not appropriate for you to tell Ms. [REDACTED] that if she did not provide the identity of a passenger, that her car would be towed. He stated, "It's almost like threatening if you don't say something or do something," it could be perceived as coercive (page 16, lines 672-689).
  - h. He was present when Sergeant Nutley responded to the scene. He was concerned that "this wasn't a good stop" when Sergeant Nutley commented on the incident as "not being good" (page 18, lines 769-772).
14. On August 24, 2022, you participated in a fact-finding interview with the Sacramento Police Department's Internal Affairs Division and admitted the following:
  - a. As a Sacramento Police Officer, you are expected to be familiar with the Department's general orders, manuals, policies, and training (page 3, lines 106-109).
  - b. It is very important for officers to maintain professional conduct when performing their duties. As a police officer, you are supposed to set an example and exhibit professionalism with everyone you contact (page 4, lines 137-140; page 5, lines 200-204).
  - c. On February 9, 2022, at 0416 hours, you contacted a suspicious occupied vehicle in the parking lot of Speed Wash, 1443 Arcade Boulevard (page 11, lines 449-452; pages 12-13, lines 488-495).
  - d. You observed Mr. [REDACTED] standing outside of the passenger side of the Toyota. You believed he was associated to the vehicle, so you conducted a stop to further investigate. When you exited your patrol vehicle, you gave a lawful order to Mr. [REDACTED] (page 15, lines 632-637; page 18, lines 750-754).

- e. You are not trained to pass or turn away from an occupied vehicle (page 19, lines 804-812).
- f. When you directed Mr. [REDACTED] to turn around, he asked "For what?" to which you replied, "Because I fucking said so." When asked why you said, "Because I fucking said so," to Mr. [REDACTED] you stated "He had gotten inside my head, and I didn't demonstrate the best judgement there." You made bad decisions as it relates to your communication skills. Your use of profanity towards Mr. [REDACTED] was not appropriate (page 21, lines 900-911; page 26, lines 1120-1129).
- g. Calling Mr. [REDACTED] a "shit head" was unprofessional, inappropriate, and you made a mistake. You were discourteous to Mr. [REDACTED] while he was being detained (page 23, lines 974-997).
- h. You threatened Ms. [REDACTED] with towing her car if she did not provide the name of the male subject [Mr. [REDACTED]]. It was unprofessional to tell Ms. [REDACTED] that you were going to "tow your shit" (pages 27-29, lines 1155-1263).
- i. When Mr. [REDACTED] was seated in the backseat of your patrol vehicle, he asked you, "Why did you guys manhandle me like that?" to which you replied, "Because you didn't listen to me. That is why." When asked what you meant by your response to Mr. [REDACTED] you stated that you did not do a very good job explaining what you were doing and that the things you said were discourteous and unprofessional (page 30, lines 1286-1294).
- j. You could have stepped away and let your partner take over or you could have taken initiative to take a deep breath and try to approach the situation differently (page 30, lines 1303-1311).
- k. It was unprofessional and discourteous when you told Mr. [REDACTED] that Ms. [REDACTED]'s car was getting towed because of him (page 31, lines 1319-1323).
- l. Your investigation concluded prior to Sergeant Nutley arriving on-scene. You can see how the detention of Mr. [REDACTED] could be perceived as an unlawful detention (pages 32-33, lines 1375-1441; page 36, lines 1537-1540).
- m. You violated General Order 210.04-General and Professional Conduct (page 41, lines 1765-1774).

Your actions are cause for disciplinary action pursuant to the City of Sacramento Rules and Regulations of the Civil Service Board, specifically rule 12.2 (n) discourteous treatment of any member of the public; (p) willful disobedience of a lawful rule, order or direction; and (w) caused impairment, disruption and discredit to your employment and the public service.

Your actions in this matter are in violation of the Sacramento Police Department General Orders, which states in relevant part:

**210.04**  
**GENERAL AND PROFESSIONAL CONDUCT**  
**5-7-21**

**PURPOSE**

The purpose of this order is to establish criteria for the general and professional conduct of Department employees.

**POLICY**

It shall be the policy of the Sacramento Police Department to ensure exemplary conduct of Department employees, both on and off duty, and in keeping with the standards of the City Charter, Civil Service Rules and Regulations, and established labor agreements.

## PROCEDURE

### A. PROFESSIONAL CONDUCT (ALL EMPLOYEES)

1. Employees on or off duty shall
  - a. Be governed by ordinary and reasonable rules of good conduct and behavior.
  - b. Not commit any act whether negligent, intentional, criminal, or otherwise that could bring discredit upon the Department or the City.
2. Employees shall
  - c. Serve the public by direction, counsel, and example that does not interfere with the discharge of their police responsibilities. They shall respect and protect the rights of individuals and perform their services with honesty and integrity.
  - d. Be responsible for establishing and maintaining a high spirit of cooperation and respect for others throughout the Department.
  - f. Properly perform assigned police responsibilities during a scheduled shift.

**NOTE: Improper performance or failure to perform assigned police responsibilities during a scheduled shift shall be regarded as neglect or dereliction of duty and cause for disciplinary action.**

- g. Not speak slightly or express humiliating discourtesies or derogatory comments to or engage in any harassing behavior towards any person. Employees should refrain from the use of profanity.

### E. OFFICER RESPONSIBILITY

1. Officers shall act reasonably within the limits of their authority as defined by statute and judicial interpretations to ensure the rights of both the individual and the public are protected.

Your actions in this matter are in violation of the City of Sacramento Employee Handbook, which states in relevant part:

## SECTION 4 – LABOR RELATIONS

Rules and Standards of behavior are similar for most city employees. For example, all employees are expected to...show courtesy to members of the public, and to follow city regulations.

Your conduct constitutes just cause for disciplinary action pursuant to the Agreement covering your classification. Further, continuation of the above acts or other misconduct on your part will subject you to further disciplinary action, up to including termination.

A copy of this letter will be placed in your personnel file. This letter will be withdrawn from your official personnel file eighteen (18) months from the date issued provided there has not been additional formal discipline imposed during the eighteen (18) month period. Pursuant to the Agreement covering your classification, you may have an administrative review of the reprimand by submitting a request in writing within seven (7) days to the Manager of Labor Relations at 915 I Street, Historic City Hall, First Floor, Sacramento, California 95814.

Sincerely,



Adam Green, Deputy Chief  
Office of Operations

APPROVED:

A handwritten signature in black ink, appearing to read 'Christen Snyder', written in a cursive style.

Christen Snyder  
Labor Relations Officer

cc: Human Resources, Labor Relations

**From:** [Michael Rinehart](#)  
**To:** [Brian Gabriel](#)  
**Subject:** RE: Officer Joel McVey IA Interview  
**Date:** Monday, August 22, 2022 3:03:00 PM  
**Attachments:** [image001.png](#)

---

Excellent. Thanks for quick response.

---

**From:** Brian Gabriel <[bgabriel@\[REDACTED\].com](mailto:bgabriel@[REDACTED].com)>  
**Sent:** Monday, August 22, 2022 3:03 PM  
**To:** Michael Rinehart <[MRinehart@pd.cityofsacramento.org](mailto:MRinehart@pd.cityofsacramento.org)>  
**Subject:** RE: Officer Joel McVey IA Interview

Received, sir. Thank you very much.

## **Brian Gabriel | Associate**

 **MASTAGNI HOLSTEDT, A.P.C.**

**Labor and Employment Department**

**1912 I Street, Sacramento, CA 95811**

*Main: (916) 446-4692 | Fax: (916) 447-4614*

*Direct: [REDACTED] | Cell: [REDACTED]*

**CONFIDENTIALITY NOTICE** - This e-mail message, including any attachments, is a private communication sent by a law firm, Mastagni Holstedt, A.P.C., and may contain confidential, legally privileged information meant solely for the intended recipient. If you are not the intended recipient, any use, distribution, or copying of this communication is strictly prohibited. Please notify the sender immediately by replying to this message, then delete the e-mail and any attachments from your system. Thank you.

---

**From:** Michael Rinehart <[MRinehart@pd.cityofsacramento.org](mailto:MRinehart@pd.cityofsacramento.org)>  
**Sent:** Monday, August 22, 2022 3:03 PM  
**To:** Brian Gabriel <[bgabriel@\[REDACTED\].com](mailto:bgabriel@[REDACTED].com)>  
**Subject:** RE: Officer Joel McVey IA Interview

**CAUTION:** External Email.

Mr. Gabriel,

A one-drive link was sent to you via email, which contains the following:

CAD CALL  
POLICE REPORT  
AXON body worn camera file  
AXON fleet video  
AXON fleet IR (rear seat patrol vehicle)

Can you please confirm that you have received the link with the 5 items?

Any other questions, please give me a call.

Thank you,

*Sergeant Michael Rinehart  
Internal Affairs Division  
Sacramento Police Department  
Office: 916-808-2293*

---

**From:** Brian Gabriel <[bgabriel@\[REDACTED\].com](mailto:bgabriel@[REDACTED].com)>  
**Sent:** Monday, August 22, 2022 10:06 AM  
**To:** Michael Rinehart <[MRinehart@pd.cityofsacramento.org](mailto:MRinehart@pd.cityofsacramento.org)>  
**Subject:** Officer Joel McVey IA Interview

Good Morning, Sgt. Rinehart,

This email confirms that I will be representing Officer Joel McVey in his IA interview on Wednesday, August 24, 2022 at 2100 hours. If you could provide me any related materials to this matter to better assist our preparation for Wednesday, it would be greatly appreciated. Thank you for your time.

Respectfully,

**Brian Gabriel | Associate**

 **MASTAGNI HOLSTEDT, A.P.C.**

**Labor and Employment Department**

**1912 I Street, Sacramento, CA 95811**

*Main: (916) 446-4692 | Fax: (916) 447-4614*

*Direct: [REDACTED] | Cell: [REDACTED]*

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**From:** [Vance Chandler](#)  
**To:** [Michael Rinehart](#)  
**Cc:** [Neil Cybulski](#)  
**Subject:** IAD 2022-039  
**Date:** Tuesday, August 23, 2022 12:09:49 PM

---

Sergeant Rinehart,

For this IA Investigation (IAD 2022-039), I would like to add the allegation of Improper Tactics for Officer McVey.

Please let me know if you have any questions and/or if you need anything else from me.

Vance Chandler  
**Sacramento Police Department**  
North Command  
William J. Kinney Police Facility  
(916) 808-6464

**From:** [Dan Nutley](#)  
**To:** [SPD IAConcerns](#)  
**Cc:** [Dan Nutley](#); [Doug Morse](#)  
**Subject:** Complaint  
**Date:** Thursday, February 10, 2022 5:33:21 AM  
**Attachments:** [KINNEY-CAPTOFFICE\\_20220210\\_053344.pdf](#)  
[330\\_pg\\_2.docx](#)

---

Please see attached.

Nutley

The female on scene in the driver's seat of the 971 contact vehicle was identified as [REDACTED] [REDACTED] with a given address of [REDACTED]. No phone # for Ms [REDACTED].

The body worn cameras for both officers were on and recording for the duration of the incident. In review of Off McVey's BWC there were observed areas of concern with re to how he made contact with subject [REDACTED].

I am generating this complaint form based on the requests of subject [REDACTED] and my observations of Off McVey's body worn camera.

**From:** [Joel McVey](#)  
**To:** [Michael Rinehart](#)  
**Subject:** Re: Internal Affairs Interview, 08/24/22 @ 2100 hours  
**Date:** Thursday, August 18, 2022 4:02:45 PM

---

Good Afternoon Sergeant,

I copy, and will see you on Wednesday.

Respectfully,

Ofc. McVey

Get [Outlook for iOS](#)

---

**From:** Michael Rinehart <MRinehart@pd.cityofsacramento.org>  
**Sent:** Thursday, August 18, 2022 3:55:43 PM  
**To:** Joel McVey <jmcvey@pd.cityofsacramento.org>; Michael Boyd <MBoyd@pd.cityofsacramento.org>; Tim Davis <tdavis@spoa.org>  
**Cc:** Neil Cybulski <NCybulski@pd.cityofsacramento.org>; Leah Antonetti <LAntonetti@pd.cityofsacramento.org>  
**Subject:** Internal Affairs Interview, 08/24/22 @ 2100 hours

Officer McVey,

You have been identified as an **accused** employee in an Internal Affairs Division (IAD) investigation, which includes the following allegations:

- Discourtesy
- Improper search and seizure
- Force
- Conduct unbecoming of an employee

In reference to this interview, we will be discussing the following case number: **SPD 2022-38292**.

Because I need to interview you regarding this matter, please respond to the Internal Affairs Office at **1000 I Street Suite #170** on **Wednesday, August 24<sup>th</sup>, 2022 at 2100 hours**.

The SPOA has been copied on this correspondence, but you will have to contact and coordinate their participation if you would like to have a labor union representative present. Except for your officially appointed labor representative, you are ordered not to discuss this with any other Department employee.

**Downtown Parking for Internal Affairs Interviews**

We have secured parking downtown for Internal Affairs Interviews/appointments at the City Hall Garage (11<sup>th</sup> and "I" Street). You can either print the barcode or take a photo with your phone. If you lose a printed copy please notify me immediately – we would need to have a new QR code issued. The account is registered to the police department. License plates and the times charged will be audited for compliance.

Note: If you respond in a patrol vehicle, you can utilize any available street parking.

**Please respond to this email to confirm receipt and acknowledge the appointment.** If you have any questions, please contact me via email or at (916) 808-2293.

Respectfully,

*Sergeant Michael Rinehart*  
*Internal Affairs Division*  
*Sacramento Police Department*  
*Office: 916-808-2293*

**From:** [Joel McVey](#)  
**To:** [Michael Rinehart](#); [Brian Gabriel](#)  
**Subject:** Re: Internal Affairs Interview 8/24/2022 at 2100 hours  
**Date:** Tuesday, August 23, 2022 2:29:51 PM

---

Good Afternoon Sir,

I copy the update.

Respectfully,

Ofc. McVey

Get [Outlook for iOS](#)

---

**From:** Michael Rinehart <MRinehart@pd.cityofsacramento.org>  
**Sent:** Tuesday, August 23, 2022 1:56:40 PM  
**To:** Joel McVey <jmcvey@pd.cityofsacramento.org>; Brian Gabriel <bgabriel@[REDACTED].com>  
**Cc:** Tim Davis <tdavis@spoa.org>; Neil Cybulski <NCybulski@pd.cityofsacramento.org>  
**Subject:** Internal Affairs Interview 8/24/2022 at 2100 hours

Officer McVey,

I have received your confirmation for tomorrow's interview, scheduled for **Wednesday, August 24<sup>th</sup>, 2022 at 2100 hours** at 1000 I Street Suite #170.

**UPDATE:**

You have been identified as an **accused** employee in an Internal Affairs Division (IAD) investigation, which includes the following allegations:

- Discourtesy
- Improper search and seizure
- Force
- Conduct unbecoming of an employee
- Improper Tactics

In reference to this interview, we will be discussing the following case number: **SPD 2022-38292**.

The SPOA has been copied on this correspondence, but you will have to contact and coordinate their participation if you would like to have a labor union representative present. Except for your officially appointed labor representative, you are ordered not to discuss this with any other Department employee.

**If you or your representative can confirm receipt of this email correspondence and the above listed allegations pertaining to this investigation.**

Respectfully,

*Sergeant Michael Rinehart*  
*Internal Affairs Division*  
*Sacramento Police Department*  
*Office: 916-808-2293*



**From:** [Doug Morse](#)  
**To:** [Michael Rinehart](#)  
**Cc:** [Vance Chandler](#); [Neil Cybulski](#)  
**Subject:** McVey Watch File  
**Date:** Monday, August 1, 2022 11:28:07 PM  
**Attachments:** [KINNEY-CAPTOFFICE\\_20220801\\_222735.pdf](#)

---

Mike,

Please see the affixed scan of McVey's watch file per your request.

-Doug

---

**From:** scantoemail@pd.cityofsacramento.org <scantoemail@pd.cityofsacramento.org>  
**Sent:** Monday, August 1, 2022 11:28 PM  
**To:** Doug Morse <DMorse@pd.cityofsacramento.org>  
**Subject:** Scan from KINNEY-CAPTOFFICE

**From:** [Neil Cybulski](#)  
**To:** [Desiree Sayles](#); [Michael Rinehart](#)  
**Cc:** [Zack Bales](#); [Vance Chandler](#)  
**Subject:** RE: IAD 22-039  
**Date:** Wednesday, June 22, 2022 12:20:32 PM

---

Desiree,

Please reclass IAD2022-039 to a formal investigation and keep it assigned to Sgt Rinehart.

**Lieutenant Neil Cybulski**  
Sacramento Police Department  
Internal Affairs Division  
916-808-2292

---

**From:** Vance Chandler <VChandler@pd.cityofsacramento.org>  
**Sent:** Tuesday, June 21, 2022 10:15 PM  
**To:** Neil Cybulski <NCybulski@pd.cityofsacramento.org>  
**Subject:** IAD 22-039

Lieutenant Cybulski,

I am requesting Internal Affairs to take the lead on this complaint against Officer Joel McVey. I request the allegations against Officer McVey be Discourteous, Improper Search and Seizure and Conducting Unbecoming and Force.

Please let me know if you have any questions.

Thank you.

Vance Chandler  
**Sacramento Police Department**  
North Command  
William J. Kinney Police Facility  
(916) 808-6464

**From:** [John Lightfoot](#)  
**To:** [Michael Rinehart](#)  
**Subject:** RE: Request  
**Date:** Thursday, June 23, 2022 3:13:37 PM  
**Attachments:** [19BR1 Academica by test.xlsx](#)  
[19BR-1 ECO.docx](#)

---

Good afternoon,

Officer Joel McVey attended and graduated from academy class 19BR-1 from 1/7/19 to 6/20/19 completing 933 hours of instruction.

I have attached the test scores and the ECO for 19BR-1.

Please let me know if you need anything else.

Sergeant John Lightfoot  
Sacramento Police Department  
Academy Staff  
2409 Dean St #144  
McClellan, Ca. 95652

---

**From:** Michael Rinehart <MRinehart@pd.cityofsacramento.org>  
**Sent:** Thursday, June 23, 2022 2:57 PM  
**To:** John Lightfoot <JLightfoot@pd.cityofsacramento.org>  
**Subject:** Request

Sgt. Lightfoot,

As part of an internal investigation, I am requesting Academy Records pertaining to Officer Joel McVey (Badge #293, Abra 4720) as follows:

Academy Class  
Academy Test Scores  
POST ECO or similar outline

Respectfully,

*Sergeant Michael Rinehart*  
*Internal Affairs Division*  
*Sacramento Police Department*  
*Office: 916-808-2293*



**From:** [David Williams](#)  
**To:** [Michael Rinehart](#)  
**Subject:** Fwd: Internal Affairs Interview, 08/17/22 @ 2100 hours  
**Date:** Monday, August 15, 2022 10:32:30 PM

---

I copy the new date and I will be there.

Thank you,

David Williams #981  
Sacramento Police Department  
North Comand Team 11  
Graves District 2 ( [REDACTED] )  
[REDACTED]

---

**From:** David Williams <dwilliams@pd.cityofsacramento.org>  
**Sent:** Monday, August 15, 2022 10:31:38 PM  
**To:** Tim Davis <tdavis@spoa.org>; Michael Boyd <MBoyd@pd.cityofsacramento.org>  
**Subject:** Re: Internal Affairs Interview, 08/17/22 @ 2100 hours

I copy. See you then

David Williams #981  
Sacramento Police Department  
North Comand Team 11  
Graves District 2 ( [REDACTED] )  
[REDACTED]

---

**From:** Tim Davis <tdavis@spoa.org>  
**Sent:** Wednesday, August 10, 2022 12:56:24 PM  
**To:** David Williams <dwilliams@pd.cityofsacramento.org>; Michael Boyd <MBoyd@pd.cityofsacramento.org>  
**Subject:** RE: Internal Affairs Interview, 08/17/22 @ 2100 hours

I will be your rep. Give me a call if you have any questions.

Timothy Davis  
President  
Sacramento Police Officers Association  
CA Bar #312048  
550 Bercut Drive  
Sacramento, CA 95811  
[REDACTED]

---

**From:** Michael Rinehart <MRinehart@pd.cityofsacramento.org>  
**Sent:** Wednesday, August 10, 2022 12:50 PM  
**To:** David Williams <dwilliams@pd.cityofsacramento.org>; Tim Davis <tdavis@spoa.org>; Michael Boyd <MBoyd@pd.cityofsacramento.org>

**Cc:** Neil Cybulski <NCybulski@pd.cityofsacramento.org>; Leah Antonetti <LAntonetti@pd.cityofsacramento.org>; Justin Thompson <JThompson@pd.cityofsacramento.org>  
**Subject:** Internal Affairs Interview, 08/17/22 @ 2100 hours

\*\*\*\*INTERVIEW APPOINTMENT UPDATE

Officer Williams,

You have been identified as a **witness** in an Internal Affairs investigation.

As a reference, this investigation is related to the following: SPD 22-38292.

Please respond to our temporary Internal Affairs office (1000 I Street Ste. 170) on **Wednesday August 17, 2022 at 2100 hrs.** The SPOA has been copied on this correspondence, but you will have to contact and coordinate their participation if you would like to have a labor union representative present. Except for your officially appointed labor representative, you are ordered not to discuss this with any other Department employee.

NOTE:

We have secured parking downtown for Internal Affairs Interviews/appointments at the City Hall Garage (11<sup>th</sup> and "I" Street). You can either print the barcode or take a photo with your phone. If you lose a printed copy please notify me immediately – we would need to have a new QR code issued. The account is registered to the police department. License plates and the times charged will be audited for compliance.

**Please respond to this email to confirm receipt and acknowledge the appointment.** If you have any questions, please contact me via email or at (916) 808-2293.

Respectfully,

*Sergeant Michael Rinehart*  
*Internal Affairs Division*  
*Sacramento Police Department*  
*Office: 916-808-2293*

**IAD 2022-039**

**Call 22-38292**

**McVey, Joel**

**Body Worn Camera summary:**

**Recorded Feb 9<sup>th</sup>, 2022 @ 04:16. Duration 30:45 minutes.**

Officer McVey exits his patrol car and tells subject [REDACTED] "Stay right there" before broadcasting the 971. [REDACTED] is standing near the front passenger door of a grey Toyota at this time. Officer Williams arrives on scene.

Timestamp 00:55- The following is a summary of the conversation between Officer McVey and [REDACTED].

McVey: You on probation or parole?

[REDACTED]: No, I am not. And please don't harass me because I did nothing wrong. I just asked you to take the light off my face.

McVey: (Yells) "And I don't have to do that."

[REDACTED]: Ok well I don't have to talk to you then; what do you want?

McVey: Well, you are in a vehicle that is expired so turn around.

[REDACTED]: It's not even my car.

McVey: Turn around.

[REDACTED]: For what?

McVey: "Cause I fuckin said so."

Timestamp 1:13- Officer McVey grabs [REDACTED] who is backing away from him. [REDACTED] tries to turn away as Officer McVey pushes him up against a parked pickup truck. Officer Williams assists with detaining [REDACTED].

Timestamp 1:18- [REDACTED] asks what he is being arrested for. Officer McVey states "You are being detained because you are being a shit head."

Timestamp 1:38- The following conversation, in summary, occurs while Officer McVey handcuffs [REDACTED] and walks him to his patrol car.

[REDACTED]: Hey can somebody record this?

McVey shows [REDACTED] his BWC "You see this I am recording you. You see that."

[REDACTED]: Ok well good.

McVey: Widen your stance.

[REDACTED]: Why?



McVey: Cause I said so.

██████: What are you even checking me for.

McVey: Checking you for weapons.

██████: I don't have weapons.

McVey: Now you are going to go sit in the back of my car.

██████: Why?

McVey: "Cause I fucking said so."

██████: I don't want to sit in the back of your car.

McVey: "Tough shit. You are not making good decisions right now."

Timestamp 2:47 – After ██████ is placed in the rear of the patrol car Officers McVey and Williams contact the female occupant (██████) who is seated in the driver's seat of the Toyota. After obtaining ██████'s information Officer McVey asks ██████ for ██████'s name. ██████ says she can't remember his name and thinks about it for a moment.

Timestamp 4:18- The following is a summary of the conversation between Officer McVey and ██████.

McVey: Is there anything illegal in the vehicle?

██████: No.

McVey: Here is what's going to happen. I can tow your shit right now. So, I strongly suggest you give me his name. If you don't give me his name, I am going to tow your shit.

██████: I don't even know his last name.

McVey: Think about it really hard. Cause if we can't ID him, I am going to tow your car.

Timestamp 5:21- Officer McVey returns to his patrol car. The following is a summary of Officer McVey's conversation with ██████.

McVey: Why don't you just give me your name? Like a big boy.

██████: Why did you man handle me like that?

McVey: Cause you didn't listen to me that's why.

McVey: What's your name dude?

██████: If someone did that to you, you would feel it's really wrong. You would. My name is ██████.

McVey: Ok. I was running the vehicle and you said, "will you stop shining your light on my car?" I can shine my light on your car if I want to.

██████: Could we do that to you if we wanted too?

McVey: What gives you the right to do that?

██████: What gives you the right to do that? I didn't do nothing wrong.

Timestamp 05:51- McVey: Because I am a fucking police officer. What's your name?

██████: My name is ██████.

McVey: Smart answer.

██████: I don't understand why you man handled me like that.

McVey: Well, you are getting your friends car towed because of you so congratulations.

Timestamp 8:06- ██████: You threw me against the damn car like that. (Can be heard on the in car camera)

McVey: Are you hurt? Do you need the fire department?

██████: Yes. My hands hurt.

McVey: Your hands hurt from handcuffs?

██████: Yup. You put them on tight.

McVey: You want me to call the fire department?

██████: I want you to call who you need to call for me to file a complaint against what you did to me sir. I feel like it was wrong. And you know it was.

McVey: No, I don't.

██████: I hope you lose your job.

Timestamp 10:12 Officer McVey exit the vehicle to call Sgt Nutley and ask him to respond out to the location to speak to ██████ who requested a superior. McVey returns to his patrol car. The following is a summary of a conversation between Officer McVey and ██████.

McVey: My Sgt is on his way.

██████: Do I still have to sit in the back with these handcuffs on for nothing?

McVey: For now, yeah.

██████: What are you detaining me for again?

McVey: Because I told you (interrupted)

██████: All this in on camera, right?

McVey: It is.

██████: I hope I can get some money out of this.

McVey: Did you just say I hope I can get some money out of this?

Officer McVey exits his car and speaks to Officer Williams briefly before returning to his patrol car. After returning to his patrol car.

Timestamp 14:36- Sgt Nutley arrives on scene. Officer McVey exits his vehicle to speak with Sgt Nutley updating him on the incident and reason for detaining [REDACTED]. The following is a summary of the conversation between Sgt Nutley, Officer McVey, and Officer Williams.

Nutley: What's going on?

McVey: I had my spotlight on the license plate reading it. He pops out of the passenger side; can you stop shining the light on the car. So, I shine the light on him and put out the 971. He started getting all "rowdy" so I asked him to turn around so I can pat him down. He's like no and started to walk away. So, I went hands on him, put him up against the truck, cuffed him and threw him in the back of the car.

Nutley: Placed him in the back of the car.

McVey: Yes. That one.

Nutley: Is he on probation or anything?

McVey: No. He is not.

Nutley: What is his reasoning for being here?

McVey: We haven't gotten that far.

Nutley: What is our reasoning for detaining him then? Cause he is walking away?

McVey: Walking away.

Nutley: You have to be careful (interrupted)

Williams: I came over and McVey was giving him orders so; I didn't know the whole thing. I saw him walking away and I thought he was going to run. And McVey went hands on and I just grabbed an arm.

Nutley: What is his criminal history?

McVey: He's got a history. I didn't look to see the details. But he has not been arrested since 2017. She is nothing just suspended and revoked. Registration in suspended. He wasn't telling us his name at first.

Williams: I'll go look at his history. (Walks out of the conversation)

Nutley: Unless they are fighting, you don't want to just automatically stow people you got to have a reason.

McVey: I asked him to turn around to search him for weapons.

Nutley: Ok. But if he wants to walk away, you have to make the judgment call if we have a good reason to detain him. Let me see if we can calm him down.

Timestamp: 17:10- Sgt Nutley goes to contact [REDACTED] (See Sgt Nutley's BWC summary for their conversation). Officer Williams and McVey review [REDACTED]'s criminal history via WEBKPF.

Timestamp 21:11- Officer McVey recontacts [REDACTED] at her vehicle. Officer McVey informs [REDACTED] her vehicle is not being towed. [REDACTED] tells Officer McVey she is calling someone with a license to come drive the car. Shortly after [REDACTED] is taken out of handcuffs by Sgt Nutley and is released. [REDACTED] requests the names and badge numbers from all officers then begins recording Officers with his cell phone. [REDACTED] is provided the requested information on an MCI card by Officer Williams. Sgt Nutley continues to explain the complaint process to [REDACTED] who interrupts.

END of Video.

## **McVey, Joel**

### **Axon Fleet cameras summaries.**

**Recorded Feb 9<sup>th</sup> @ 04:17. Durations Front 30:37 minutes. Rear 30:49 minutes.**

Timestamp – [REDACTED] exits the passenger side of the Toyota. Officer McVey approaches [REDACTED], who starts to back away, and detains him. Officer Williams assists. [REDACTED] is patted down by Officer McVey and walked to McVey's patrol car. Officers McVey and Williams contact [REDACTED] at the vehicle.

Timestamp: 3:20- Officer Williams contacts [REDACTED] at McVey's patrol car to try and identify him. [REDACTED] does not provide his name and questions Williams about why he is being detained. Officer Williams leaves to talk to Officer McVey. Officer McVey returns to his patrol car and speaks to [REDACTED]. (See McVey's body worn camera summary for their conversation)

Timestamp 6:04- [REDACTED] states, you threw me against the car like that.

## **IAD 2022-039 – Call 22-38292**

### **Williams, David**

#### **Body Worn Camera summary:**

**Recorded Feb 9<sup>th</sup>, 2022 @ 04:16. Duration 36:54 minutes.**

Timestamp 00:46- Officer Williams exits his patrol car as Officer McVey can be heard yelling "And I don't have to do that. Well, you are in a vehicle that is expired so turn around." [REDACTED] was standing next to the Toyota at this time.

Timestamp 00:56- Officer McVey "Cause, I fucking said so."

Officer McVey approaches [REDACTED] who starts to back away. Officer McVey grabs [REDACTED] as [REDACTED] turns away from him. Officer McVey pushes [REDACTED] up against a parked pickup truck. Officer Williams grabs [REDACTED]'s right hand.

Timestamp 1:04- Officer McVey tells [REDACTED] "You are being detained because you are being a shit head."

The following conversation, in summary, takes place between Officer Williams and [REDACTED].

Williams: "You got to comply dude."

██████: "Comply with what?"

Williams: "His orders."

██████: What did he tell me to do?

Williams: He said you came out of that expired vehicle.

Timestamp 1:26- Officer McVey shows ██████ his body worn camera and tells him its recording. Officer Williams picks up ██████'s phone from the ground while Officer McVey pats ██████ down.

Timestamp 1:57- The following is a summary of the conversation between Officer McVey and ██████.

McVey: Now you are going to go sit in the back of my car.

██████: Why?

McVey: "Cause I fucking said so."

██████: I don't want to sit in the back of your car.

McVey: "Tough shit. You are not making good decisions right now."

Officer McVey walks ██████ to this patrol car and places him in the rear seat. Officer McVey and Williams contact ██████ who is seated in the driver's seat of the Toyota. Officer Williams contacts ██████ and attempts to identify him, however, ██████ only provides his first name and questions why he is being detained.

Timestamp 4:25- Officer Williams approaches Officer McVey and tells him ██████ will not provide his name. Officer McVey is still talking to ██████ at this time. Officer Williams asks ██████ for ██████'s name, but she states she does not remember. Both officers return to their patrol cars. Officer Williams sits in his vehicle to use the MDT.

Timestamp 11:47- Officer McVey speaks to Officer Williams and tells him ██████ requested a Sgt.

Timestamp 14:34- Sgt Nutley arrives on scene and asks Officer Williams what is going on. Officer Williams states Officer McVey can tell him. Officer Williams then rolls up the windows in McVey's car before walking into the conversation between Sgt Nutley and Officer McVey. The following is a summary of the conversation between Sgt Nutley, Officer McVey, and Officer Williams.

Nutley: Is he on probation or anything?

McVey: No. He is not.

Nutley: What is his reasoning for being here?

McVey: We haven't gotten that far.

Nutley: What is our reasoning for detaining him then? Cause he is walking away?

McVey: Walking away.

Nutley: You have to be careful (interrupted)

Williams: I came over and McVey was giving him orders so; I didn't know the whole thing. I saw him walking away and I thought he was going to run. And McVey went hands on and I just grabbed an arm.

Nutley: What is his criminal history?

McVey: He's got a history. I didn't look to see the details. But he has not been arrested since 2017. She is nothing just suspended and revoked. Registration in suspended. He wasn't telling us his name at first.

Officer Williams walks back to his patrol car to run [REDACTED]'s criminal history. A few minutes later Officer McVey walks to Officer Williams patrol car and they discuss [REDACTED]'s arrest history.

Timestamp 20:07 The following summary is a conversation between Officer McVey and Officer Williams.

McVey: Did you start a tow?

Williams: No. I thought she wasn't identified. Like I said I was getting their names in that car. I saw you pointing this way and I thought you had the car Sgt said. So, I came over and saw him walking away and you said it was expired. That's all I got. I didn't know exactly what you had. I saw him walking away from you, you went hands on, so I grabbed a right arm. That's the extent of my knowledge of this whole thing.

Timestamp 22:29- [REDACTED] is released from the patrol car by Sgt Nutley. Officer Williams fills out an information card with their names and badge numbers and gives it to [REDACTED]. Officer Williams stands with Sgt Nutley while he tries to explain the complaint process until the contact ends.

END of video

## **Williams, David**

### **Axon Fleet cameras summaries.**

**Recorded Feb 9<sup>th</sup> @ 04:16. Durations Front 30:36 minutes. Rear N/A.**

Officer Williams parks is patrol vehicle facing [REDACTED] who is standing in the doorway of the Toyota. Officer McVey can be seen exiting his patrol car to contact [REDACTED].

Timestamp 00:40- Officer McVey approaches [REDACTED] and grabs him after instructing him to turn around. Officer Williams assist Officer McVey. After the pat down [REDACTED] is walked to McVey's patrol car.

All other pertinent information is within the BWC summaries.

## **IAD 2022-039 – Call 22-38292**

### **Nutley, Dan**

#### **Body Worn Camera summary:**

**Recorded Feb 9<sup>th</sup>, 2022 @ 04:29. Duration 23:08 minutes.**

Timestamp 1:34- Sgt Nutley arrives on scene and speaks with Officer McVey and Williams. The following is a summary of their conversation.

Nutley: What's going on?

McVey: I had my spotlight on the license plate reading it. He pops out of the passenger side; can you stop shining the light on the car. So, I shine the light on him and put out the 971. He started getting all "rowdy" so I asked him to turn around so I can pat him down. He's like no and started to walk away. So, I went hands on him, put him up against the truck, cuffed him and threw him in the back of the car.

Nutley: Placed him in the back of the car.

McVey: Yes. That one.

Nutley: Is he on probation or anything?

McVey: No. He is not.

Nutley: What is his reasoning for being here?

McVey: We haven't gotten that far.

Nutley: What is our reasoning for detaining him then? Cause he is walking away?

McVey: Walking away.

Nutley: You have to be careful (interrupted)

Williams: I came over and McVey was giving him orders so; I didn't know the whole thing. I saw him walking away and I thought he was going to run. And McVey went hands on and I just grabbed an arm.

Nutley: What is his criminal history?

McVey: He's got a history. I didn't look to see the details. But he has not been arrested since 2017. She is nothing just suspended and revoked. Registration in suspended. He wasn't telling us his name at first.

Nutley: Unless they are fighting, you don't want to just automatically stow people you got to have a reason.

McVey: I asked him to turn around to search him for weapons.

Nutley: Ok. But if he wants to walk away, you have to make the judgment call if we have a good reason to detain him. Let me see if we can calm him down.

Timestamp 3:24- Sgt Nutley contacts [REDACTED] who is still seated in the rear seat of Officer McVey's patrol car. They have a conversation in which Sgt Nutley tries to explain to [REDACTED] why he was detained but [REDACTED] constantly interrupts. Sgt Nutley tells [REDACTED] there is a lot of drug activity, assaults that occur at the location plus there is a no loitering sign on the building.

Timestamp: 6:52- The following is a summary of a conversation between Sgt Nutley and [REDACTED].

Nutley: Your car is parked right front of a sign that says no loitering. You said you already know we get chronic complaints of people doing drugs out here.

[REDACTED]: He needs to lose his job.

Nutley: You are not listening.



██████: I want to know why I am here right now.

Nutley: I am trying to tell you. But you keep interrupting.

Nutley: When it appears, you are loitering in front of a facility in a car, and you get out of that car. And we have reason to believe that a variety of criminal activities occur here. And you try to walk away, and you don't listen to the officers lawful commands.

██████: What did he ask me to do?

Nutley: He asked you to stop.

██████: He didn't ask me to stop.

Nutley: I'll review their cameras ok. But if you try to walk away and an officer tells you to stop. You need to stop.

Eventually ██████ states he does not want to talk anymore. ██████ is unhandcuffed and released from the patrol car. Sgt Nutley tries to explain the complaint process to ██████. ██████ is argumentative and interrupts. Sgt Nutley tells ██████ he will review the incident and if ██████ is unsatisfied with his rereview then IA will become involved.

END of video

**NO ICC video found for Sgt Nutley.**

**Sacramento Police Department  
Internal Affairs Division**

**Investigative Log  
IAD2022-039**

**Investigator: Sgt. Michael Rinehart #3057**

**On 03/31/2022**, I was assigned this divisional investigation.

I conducted a review of the SPD 330 and emails submitted to IAD by Sgt. Nutley. (Attached)

At 1429 hours, I attempted to contact Mr. [REDACTED] by the phone number [REDACTED] and received no answer. (Audio attached)

I received a notification from OPSA that they will review this investigation. (OPSA notice attached)

This case was forwarded to Captain Vance Chandler via Blue Team for a Division Investigation. On 04/21/2022, Captain Chandler assigned this investigation to Lt. Doug Morse for a division review.

**On 06/22/2022**, the division review was completed and submitted via Blue Team. The Blue Team report contained a case review that was authored by Lt. Morse. (Blue team report attached)

**On 06/22/2022**, I received an email from Lt. Neil Cybulski which described this case to be a formal investigation, which I was re-assigned. Within the email, Captain Chandler requested the formal investigation be against Officer Joel McVey for the following allegations:

- Discourtesy
- Improper search and seizure
- Conduct unbecoming of an employee
- Force

This email was attached as part of the investigation, titled "IAD 22-039\_LT CYBULSKI".

**On 06/23/2022**, I submitted an email to Sgt. Lightfoot with the SPD Academy Division. I requested academy records pertaining to Officer McVey and his POST Expanded Course Outline (ECO). I received a response from Sgt. Lightfoot, which described Officer McVey to be an academy graduate of 19BR-1 and contained the POST Expanded Course Outline. (Email attached)

Sgt. Ryan Buchanan #3036 was temporarily assigned to IAD. Sgt. Buchanan conducted an Axon review related to SPD 22-38292. Within the document, Sgt. Buchanan authored an Axon review for Officer Joel McVey, Officer David Williams and Sgt. Dan Nutley in relation to SPD 22-38292. (Attached)

**On 08/01/2022**, I conducted a further review of the email submitted from Sgt. Nutley, titled "page 2". This document described the driver as [REDACTED] (DOB [REDACTED]), a listed address and no phone number. (Attached as "Email from Sgt. Nutley pg 2")

**On 08/01/2022**, I conducted a computer record check by name of [REDACTED] (DOB [REDACTED]) and located a recent SPD contact on 06/09/2022 where she was arrested under SPD 22-160706. Per SPD 22-160706 and a KPF record check on [REDACTED], it listed an address of [REDACTED]. [REDACTED] has had multiple contacts by SPD since 02/09/2022, which involved her arrest for narcotic related offenses. I was unable to locate a current phone number for Ms. [REDACTED].

I conducted a computer record check by name of [REDACTED] (DOB [REDACTED]). [REDACTED] showed a listed address of [REDACTED]. [REDACTED]'s last documented contact with SPD showed to be on 02/09/2022 under 22-38292. I was unable to locate a current phone number for Mr. [REDACTED].

**On 08/01/2022**, I submitted a Dispatch Audio Request (DAR) for any relative audio associated to SPD 22-38292. I received an email with one audio related to SPD 22-38292, titled "22-1662-rpt 22-38292-#1 radio.wav". The audio file and email were attached as part of this investigation.

I conducted a review of the dispatch audio file, which contained a radio broadcast by 1A26 of the initial stop. At the end of this video file, 1SM2 broadcasted for him to be added to 1A26's call.

Utilizing the Log Detective Application, I conducted a search for Message Logs using the following parameters: 02/08/22-02/09/22, Identifier: 1A26 (Officer Joel McVey). I received a (7) page document from this search. During my review of this document, I observed the following messages:

2/9/2022 12:02:49 AM From: 1A24, To: 1A24, 1A25, 1A26

"Hey yall, the Speed Wash and Ermina, is getting out of hand. In out down time we need to do maximun enfourcement to that the PEH's get the hint, tows, cites, warrants".

2/9/2022, 04:09:57 AM From: 1SM2, To: 1A24, 1A26

"It might br there now by speedy wash".

2/9/2022, 04:10:10 AM, From: 1A24, To: 1SM2, 1A24, 1A26

"copy er"

2/9/2022, 04:10:40 AM From: 1SM2, To: 1SM2, 1A24,1A26

"facinf arcade".

2/9/2022, 04:11:57 AM From: 1A24, To: 1A24, 1A26

"what was veh?"

2/9/2022, 04:12:16 AM, From: 1A26, To: 1A26, 1A24

"blk impala".

The above-described message logs were attached as part of this investigation.

**On 08/01/2022**, I received an email from Lt. Doug Morse regarding a request for review of Officer McVey's watch file. I conducted a review and did not observe any adverse action. (Email attached)

**On 08/02/2022**, Det. Mahoney conducted an Axon Audit Trail Search for Officer McVey's Axon 3 Body Worn Camera (Serial #X6030618Z) in regard to SPD 22-38292. This document indicated that the relative body worn camera was played back on 02/09/2022 via the Axon Application. As well, records showed that Sgt. Nutley accessed Ofc. McVey's video file on 02/09/2022 at 22:07 hours, which would be the following shift after this enforcement contact was made under SPD 22-38292. (Attached)

**On 08/15/2022**, utilizing the Log Detective Application, I conducted a search for Message Logs using the following parameters: 02/08/22-02/09/22, Identifier: 1A24 (Officer David Williams). I received a (8) page document from this search. (Attached)

**On 08/17/2022**, Det. Leah Antonetti and I conducted an audio recorded WITNESS interview with Officer David Williams at the Internal Affairs Division. Present during the interview was SPOA Representative Tim Davis. The audio recorded interview was submitted for transcription and later reviewed for accuracy. (Attached in IA Pro and Binder)

**On 08/18/2022**, I conducted a review via MakeNote on Officer McVey. [REDACTED]  
[REDACTED]  
[REDACTED]

**On 08/22/2022**, I spoke with Brian Gabriel, Attorney with Mastagmi who notified me he would be representing Officer McVey for this investigation. I received an email from Mr. Gabriel requesting any reference material for the scheduled interview. I provided a one-drive link to Mr. Garbriel which contained the following material:

SPD CAD CALL, SPD REPORT and (3) AXON video files for Officer McVey, all of which were related to SPD 22-38292. (Email attached)

**On 08/23/2022**, Captain Chandler notified me that an allegation of Improper Tactics would be added as part of this investigation, with Officer McVey as the accused. (Email attached)

**On 08/23/2022**, OPSA was notified via email of the updated allegations for this investigation. (Email attached)

**On 08/23/2022**, I spoke with the identified counsel for Officer McVey regarding the new allegation. An email was sent to Officer McVey and Brian Gabriel, which was received by Officer McVey. (Attached)

**On 08/24/2022 at 1818 hours**, I received a phone call from Attorney, Brian Gabriel and he advised that he was present with Officer McVey off-site. Mr. Gabriel requested that he and Officer McVey come to the Internal Affairs Division prior to the scheduled interview time of 2100 hours, to prepare and start early. At approximately 1930 hours, Officer McVey and Mr. Gabriel arrived at Internal Affairs Division to start the interview early. Detective Antonetti and I conducted an audio recorded interview with Officer McVey at the Internal Affairs Division, 1000 I Street Ste #170. Present during the interview with Officer McVey was Mr. Gabriel. The audio recorded interview was submitted for transcription and later reviewed for accuracy. (Attached in IA Pro and Binder)

**On 09/14/2022**, I conducted a google maps records check for [REDACTED] in effort of establishing contact with [REDACTED]. I learned that this location was a business complex and not any type of residence. Per the attached SPD 330, [REDACTED] described an address of [REDACTED].  
[REDACTED]

**On 09/14/2022**, I attempted to make contact with [REDACTED] by phone and the number appeared to be disconnected. (Audio file attached)

**On 09/14/2022**, I conducted several records checks for [REDACTED] in effort of locating a possible current address to make contact. Through various search databases, I was unable to locate a current address for Mr. [REDACTED].

**On 09/15/2022**, Sgt. Lee and I responded to [REDACTED] in an attempt to contact [REDACTED]. In speaking with the resident of # [REDACTED], [REDACTED] (DOB: [REDACTED], Phone: [REDACTED]), [REDACTED] does not reside at this mobile home park space. Mr. [REDACTED] stated he had not seen [REDACTED] in a year and a half. Mr. [REDACTED] mentioned that Ms. [REDACTED] was a girlfriend of one of his friends, she was homeless and had stayed the night there on a prior occasion. Mr. [REDACTED] did not know of Ms. [REDACTED]'s whereabouts and did not have a current phone number for her.

**On 11/30/2022**, I was contacted by Captain Chandler who conducted the command review of this case. I was provided the following dispositions:

Sustained: Improper Search & Seizure, Discourtesy, CUBO, Improper Tactics

Unfounded: Force

Captain Chandler informed me that the imposed discipline for this case will be a Letter of Reprimand.

**On 12/01/2022**, I collected the binder from Captain Chandler at the North Command.

**On 12/01/2022**, this case was provided to OPSA for a case review.



## EVIDENCE AUDIT TRAIL

Evidence	Source
Evidence ID 22-38292	Device Type Axon Body 3
Categories Minimum Retention	Device Name X6030618Z
Title Axon Body 3 Video 2022-02-09 0415 X6030618Z	Serial Number X6030618Z
Checksum Sha2-ae28adfbfdc21438d508419bbb0fbb4a79fc2ed995781c7ded2b02d2ed021c22	
Record Start 09 Feb 2022 04:15:54	
Uploaded 09 Feb 2022 09:04:46	Usage
Uploader McVey, Joel (Badge ID: 4720)	
Unique ID F814EAF2AA0487798B3EE7D2AFE1DB5	Page views 25
	File downloads 1
	Video playbacks 20
	Last Viewed 02 Aug 2022 07:50:27
	Or Downloaded On

#	Date	Time	User	Activity
1	09 Feb 2022	04:15:54 (-08:00)	System	Recording started due to button press Pre-event audio recording: Disabled Video mask: Disabled
2	09 Feb 2022	04:46:09 (-08:00)	System	Recording stopped due to button press
3	09 Feb 2022	06:53:03 (-08:00)	N/A (Badge ID: )	Evidence played back using Axon application
4	09 Feb 2022	08:58:21 (-08:00)	System	Evidence upload started when camera was docked
5	09 Feb 2022	08:58:21 (-08:00)	System	Evidence Record Created
6	09 Feb 2022	09:04:45 (-08:00)	System	Evidence successfully uploaded when camera was docked
7	09 Feb 2022	09:04:45 (-08:00)	System	Evidence Uploaded with Checksum. Computed Checksum: TREE-1024k 0a6ec8cf3323bd47e9aa2066def16e71276301437f553b5bb8e15bf21127ffb22f
8	09 Feb 2022	09:04:45 (-08:00)	System	Evidence Authenticity Validated. Device Serial Number: X6030618Z
9	09 Feb 2022	09:04:46 (-08:00)	System	Evidence automatically deleted from device after successful upload when docked
10	09 Feb 2022	09:05:22 (-08:00)	System	Evidence Checksum Recomputed. Computed Checksums: TREE-1024k 0a6ec8cf3323bd47e9aa2066def16e71276301437f553b5bb8e15bf21127ffb22f SHA-256 ae28adfbfdc21438d508419bbb0fbb4a79fc2ed995781c7ded2b02d2ed021c22
11	09 Feb 2022	22:07:38 (-08:00)	Nutley, Dan (Badge ID: 732) Username: dnutley User ID: 0d56febf354b4bd7ba5c7f9f32da6f81	Evidence Record Accessed. Client IP Address: 208.87.83.241

#	Date	Time	User	Activity
12	09 Feb 2022	22:07:39 (-08:00)	<b>Nutley, Dan (Badge ID: 732)</b> Username: dnutley User ID: <a href="#">0d56febf354b4bd7ba5c7f9f32da6f81</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
13	09 Feb 2022	22:07:47 (-08:00)	<b>Nutley, Dan (Badge ID: 732)</b> Username: dnutley User ID: <a href="#">0d56febf354b4bd7ba5c7f9f32da6f81</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
14	09 Feb 2022	22:49:46 (-08:00)	<b>McVey, Joel (Badge ID: 4720)</b> Username: JMCVEY User ID: <a href="#">226b16d361e04354b5dc1248d3613c9a</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
15	09 Feb 2022	22:49:49 (-08:00)	<b>McVey, Joel (Badge ID: 4720)</b> Username: JMCVEY User ID: <a href="#">226b16d361e04354b5dc1248d3613c9a</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
16	09 Feb 2022	22:50:02 (-08:00)	<b>McVey, Joel (Badge ID: 4720)</b> Username: JMCVEY User ID: <a href="#">226b16d361e04354b5dc1248d3613c9a</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
17	10 Feb 2022	18:15:23 (-08:00)	<b>System</b>	External ID Updated to '22-38292'
18	10 Feb 2022	18:15:23 (-08:00)	<b>System</b>	Category 'Minimum Retention' Added Deletion is now unscheduled
19	10 Feb 2022	18:15:23 (-08:00)	<b>System</b>	Tag 'SACPD:22-38292;FINAL_CASE_TYPE:971' Added
20	09 Mar 2022	06:44:47 (-08:00)	<b>Rinehart, Michael (Badge ID: 3538)</b> Username: MRinehart User ID: <a href="#">5d6cc432a50a47efbcf7dc579a2afbd1</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
21	09 Mar 2022	06:44:49 (-08:00)	<b>Rinehart, Michael (Badge ID: 3538)</b> Username: MRinehart User ID: <a href="#">5d6cc432a50a47efbcf7dc579a2afbd1</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
22	09 Mar 2022	06:44:51 (-08:00)	<b>Rinehart, Michael (Badge ID: 3538)</b> Username: MRinehart User ID: <a href="#">5d6cc432a50a47efbcf7dc579a2afbd1</a>	Evidence Record Downloaded; Internal Record ID: FILE:8C23125040714783B88AC04A3BAF8F91@B51E3E9558554F6CA12246F241A68836 Client IP Address: 208.87.83.241
23	27 Apr 2022	01:45:21 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
24	27 Apr 2022	01:45:22 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
25	27 Apr 2022	01:45:34 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
26	02 May 2022	20:44:06 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
27	02 May 2022	20:44:07 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
28	02 May 2022	20:44:09 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
29	03 May 2022	00:36:22 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
30	03 May 2022	00:36:23 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
31	03 May 2022	00:36:28 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
32	03 May 2022	00:36:45 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
33	03 May 2022	00:44:21 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
34	03 May 2022	00:44:21 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241

#	Date	Time	User	Activity
35	03 May 2022	00:59:08 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
36	03 May 2022	00:59:08 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
37	03 May 2022	00:59:08 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
38	03 May 2022	01:18:10 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
39	03 May 2022	01:18:10 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
40	03 May 2022	01:18:13 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
41	03 May 2022	03:09:16 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
42	03 May 2022	03:09:17 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
43	03 May 2022	03:09:20 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
44	05 May 2022	05:19:46 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
45	05 May 2022	05:19:47 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
46	05 May 2022	05:19:54 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
47	05 May 2022	09:04:35 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Accessed. Client IP Address: 72.251.171.167
48	05 May 2022	09:04:36 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Media File Buffered by System at Page Load. Client IP 72.251.171.167
49	05 May 2022	09:07:45 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Streamed. Client IP Address: 72.251.171.167
50	05 May 2022	09:08:34 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Marker Added
51	05 May 2022	09:08:52 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Marker Added
52	05 May 2022	09:09:04 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Marker Added
53	05 May 2022	09:16:40 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Marker Added
54	05 May 2022	10:47:04 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
55	05 May 2022	10:47:05 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
56	05 May 2022	10:47:10 (-07:00)	<b>Morse, Doug (Badge ID: 3319)</b> Username: dmorse User ID: <a href="#">4ddab4e0ea9449ec9f987c90f2a1781d</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241



#	Date	Time	User	Activity
57	11 Jun 2022	22:45:23 (-07:00)	<b>Chandler, Vance (Badge ID: 168)</b> Username: vchandler User ID: <a href="#">6d3df05edc584c6880517768a88e2843</a>	Evidence Record Accessed. Client IP Address: 216.98.11.198
58	11 Jun 2022	22:45:25 (-07:00)	<b>Chandler, Vance (Badge ID: 168)</b> Username: vchandler User ID: <a href="#">6d3df05edc584c6880517768a88e2843</a>	Media File Buffered by System at Page Load. Client IP 216.98.11.198
59	11 Jun 2022	22:46:00 (-07:00)	<b>Chandler, Vance (Badge ID: 168)</b> Username: vchandler User ID: <a href="#">6d3df05edc584c6880517768a88e2843</a>	Evidence Record Streamed. Client IP Address: 216.98.11.198
60	11 Jun 2022	22:53:57 (-07:00)	<b>Chandler, Vance (Badge ID: 168)</b> Username: vchandler User ID: <a href="#">6d3df05edc584c6880517768a88e2843</a>	Marker Added
61	28 Jun 2022	10:54:19 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
62	28 Jun 2022	10:54:24 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
63	28 Jun 2022	10:54:32 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
64	28 Jun 2022	10:56:59 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
65	28 Jun 2022	10:57:05 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
66	28 Jun 2022	10:57:24 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
67	28 Jun 2022	10:57:27 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
68	28 Jun 2022	11:00:15 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
69	28 Jun 2022	11:00:15 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
70	28 Jun 2022	11:00:25 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
71	28 Jun 2022	11:16:34 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Removed
72	28 Jun 2022	11:16:40 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
73	28 Jun 2022	11:32:02 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Removed
74	28 Jun 2022	11:32:10 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
75	28 Jun 2022	11:34:07 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
76	28 Jun 2022	12:27:34 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
77	28 Jun 2022	12:27:36 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
78	28 Jun 2022	12:28:06 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241

#	Date	Time	User	Activity
79	28 Jun 2022	12:35:49 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
80	28 Jun 2022	12:43:27 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
81	28 Jun 2022	12:44:01 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Removed
82	28 Jun 2022	12:55:48 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
83	28 Jun 2022	13:15:13 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
84	28 Jun 2022	13:15:14 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
85	28 Jun 2022	13:35:42 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
86	28 Jun 2022	13:35:57 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Removed
87	28 Jun 2022	13:36:29 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
88	28 Jun 2022	13:36:32 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Removed
89	28 Jun 2022	13:39:38 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
90	28 Jun 2022	13:53:49 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
91	28 Jun 2022	14:05:36 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
92	29 Jun 2022	07:36:12 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
93	29 Jun 2022	07:36:13 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
94	29 Jun 2022	07:36:24 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
95	29 Jun 2022	07:41:38 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
96	29 Jun 2022	07:41:40 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
97	29 Jun 2022	07:41:54 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
98	29 Jun 2022	08:08:49 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
99	29 Jun 2022	08:09:30 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
100	30 Jun 2022	09:32:18 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241

#	Date	Time	User	Activity
101	30 Jun 2022	09:32:19 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
102	30 Jun 2022	09:33:37 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
103	30 Jun 2022	09:42:57 (-07:00)	<b>Buchanan, Ryan (Badge ID: 3809)</b> Username: rbuchanan User ID: <a href="#">bbaee4a458cb4957a10f1f936e867ff2</a>	Marker Added
104	01 Aug 2022	09:56:28 (-07:00)	<b>Rinehart, Michael (Badge ID: 3538)</b> Username: MRinehart User ID: <a href="#">5d6cc432a50a47efbcf7dc579a2afbd1</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
105	01 Aug 2022	09:56:30 (-07:00)	<b>Rinehart, Michael (Badge ID: 3538)</b> Username: MRinehart User ID: <a href="#">5d6cc432a50a47efbcf7dc579a2afbd1</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
106	01 Aug 2022	09:56:37 (-07:00)	<b>Rinehart, Michael (Badge ID: 3538)</b> Username: MRinehart User ID: <a href="#">5d6cc432a50a47efbcf7dc579a2afbd1</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
107	01 Aug 2022	14:21:55 (-07:00)	<b>Rinehart, Michael (Badge ID: 3538)</b> Username: MRinehart User ID: <a href="#">5d6cc432a50a47efbcf7dc579a2afbd1</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
108	01 Aug 2022	14:21:57 (-07:00)	<b>Rinehart, Michael (Badge ID: 3538)</b> Username: MRinehart User ID: <a href="#">5d6cc432a50a47efbcf7dc579a2afbd1</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
109	01 Aug 2022	14:22:04 (-07:00)	<b>Rinehart, Michael (Badge ID: 3538)</b> Username: MRinehart User ID: <a href="#">5d6cc432a50a47efbcf7dc579a2afbd1</a>	Evidence Record Streamed. Client IP Address: 208.87.83.241
110	02 Aug 2022	07:48:37 (-07:00)	<b>Rinehart, Michael (Badge ID: 3538)</b> Username: MRinehart User ID: <a href="#">5d6cc432a50a47efbcf7dc579a2afbd1</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
111	02 Aug 2022	07:48:38 (-07:00)	<b>Rinehart, Michael (Badge ID: 3538)</b> Username: MRinehart User ID: <a href="#">5d6cc432a50a47efbcf7dc579a2afbd1</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241
112	02 Aug 2022	07:50:17 (-07:00)	<b>Mahoney, Anna (Badge ID: 4072)</b> Username: AMahoney User ID: <a href="#">875a43395be24bb7ae9de202d4401e86</a>	Evidence Record Accessed. Client IP Address: 208.87.83.241
113	02 Aug 2022	07:50:18 (-07:00)	<b>Mahoney, Anna (Badge ID: 4072)</b> Username: AMahoney User ID: <a href="#">875a43395be24bb7ae9de202d4401e86</a>	Media File Buffered by System at Page Load. Client IP 208.87.83.241

**JULY 1, 2018**  
**EXPANDED COURSE OUTLINE**  
**REGULAR BASIC COURSE**  
**LEARNING DOMAIN 1**  
**LEADERSHIP, PROFESSIONALISM & ETHICS**

**I. LEARNING NEED**

Peace officers are expected to be leaders in the community, in their agencies, and among peers. To be effective, officers must understand the components of leadership, their responsibility to lead, and the impact of their leadership.

**LEARNING OBJECTIVES**

**A. Discuss why leadership is important**

1. Every officer is a leader
2. Leadership has no rank
3. Line-level officer

**B. Define leadership**

1. Knowledge
2. Courage
3. Professionalism
4. Personal character
5. Decision making/Problem solving
6. Responsibility
7. Communication

**C. Discuss universal components of leadership**

1. Authority and power
2. Compliance vs commitment
3. Circle of influence
4. Life balance
5. Formal vs informal

**D. Discuss the officer as a leader**

1. Modeling
2. Leadership in the community
3. Leadership within the profession

**E. Discuss the leader as a follower**

1. Exercising leadership
2. Separation of ego from power and authority
3. Recognizing leadership

**F. Discuss how leadership impacts the daily work of a peace officer and how officers can recognize the results**

1. Enhances community respect and trust
2. Absence of leadership results
3. Positive leadership results

## II. LEARNING NEED

Peace officers are empowered and entrusted by the community with a broad range of power, authority and discretion to maintain safety and order. Professional and ethical standards are the means by which peace officers maintain the public trust. To be effective, a peace officer must make a life-long commitment to these standards.

### LEARNING OBJECTIVES

- A. Discuss the relationship between public trust and a peace officer's ability to perform their job
  1. Shared sense of purpose
  2. Standardized training
  3. Being vital to the well-being of society
- B. Discuss the community, agency, and other peace officers' expectations of a peace officer's conduct
  1. Keeping community safe
  2. Response times
  3. Professional behavior
  4. Protect human rights
  5. Address crime and disorder
  6. Problem solving
  7. Competence
  8. Empathy
  9. Respect
- C. Explain the benefits of professional and ethical behavior to the community, agency and peace officer
  1. Self-esteem/personal worth
  2. Personal & professional satisfaction
  3. Gaining respect
  4. Establishing a reputation
  5. Improving morale
  6. Improving agency respect and reputation
  7. Instills sense of security and trust
  8. Fosters community partnerships and mobilization
- D. Describe the consequences of unprofessional/unethical conduct to the community, agency, and peace officer
  1. Disciplinary action
  2. Civil/criminal liability
  3. Embarrassment
  4. Erosion of image
  5. Negative Stereotypes



6. Reduction of effectiveness
  7. Diminished public trust
  8. Compromised officer safety
- E. Discuss the *Law Enforcement Code of Ethics*, and explain the importance of adhering to the *Law Enforcement Code of Ethics*
1. Translating words into actions
  2. Demonstrating honor and trust
  3. Canons
- F. Explain why an officer should respond to a coworker's unprofessional or unethical conduct, including the legal basis for such interventions
1. Responsibility
  2. Federal law
  3. State legal basis
  4. Public Expectations
- G. Discuss situations when it is necessary to intervene on another peace officer's behalf and factors that can inhibit intervention
1. PC 147, 149, 661, 673
  2. Friends
  3. Inexperience
  4. Peer pressure
  5. Fear of consequences
- H. Describe the types and levels of intervention used to prevent another peace officer's inappropriate behavior
1. Advance
  2. Immediate
  3. Verbal
  4. Physical
- I. Give examples of ethical decision-making strategies
1. Identifying issues
  2. Determining stakeholders
  3. Options
  4. Consider consequences
- J. Explain the value of ethical decision making in leadership
1. Challenging work environment
  2. Effective guidance
  3. Fair, legal, and just decisions/actions

### III. REQUIRED TESTS

- A. A scenario test that requires the student to demonstrate, by application, proficiency of ethics. At a minimum, the test shall evaluate the following competencies:
1. Leadership – the practice of influencing people, while using ethical values and goals to produce an intended change

2. Problem solving/Decision-Making – analyzing situations and implementing plans through one's actions to solve problems. Using verbal or physical skills to determine the appropriate resolution to a situation.
3. Communications – The use of effective verbal and non-verbal skills to convey intended meaning and establish understanding.
4. Ethics- Using accepted principles of conduct that govern decisions and actions based on professional values and expectations.
5. Stress Tolerance and Emotional Regulation - maintaining self-control and making timely, rational decisions in stressful situations.

Presenters must use the POST-developed Scenario Test and the POST Scenario Competency Evaluation and Grading Test Forms or presenter-developed forms approved by POST, which minimally include the performance dimensions used for this scenario test.

#### IV. REQUIRED LEARNING ACTIVITIES

- A. The student will participate in one or more learning activities from the POST-developed *Instructor's Guide to Learning Activities for Leadership, Ethics and Community Policing (December 2005)* or other comparable sources regarding Leadership. At a minimum, each activity or combination of activities must address the following topics:
  1. Power and authority
  2. Compliance and commitment
  3. Sphere of influence
  4. Officer as a leader
  5. Leadership in the community
  6. Positive and adverse impacts and challenges for consistently demonstrating leadership
- B. The student will participate in one or more learning activities from the POST-developed *Instructor's Guide to Learning Activities for Leadership, Ethics and Community Policing (December 2005)* or other comparable sources regarding unprofessional or unlawful conduct by peace officers. At a minimum, each activity or combination of activities must address the following topics:
  1. Whether or not the behavior was unlawful, unethical, or inconsistent with the *Law Enforcement Code of Ethics*
  2. Identification of those whom the conduct impacts
  3. The potential sanctions that could result from the behavior
  4. Potential perceptions of the public regarding the behavior
  5. Whether or not intervention is appropriate
- C. The student will participate in a learning activity consisting of a small group that uses a video, the POST-developed publication *Becoming An Exemplary Peace Officer*, or other media presentation as a resource. During the exercise, the group will complete the following tasks:
  1. Identify any ethical issues
  2. Discuss the impact of the conduct

3. Determine if intervention is required
4. Defend the chosen intervention strategy

Description	Hours
POST Minimum Required Hours	<u>8</u>
Agency Specific Hours	<u>5</u>
Total Instructional Hours	<u>13</u>



EXPANDED COURSE OUTLINE  
REGULAR BASIC COURSE  
**LEARNING DOMAIN 3**  
POLICING IN THE COMMUNITY

I. LEARNING NEED

Peace officers need to know that their role in the community is to work in partnership with community members to resolve or reduce problems for the benefit of those who live and work there.

LEARNING OBJECTIVES

A. Define community policing

1. Organizational philosophy
2. Personal philosophy
3. Police/Community partnerships
4. Proactive problem solving

B. Identify the essential components of community policing, including:

1. Problem solving
2. Addressing quality of life issues
3. Partnerships with the community
4. Partnerships with other agencies
5. Internal and external resources
6. Recognition of shared responsibilities

C. Identify community policing goals, including:

1. Reducing/preventing crime
2. Reducing the fear of crime
3. Improving the quality of life
4. Increasing community:
  - a. Awareness
  - b. Involvement
  - c. Ownership
5. Increasing local government involvement in problem solving

D. Discuss community policing philosophy

1. Partnership w/law enforcement and community
2. Benefits
3. "Us vs. Them"

E. Discuss the history of policing models, including:

1. Traditional
2. Professional
3. Community

- F. Identify peace officer responsibilities in the community, including:
  - 1. Maintaining order
  - 2. Enforcing the law
  - 3. Preventing crime
  - 4. Delivering service
  - 5. Educating and learning from the community
  - 6. Working with the community to solve problems
- G. Differentiate between proactive and reactive policing
  - 1. RE: responding to criminal activity
  - 2. RE: handling each call as separate incident
  - 3. PRO: anticipating problems
  - 4. PRO: prevention / minimization strategies
- H. Discuss community expectations of peace officers
  - 1. Maintaining order
  - 2. Quality of life
  - 3. Objective enforcement
  - 4. Visible presence
  - 5. Upholding individual's rights
- I. Recognize peace officers' responsibilities to enforce the law, including:
  - 1. Adhering to all levels of the law
  - 2. Fair and impartial enforcement
  - 3. Knowing the patrol beat or area of responsibility
- J. Identify the elements of area/beat knowledge, including:
  - 1. Critical sites
  - 2. Locations requiring special attention, i.e. hot spots
  - 3. Potentially dangerous areas
- K. Discuss current and emerging issues that can impact the delivery of services by peace officers
  - 1. Demographics
  - 2. Economic shifts
  - 3. Technology
  - 4. Cultural diversity
  - 5. Changes in law
  - 6. Homeland security
- L. Identify the components that comprise communities
  - 1. Importance of group recognition
  - 2. Common interests/needs
  - 3. Families
  - 4. Neighborhoods
  - 5. Individuals
  - 6. Schools
  - 7. Elected officials

8. Local Govt. agencies
  9. Businesses
  10. Media
  11. Social services
  12. Religious institutions
  13. Law enforcement agencies
- M. Discuss opportunities where peace officers educate and learn from community members
1. Law enforcement web sites
  2. Planned discussions/public forums
  3. Community activities/service groups
  4. School visits
- N. Identify resources which provide opportunities to educate and learn from the community, including:
1. Community forums
  2. Community advisory groups
- O. Recognize a peace officer's role in influencing community attitudes
1. Encourage participation
  2. Mutual problem solving
  3. Beat knowledge
- P. Discuss government expectations of law enforcement and peace officers
1. Calls for service
  2. Response times
  3. Reducing/controlling crime
  4. Providing quality service
  5. Enforcing the law
  6. Reducing/eliminating civil liability
  7. Problem solving

## II. LEARNING NEED

Peace officers need to understand that community partnerships provide opportunities to effect greater change than could be accomplished by any one group alone.

### LEARNING OBJECTIVES

- A. Define community partnerships
1. Discuss definitions
  2. Importance of trust
  3. Discuss ethics and badge of office
  4. Essential partnering skills
- B. Discuss the key elements for developing trust between community partners, including:
1. Truth
  2. Respect

3. Understanding
  4. Support
  5. Teamwork
- C. Discuss the relationship of ethics to the badge of office
1. Character
  2. Integrity
  3. Authority
- D. Identify the essential partnering skills, including:
1. Leadership
  2. Communication
  3. Facilitation
  4. Community mobilization
- E. Discuss leadership skills in community policing
1. Conduct
  2. Open mindedness
  3. Creativity
  4. Decision making
  5. Managing responsibility
  6. Communication skills
- F. Define communication
1. Modes
  2. Roles (2 people = 6 people)
  3. Content, Voice, Tone, Pace, Pitch, Modulation & Proxemics
- G. Recognize the components of a message in communications with others, including:
1. Content (words)
  2. Voice characteristics
  3. Nonverbal signals
- H. Recognize the potential effects of negative nonverbal signals
1. Officer Safety
  2. Words Vs. ONV
  3. Misreading the Scene
- I. Give examples of effective communication techniques for:
1. Active listening
  2. Establishing effective lines of communication
  3. Overcoming barriers to communication
- J. Discuss the communication techniques that can be used for obtaining voluntary compliance
1. 5 Step Hard Style
  2. 8 Step Vehicle Stop
  3. L.E.A.P.S
  4. P.A.C.E
  5. Paraphrasing
- K. Define facilitation

1. Enhance group dynamics using facilitation strategies
  2. Student-centered learning environment that promotes critical thinking and problem solving without fear of failure
  3. Using adult learning models and cognitive taxonomies in lesson design
  4. Use a set of intervention during teaching that are emotionally safe
  5. Enable students to do their best thinking
  6. Understand and use the power of Paralanguage
  7. Design “real world” training that supports critical thinking skills
  8. Promote a “learning by doing” environment
  9. Students to become immersed in the process that enhances their skills and ability to apply thought concepts
- L. Discuss the components of the facilitation process, including:
1. Being familiar with the issues
  2. Establishing meeting guidelines
  3. Stating meeting purpose, scope, and need
  4. Stating and clarifying objectives
  5. Prioritizing competing problems and issues
  6. Identifying potential solutions
- M. Apply facilitation techniques reflecting professional behavior, including:
1. Maintaining the focus on the issues and stimulating discussion
  2. Displaying interest in the issues
  3. Leading the group toward problem resolution
  4. Helping participants learn from the problem-solving experience
  5. Dealing calmly and respectfully with unexpected incidents
  6. Maintaining objectivity
- N. Give examples of obstacles that officers may encounter when developing community partnerships
1. Internal
  2. External
  3. Time to problem solve
  4. Stereotypes
  5. Expectations
- O. Define community mobilization
1. Discuss definition
  2. Mobilization Methods
  3. News media
  4. Community inventory
- P. Discuss the elements of the community mobilization process, including:
1. Getting people involved
  2. Identifying community resources (skills)
  3. Calling for action
  4. Educating the public
  5. Taking responsibilities for public safety and quality of life
  6. Sustaining effort
- Q. Discuss community mobilization methods

1. Internet/Email
  2. Flyers
  3. Meetings
  4. Events
  5. Media
- R. Discuss the benefits of maintaining a positive relationship with the news media
1. Disseminating suspect/victim info
  2. Aiding in crime Prevention/investigations
  3. Warning the public of potential dangers
  4. Recruiting
  5. Influencing public opinion/law enforcement image
- S. Discuss the components of a community inventory, including:
1. Partners
  2. Stakeholders
  3. Community collaboration
- T. Define homeland security
1. Homeland security
  2. Terrorism
  3. Community Volunteers
  4. Supporting Homeland Security
- U. Identify the benefits of integrating community mobilization and homeland security
1. Preventing attacks
  2. Reducing vulnerability
  3. Minimizing damage
  4. Facilitating recovery

### III. LEARNING NEED

Peace officers need to recognize that effective problem solving is a process that identifies and addresses the underlying conditions of crime and disorder in the community.

#### LEARNING OBJECTIVES

- A. Define the term “problem”
1. Definition
  2. Elements
  3. Perspectives
- B. Identify the elements of the crime triangle, including:
1. Victim
  2. Offender
  3. Location
- C. Discuss the Broken Windows Theory
1. Define
  2. Discuss examples-causes/symptoms/results
  3. Causes, Symptoms, and Results

- D. Define problem solving
  - 1. Effectiveness
  - 2. Long-term benefits
  - 3. Community Engagement
- E. Distinguish between Problem Oriented Policing (POP) and Community Policing (CP)
  - 1. Philosophy
  - 2. Approach
  - 3. Partnership
  - 4. Mobilization
- F. Define and discuss a problem-solving strategy
  - 1) S.A.R.A.
    - a. Scanning-Identifying the problem(s)
    - b. Analysis- Collecting and examining information
    - c. Response-Developing and implementing solutions based on analysis
    - d. Assessment-Evaluating the effectiveness of the strategy selected
- G. Apply a problem-solving strategy
  - 1. S.M.A.R.T.S
  - 2. Classroom exercise
  - 3. Sustainability
- H. Define crime prevention
  - 1. Discuss definition
  - 2. Anticipation
  - 3. Recognition
  - 4. Appraisal
- I. Identify crime prevention strategies
  - 1. Anticipating criminal activity
  - 2. Recognizing crime risks
  - 3. Identifying crime problems
  - 4. Taking action
- J. Give examples of crime risk factors
  - 1. Commercial establishments
  - 2. Residences & neighborhoods
  - 3. Vehicles
  - 4. Vulnerable individuals (i.e. elderly, children)
- K. Identify methods for recognizing crime problems
  - 1. Community eyes & ears
  - 2. Other law enforcement
  - 3. Crime analysis
- L. Define Crime Prevention Through Environmental Design (CPTED)
  - 1. Definition
  - 2. Solicit examples – residential/commercial
  - 3. Success stories

- M. Identify the principles of Crime Prevention Through Environmental Design (CPTED)
  - 1. Natural surveillance
  - 2. Access control
  - 3. Territorial reinforcements
  - 4. Image
- N. Discuss crime prevention programs within the community
  - 1. Law enforcement programs
  - 2. School programs
  - 3. Other resources

#### IV. REQUIRED LEARNING ACTIVITIES

- A. The student will participate in one or more learning activities from the POST-developed *Instructor's Guide to Learning Activities for Leadership, Ethics and Community Policing (December 2005)* or other comparable sources. At a minimum, each activity must address how peace officers, agencies and communities benefit from community policing.
- B. The student will participate in a learning activity that will reinforce an understanding of a problem-solving strategy.
- C. The student will participate in a role-playing learning activity that simulates a public problem-solving meeting with conflicting positions about a local issue. The activity shall focus on and generate discussion, during and after the activity, based upon the following:
  - 1. Community policing philosophy
  - 2. Community mobilization
  - 3. Partnerships
  - 4. Leadership
  - 5. Facilitation techniques
  - 6. Communication skills
- D. The student will participate in learning activity depicting a situation in which the subject is initially noncompliant with verbal instructions to produce identification. The student will demonstrate the communication skills to resolve the conflict including:
  - 1. Making an "ethical appeal" based upon a peace officer's professional presence and providing the subject with an opportunity to voluntarily comply (asking)
  - 2. Identifying the law, policy, or rationale that applies to the situation, answering the subject's implied question "why?", and providing another opportunity for the subject to voluntarily comply (setting context)
  - 3. Explaining the options or courses of action which could be taken by the peace officer and their potential personal consequences to the subject, and providing the subject with yet another opportunity to voluntarily comply (presenting options)
  - 4. Taking the action appropriate to the situation if the subject fails to voluntarily comply (e.g., arrest)

Description	Hours
POST Minimum Required Hours	<u>18</u>



Agency Specific Hours  
Total Instructional Hours

<u>0</u>
<u>18</u>

EXPANDED COURSE OUTLINE  
REGULAR BASIC COURSE  
**LEARNING DOMAIN 15**  
LAWS OF ARREST

I. LEARNING NEED

Peace officers must have an understanding of the amendments to the U.S. Constitution, and similar sections of the California Constitution that are related to the authority, liability, and responsibility they have in making arrests.

LEARNING OBJECTIVES

- A. Recognize a peace officer's responsibility in relation to the protections and rights included in the following amendments to the U.S. Constitution and related California Constitution sections:
  - 1. Fourth Amendment
  - 2. Fifth Amendment
  - 3. Sixth Amendment
  - 4. Fourteenth Amendment
- B. Recognize a peace officer's responsibility in relation to the protections included under federal civil rights statutes
  - 1. U.S. Code title 42 section 1983: Color of law
  - 2. U.S. Code title 18 section 241: Conspiracy against rights
  - 3. U.S. Code title 18 section 242: Deprivation of rights
  - 4. Cal. Code PC 422.6: adds protected classes

II. LEARNING NEED

Peace officers must recognize that a consensual encounter is a face-to-face contact with a person under circumstances which would cause a reasonable person to believe they are free to leave or otherwise not cooperate.

LEARNING OBJECTIVES

- A. Recognize appropriate conduct during a consensual encounter
  - 1. Gathering info
  - 2. Interviews of witnesses
  - 3. Casual conversations
  - 4. Disseminating information
- B. Recognize conduct that may elevate a consensual encounter
  - 1. Use of emergency lights
  - 2. Blocking person's avenue of egress
  - 3. Issuing orders/commands
  - 4. Accusatory questioning/tone
  - 5. Cursory frisk without legal cause

6. Demanding/keeping a person's ID
- C. Recognize the consequences of elevating a consensual encounter
  1. Violate 4<sup>th</sup> amendment
  2. Civilly liable for violation of civil rights
  3. Criminally prosecuted for false imprisonment
  4. Agency discipline

### III. LEARNING NEED

Peace officers must recognize that a temporary detention is an assertion of authority that is less than an arrest but more substantial than a consensual encounter.

#### LEARNING OBJECTIVES

- A. Differentiate between a detention and a consensual encounter
  1. Detention requires reasonable suspicion
  2. Person not free to leave
  3. Physical restraint, verbal commands, or other conduct by officer
- B. Recognize reasonable suspicion
  1. Peace Officer has enough facts and circumstances
  2. To reasonably believe that criminal activity is afoot
  3. The person to be detained is involved in the activity
  4. Contributing factors to establish
  5. Reliable sources
- C. Recognize appropriate peace officer actions during a detention
  1. Questioning
  2. Interview witnesses
  3. Confirm ID
  4. Warrant check
  5. Inspect scene
  6. Field show-up
  7. Time considerations
  8. Transportation considerations
- D. Recognize the scope and conditions for warrantless searches and seizures during a detention
  1. Frisk/cursory
    - a. Outer clothing
    - b. Locate possible weapons
  2. Locating weapons/dangerous objects
  3. Use of physical restraints
- E. Recognize conditions where the use of force or physical restraint is appropriate during a detention
  1. Uncooperative individuals
  2. Handcuffing
  3. Squad car

#### IV. LEARNING NEED

Peace officers must know and comply with the statutory rules of arrest in order to properly exercise their authority and responsibility, while avoiding potential liability when making arrests.

##### LEARNING OBJECTIVES

- A. Recognize when there is probable cause to arrest
  - 1. Set of facts
  - 2. To cause a reasonable person
  - 3. To entertain an honest and strong belief
  - 4. That the person to be arrested is guilty of a crime
- B. Identify elements of a lawful arrest
  - 1. By peace officer or private citizen
  - 2. In a case and manner authorized by law
  - 3. Actual restraint or person's submission
  - 4. Reasonable force allowed
- C. Differentiate between arrest and detention
  - 1. Arrest involves custody
  - 2. Arrestor has full control
  - 3. Detention involves a reasonable person not believing they are free to leave
  - 4. Detention is limited in scope
  - 5. Intensity and duration
- D. Recognize information that must be given to an arrested person
  - 1. Intent
  - 2. Cause
  - 3. Authority
- E. Recognize elements of a warrantless arrest for a misdemeanor
  - 1. Officers have probable cause to believe that the person to be arrested committed the misdemeanor in their presence
  - 2. Juvenile exception
  - 3. Seven exceptions to the "in your presence" requirement
  - 4. Time of day considerations
- F. Recognize elements of a warrantless arrest for a felony
  - 1. PC that felony committed in officer's presence
  - 2. PC that felony committed, but outside of officer's presence
  - 3. PC that felony committed, regardless of actual commission of felony
- G. Recognize elements of a warrant arrest
  - 1. Based on probable cause
  - 2. Signed by judge
  - 3. PC 815 requirements

- H. Recognize the requirements for entry into a dwelling to make an arrest
  - 1. In accordance to a warrant
  - 2. With consent
  - 3. Exigent circumstances
  - 4. Prior lawful entry
- I. Recognize the authority for a private person arrest and the peace officer's duty in response to a private person arrest
  - 1. Public offense committed in their presence
  - 2. When a felony has in fact been committed and the PP has pc to believe that the person committed the felony
  - 3. PC 847 requirements for private citizens
  - 4. PC 142 requirements for peace officers
  - 5. PC 849 (b)
  - 6. 853.6 PC
- J. Recognize conditions under which the use of force or physical restraint is appropriate during an arrest
  - 1. Reasonable and necessary
  - 2. Affect arrest
  - 3. Prevent escape
  - 4. Overcome resistance
- K. Recognize the statutory requirements for the disposition of an arrested person
  - 1. Warrant arrests
  - 2. Misdemeanors
  - 3. Infractions
  - 4. PC 853.6 exceptions
  - 5. Domestic violence exceptions
- L. Recognize the exceptions to the powers to arrest
  - 1. Immunity
  - 2. Stale misdemeanor
  - 3. Statute of limitations

## V. LEARNING NEED

When conducting a custodial interrogation, peace officers must follow Miranda procedures to ensure that any answers obtained will be admissible in court.

### LEARNING OBJECTIVES

- A. Identify the purpose of the Miranda warnings
  - 1. Admonish person regarding 5<sup>th</sup> amendment rights
  - 2. Prevent compelled testimony
  - 3. Inherently coercive atmosphere
- B. Recognize when Miranda warnings must be given

1. Define custody
  2. Confluence of custody and interrogation
  3. exceptions
- C. Identify the proper administration of Miranda warnings
1. Giving warning
  2. Confirming understanding
  3. Waiving or invoking
- D. Recognize the impact of invoking:
1. The right to remain silent invoked by words or contact
  2. The right to remain silent allows re-initiation of questioning under certain circumstances
  3. Request for counsel requires clear, express request
  4. Request for counsel: No circumstances allow continued questioning
- E. Recognize the types of Miranda waivers
1. Express
  2. Implied
  3. Conditional
- F. Recognize the exceptions to the Miranda rule
1. Emergency rescue
  2. Imminent concern for the safety of a person
  3. Public safety

## VI. LEARNING NEED

To develop admissible evidence while ensuring the constitutional rights of all individuals, peace officers must correctly follow standardized practices for conducting crime scene interviews and interrogations.

### LEARNING OBJECTIVES

- A. Differentiate between an interview and interrogation
1. Interview is information gathering during an initial investigation
  2. Interviews with non-suspects
  3. Interrogations involve suspects
  4. Interrogations likely to elicit incriminating responses
  5. Interrogations occur during follow-up investigations
- B. Identify the purpose of an interrogation
1. Obtain admission or confessions
  2. Identify involved individuals
  3. Establish person's guilt
  4. Corroborate facts of a crime
  5. Information leading to evidence or property
- C. Differentiate between an admission and confession
1. Confession acknowledges the commission of all elements of a crime
  2. Admission acknowledges certain facts that tend to incriminate the individual
  3. Acknowledged facts of an admission fall short of a confession
- D. Identify the conditions in which a confession or admission may be inadmissible in court.

1. Obtained in violation of 4th amendment
2. Obtained in violation of 5th amendment
3. Obtained in violation of 6th amendment
4. Obtained in violation of 4th amendment

## VII. REQUIRED TESTS

- A. The POST-Constructed Comprehensive RBC Test 1.
- B. The POST-Constructed Comprehensive RBC Test 2.
- C. The POST-Constructed Comprehensive RBC Test 3.

## VIII. REQUIRED LEARNING ACTIVITIES

- A. The student will participate in one or more learning activities from the POST-developed *Instructor's Guide to Learning Activities for Leadership, Ethics and Community Policing (December 2005)* or other comparable sources regarding laws of arrest. At a minimum, each activity or combination of activities, must address the following topics:
  1. Use of analysis in the development of probable cause for consensual encounters, detentions and arrests
  2. Role of peace officer discretion in using arrest as a tool of enforcement to resolve problems and focus on quality of life issues
  3. Officer accountability and responsibility as it relates to laws of arrest
  4. How a peace officer's conduct and attitude affect the officer, officer's agency and the community
- B. The student will participate in a learning activity addressing interviews or interrogations. The discussion must minimally address the following issues:
  1. Mechanics of the interview process
  2. Location and physical environment
  3. Interviewer's actions and style
  4. Types of questions

Description	Hours
POST Minimum Required Hours	<u>12</u>
Agency Specific Hours	<u>0</u>
Total Instructional Hours	<u>12</u>

EXPANDED COURSE OUTLINE  
REGULAR BASIC COURSE  
**LEARNING DOMAIN 16**  
SEARCH AND SEIZURE

I. LEARNING NEED

Peace officers must have a clear understanding of their authority, responsibility, and potential for liability in the areas of search and seizure law, as well as the protections provided by constitutional law, statutory law, and case law against unreasonable searches and seizures.

LEARNING OBJECTIVES

- A. Recognize constitutional protections guaranteed by the Fourth Amendment
  - 1. Privacy
  - 2. Liberty
  - 3. Possession of property
- B. Identify the concept of reasonable expectation of privacy
  - 1. The individual has indicated that they personally (subjectively) expect privacy in the object or area
  - 2. Their expectation is one which society is prepared to recognize as legitimate
  - 3. Expectation of privacy beyond a home or person
- C. Recognize standing and how it applies to an expectation of privacy
  - 1. Ownership
  - 2. Lawful possession
  - 3. Authority
  - 4. Control of the area searched, or the property seized
- D. Recognize probable cause to search and its link between Fourth Amendment protections and search and seizure law
  - 1. Having enough facts or information to provide fair probability or a substantial chance the item sought is located in the place to be searched
  - 2. Requires something less than an absolute or even a near certainty, but more than a mere hunch or suspicion
  - 3. Probable cause, when meeting the requirements, allow the fourth amendment rights to be violated and/or a warrant to be issued
- E. Recognize how the exclusionary rule applies to a peace officer's collection of evidence
  - 1. If search and seizure is not reasonable all items seized during the search could be ruled inadmissible or excluded as evidence at trial
  - 2. Created by the United States Supreme Court to encourage proper law enforcement conduct
  - 3. Evidence excluded is a penalty for the illegality of the search or seizure

II. LEARNING NEED

To search for and seize evidence legally, peace officers must know the rules and requirements for obtaining and executing a search warrant.



## LEARNING OBJECTIVES

- A. Recognize how probable cause serves as a basis for obtaining a search warrant
  - 1. Probable cause is a constitutional requirement
  - 2. Supported by oath or affirmation
  - 3. Provides the place to be searched and the items to be seized
- B. Recognize the necessary conditions for securing an area pending the issuance of a search warrant
  - 1. Secure pending issuance of a search warrant if the suspect has been arrested inside the location
  - 2. Area can be secured pending issuance of a search warrant if companions of the suspect may destroy items sought upon learning of the arrest.
  - 3. Circumstances or information at hand the evidence will likely be destroyed or removed before a search warrant can be obtained
  - 4. Refusal to consent to enter, by itself, does not provide justification to secure the premises
- C. Identify the time limitations for serving a search warrant
  - 1. Within 10 days of issuance must be executed and returned
  - 2. Beginning with the day after the warrant is issued and running until midnight of the 10th day.
  - 3. 10-day period expires
  - 4. Return of the warrant in a timely manner
  - 5. Normally served between the hours of 7:00 a.m. and 10 p.m.
  - 6. Night time service exceptions
- D. Recognize the elements for compliance with the knock and notice requirements when serving a search warrant
  - 1. Knock or otherwise announce their presence
  - 2. Identify themselves as peace officers
  - 3. State purpose
  - 4. Demand entry
  - 5. Wait a reasonable time
  - 6. If necessary, forcibly enter the premises
- E. Recognize the application of the Nexus Rule while conducting an authorized search
  - 1. Officers may seize items not listed in the warrant when the items are discovered during the lawful search and
  - 2. Have probable cause to believe the item is contraband, evidence of criminal behavior, or
  - 3. will aid in apprehension or conviction of the criminal

## III. LEARNING NEED

When certain conditions are met, officers may lawfully search and seize evidence without a search warrant. For evidence to be admissible at trial, officers must have a clear understanding of the legal requirements for warrantless searches.

## LEARNING OBJECTIVES

- A. Recognize why a plain view seizure does not constitute a search

1. When an officer sees something in plain view from an area he has a lawful right to be, no search has taken place
  2. No expectation of privacy for items in plain view
  3. No expectation of privacy-no Fourth Amendment protection
- B. Recognize the legal requirements for seizure of items in plain view
1. Probable cause
  2. Lawful right to be in the location
  3. Lawful access to the item
- C. Recognize the conditions and circumstances where warrantless searches and seizures are considered reasonable and legal
1. Cursory/frisks
  2. Lawful right to be in the location
  3. Lawful access to the item
- D. Recognize the scope and necessary conditions for conducting the following types of warrantless searches:
1. Cursory/frisk/pat searches
  2. Consent searches
  3. Searches pursuant to exigent circumstances
  4. Searches incident to arrest
  5. Probation/parole searches

#### IV. LEARNING NEED

The Fourth Amendment's protection against unreasonable searches and seizures extends to a person's vehicle and property inside the vehicle. However, the courts have created several exceptions to the Fourth Amendment's warrant requirement because of the potential mobility of a motor vehicle.

#### LEARNING OBJECTIVES

- A. Recognize the scope and necessary conditions for conducting the following types of motor vehicle searches:
1. Probable cause searches
  2. Seizures of items in plain view
  3. Protective searches
  4. Consent searches
  5. Searches incident to custodial arrest
  6. Instrumentality searches
- B. Recognize the scope and necessary conditions for conducting a vehicle inventory
1. Necessary conditions
  2. Scope of search
  3. Purpose of search

## V. LEARNING NEED

Peace officers must recognize when a search or the seizure of evidence involves intrusion into a subject's body. Special care must be taken to balance the subject's reasonable expectation of privacy under the Fourth Amendment against the government's need to collect evidence.

### LEARNING OBJECTIVES

- A. Recognize the legal framework establishing a peace officer's authority to seize physical evidence from a subject's body:
  - 1. With a warrant
  - 2. Without a warrant
- B. Recognize conditions under which a peace officer may use reasonable force to prevent a subject from swallowing or attempting to swallow evidence
  - 1. If they have probable cause to believe that the suspect has evidence in their mouth
  - 2. Prevent the person from swallowing the evidence
  - 3. Can exert minimal pressure on the neck area but may not prevent breathing or substantially impair the flow of blood to the person's head
  - 4. Officers should be aware of their own department policies and procedures
- C. Recognize the conditions necessary for legally obtaining blood samples
  - 1. Probable cause that the test results will show evidence of a crime
  - 2. The removal will be conducted by trained medical personnel in accordance with accepted medical practices
  - 3. Exigent circumstances
  - 4. If above conditions exist, the sample can be taken when the suspect is unconscious or where the officers need to use reasonable force
- D. Recognize the conditions for legally obtaining the following evidence:
  - 1. Fingerprints
  - 2. Handwriting samples

## VI. LEARNING NEED

Peace officers must be aware of the due process rights that protect against impermissible suggestiveness when conducting any procedure involving a subject's identification.

### LEARNING OBJECTIVES

- A. Identify the importance of a peace officer's neutral role during an identification procedure
  - 1. May not suggest in any way to the victim or witness that the person to be observed committed the crime
  - 2. Peace officers must be careful to avoid any conduct before, during, and after the identification process which may be ruled suggestive
  - 3. Officers should not do anything that suggests or could be interrupted as suggesting which person to select during any type of identification procedure
- B. Identify officer actions before, during, and after an identification procedure to prevent impermissible law enforcement suggestiveness when conducting a:

1. Field show-up
2. Photographic spread
3. Custodial lineup

## VII. REQUIRED TESTS

- A. The POST-Constructed Comprehensive RBC Test 1.
- B. The POST-Constructed Comprehensive RBC Test 2.
- C. The POST-Constructed Comprehensive RBC Test 3.

## VIII. REQUIRED LEARNING ACTIVITIES

- A. The student will participate in one or more learning activities from the POST-developed *Instructor's Guide to Learning Activities for Leadership, Ethics and Community Policing* or other comparable sources regarding search & seizure. At a minimum, each activity, or combination of activities must address the following topics:
  1. Examples of resources within a community that may help an officer establish probable cause to obtain a search warrant
  2. Fairness, trustworthiness and respect as it relates to duties performed by an officer during searches and seizures
  3. Ability to balance officer safety with the protection of individual rights and the preservation of property
  4. Legal and agency policy issues

Description	Hours
POST Minimum Required Hours	<u>12</u>
Agency Specific Hours	<u>0</u>
Total Instructional Hours	<u>12</u>

EXPANDED COURSE OUTLINE  
REGULAR BASIC COURSE  
**LEARNING DOMAIN 20**  
USE OF FORCE

I. LEARNING NEED

Peace officers must recognize that they have the authority to use reasonable force to effect an arrest, to prevent escape, or to overcome resistance as authorized by the California Penal Code. For their safety, and for the safety and well-being of fellow officers, it is critical that peace officers know the laws governing the use of force.

LEARNING OBJECTIVES

- A. Discuss reasonable force as stated by law
  - 1. The amount of force and kind of force that is considered necessary and/or reasonable
  - 2. Explaining Graham vs Connor, case law, 1989
- B. Discuss the components of the Fourth Amendment standard for determining objective reasonableness as determined by the U.S. Supreme Court
  - 1. Judged from the perspective of a reasonable officer
  - 2. Observed through the eyes of the officer on scene at that time
  - 3. Based on facts/circumstances confronting the officer without regards to underlying intent or purpose
  - 4. Based on established law at that time
- C. Explain the legal framework establishing a peace officer's authority during a legal arrest, including:
  - 1. A subject's requirement to submit to arrest without resistance
  - 2. Peace officer's authority to use reasonable force during a detention or
  - 3. The person arrested may be subjected by an actual restraint
- D. Identify the circumstances set forth in the California Penal Code when a peace officer has the authority to use force
  - 1. Reasonable cause to believe the subject has committed a public offense
  - 2. Effect an arrest
  - 3. Prevent escape
  - 4. Overcome resistance
  - 5. May use force necessary to affect an arrest
- E. Discuss the level of authority agency policies have regarding the use of force by a peace officer
  - 1. Contains the most detailed considerations
  - 2. Puts limitations on use of force by each agency
  - 3. Provides reasonable guidelines to protect officers and agencies from criminal and civil liability



## II. LEARNING NEED

Peace officers must recognize that they have a range of force options available to them. However, in all cases the use of force must be reasonable compared to the threat, resistance, and other circumstances known to the officer at the time the force was used.

### LEARNING OBJECTIVES

- A. Define the term “force option”
  - 1. Choices identified to a peace officer in each agency’s policies
  - 2. Only amount of force reasonable to overcome resistance and to gain or maintain control
  - 3. Only type reasonable under totality of circumstances of subject
- B. Identify that the objective of using force is to overcome resistance to gain control of an individual and the situation
  - 1. Use force that is reasonable under the circumstances
  - 2. Use only the amount of force reasonable to overcome resistance and gain control of a subject
  - 3. Use only the amount and type of force allowed by agency policy
- C. Recognize force options and the amount of force peace officers may use based on the subject’s resistance
  - 1. Cooperative
  - 2. Resistive (passive or active)
  - 3. Assaultive
  - 4. Life threatening
- D. Explain the importance of training and ongoing practice when responding to potentially dangerous situations that may require the use of force
  - 1. Officers revert to responses learned in training
  - 2. Officers’ tactical performance may depend upon how well they have been trained and the skills they have acquired
  - 3. Without ongoing practice, officers place themselves and others in danger
- E. Discuss the importance of effective communication when using force
  - 1. Safety-reduces likelihood of physical confrontations
  - 2. Professionalism-public service, community relations, etc.
  - 3. Reduction of injuries
  - 4. Decreases public complaints, I.A. investigations and civil liability

## III. LEARNING NEED

Peace officers must fully comprehend their authority, responsibility, and liability regarding the use of deadly force as authorized by law.

### LEARNING OBJECTIVES

- A. Identify the legal standard for the use of deadly force
  - 1. Life threatening crime
  - 2. Life threatening escape

3. Give warning when feasible
- B. Identify the factors required to establish sufficiency of fear for the use of deadly force
  1. The circumstances must be sufficient to excite the fears of a reasonable person in like circumstance
  2. The person must not act under the influence of fear alone
  3. The decision to use lethal force must be made to save oneself or another from great bodily injury or death
- C. Recognize facts an officer should consider when determining whether or not to use deadly force
  1. Threat to life
  2. Immediacy of threat
  3. Type of crime/suspect
  4. Suspect's and weapons capabilities
  5. Location and background
  6. The officers present capabilities
- D. Discuss the role of agency policies regarding the use of deadly force
  1. Usually contains restrictions
  2. Usually follows state and federal law
- E. Recognize the law regarding justifiable homicide by a public officer and the circumstances under which the homicide is considered justifiable
  1. Under orders to carry out a death sentence
  2. Acting in the course of duty
  3. Retaking escaped felons
  4. Arresting a felon who resists to the point where lethal force is reasonable

#### IV. LEARNING NEED

When a force option has been employed, peace officers' reports must include the critical information to ensure that the chronology, specifics of the events, and the people involved are properly documented.

##### LEARNING OBJECTIVES

- A. Describe why complete documentation of the use of force is critical to the peace officer and the peace officer's agency, to include:
  1. Justification for using force
  2. Relevant factors and detail

#### V. LEARNING NEED

Peace officers must be ready to, and capable of, safely taking control of a dangerous situation.

##### LEARNING OBJECTIVES

- A. Discuss factors that can affect a peace officer's response when threatened with danger, to include:
  1. Fear
    - a. Reasonable

- b. Unreasonable
- 2. Anger
- 3. Indecision and hesitation
- B. Give examples of acceptable techniques for managing anger
  - 1. Don't take things personally
  - 2. Realize your vulnerability to anger in given situations
  - 3. Seek advice from experienced officers
- C. Describe the benefits of ongoing physical and mental training for peace officers involving the use of force
  - 1. Gives officers confidence in their abilities
  - 2. Correct responses
  - 3. Mental alertness and concentration
  - 4. Control over body and emotions

## VI. LEARNING NEED

Peace officers must recognize the consequences of using unreasonable force, and their legal and ethical responsibilities to intervene if the force being used by another peace officer is inappropriate or unlawful.

### LEARNING OBJECTIVES

- A. Explain the legal and administrative consequences associated with the use of unreasonable force
  - 1. Criminal action
  - 2. Civil rights violations
  - 3. Compensatory and punitive damages
  - 4. Administrative
  - 5. Moral impact
- B. Explain an agency's potential liability associated with the use of unreasonable force
  - 1. Liability under federal law
  - 2. Sued for negligent or inadequate training
  - 3. Failure to supervise adequately
- C. Explain the consequences of an officer's failure to intervene when unreasonable force is used by another peace officer
  - 1. Criminal
  - 2. Civil
  - 3. Loss of credibility
- D. Discuss immediate and delayed intervention techniques
  - 1. Verbal (immediate)
  - 2. Physical/touch (immediate)
  - 3. Restraint (immediate)
  - 4. Discussion (delayed)
  - 5. Admonishment (delayed)
  - 6. Training (delayed)
- E. Discuss factors that may inhibit a peace officer from intervening in a situation where a fellow officer may be applying unreasonable force



1. Personal
2. Psychological
3. Other factors (diffusion of reasonability, ignorance, evaluation, apprehension, etc.)

## VII. REQUIRED TESTS

- A. The POST-Constructed Comprehensive RBC Test 1.
- B. The POST-Constructed Comprehensive RBC Test 2.
- C. The POST-Constructed Comprehensive RBC Test 3.
- D. A scenario test that requires the student to demonstrate proficiency in the use of force. The test must result in the student making a deadly force option decision.

The student is required to demonstrate proficiency in the following competencies:

1. Use of Force – The ability to distinguish and apply reasonable force options in given circumstances.
2. Problem Solving/Decision-Making – Analyzing situations and implementing plans to solve problems in a timely manner. Using verbal or physical skills to determine the appropriate resolution to a situation.
3. Legal Authority/Individual Rights – The identification of laws and constitutional rights governing consensual encounters, detentions, and arrests.
4. Officer Safety – The demonstration of situational and tactical awareness and appropriate response.
5. Communication – The use of effective verbal and non-verbal skills to convey intended meaning and establish understanding.
6. Ethics – Using accepted principles of conduct that govern decisions and actions based on professional values and expectations.
7. Stress Tolerance and Emotional Regulation – maintaining self-control and making timely, rational decisions in stressful situations.

Presenters must use the POST-developed Scenario Test and the POST Scenario Competency Evaluation and Grading Test Forms or presenter-developed forms approved by POST, which minimally include the performance dimensions used for this scenario test.

- E. A scenario test that requires the student to demonstrate presenter approved impact weapon techniques in a force on force simulation against an instructor who is dressed in a protective suit.

The test must simulate the physical and mental stress that would be imposed by an actual street encounter where the student would be required to use an impact weapon to control a suspect and effect an arrest.

The student is required to demonstrate proficiency in the following competencies:

1. Use of Force – The ability to distinguish and apply reasonable force options in given circumstances.
2. Problem Solving/Decision-Making – Analyzing situations and implementing plans to solve problems in a timely manner. Using verbal or physical skills to determine the appropriate resolution to a situation.
3. Legal Authority/Individual Rights – The identification of laws and constitutional rights governing consensual encounters, detentions, and arrests.
4. Officer Safety – The demonstration of situational and tactical awareness and appropriate response.

5. Communication – The use of effective verbal and non-verbal skills to convey intended meaning and establish understanding.
6. Ethics – Using accepted principles of conduct that govern decisions and actions based on professional values and expectations.
7. Stress Tolerance and Emotional Regulation – maintaining self-control and making timely, rational decisions in stressful situations.

Presenters must use the POST-developed Scenario Test and the POST Scenario Competency Evaluation and Grading Test Forms or presenter-developed forms approved by POST, which minimally include the performance dimensions used for this scenario test.

- F. A scenario test that requires the student to demonstrate proficiency in the use of effective communication, command presence, and appropriate physical control during the detention of a verbally uncooperative individual.

The student is required to demonstrate proficiency in the following competencies:

1. Use of Force – The ability to distinguish and apply reasonable force options in given circumstances.
2. Problem Solving/Decision-Making – Analyzing situations and implementing plans to solve problems in a timely manner. Using verbal or physical skills to determine the appropriate resolution to a situation.
3. Legal Authority/Individual Rights – The identification of laws and constitutional rights governing consensual encounters, detentions, and arrests.
4. Officer Safety – The demonstration of situational and tactical awareness and appropriate response.
5. Communication – The use of effective verbal and non-verbal skills to convey intended meaning and establish understanding.
6. Ethics – Using accepted principles of conduct that govern decisions and actions based on professional values and expectations.
7. Stress Tolerance and Emotional Regulation – maintaining self-control and making timely, rational decisions in stressful situations.

Presenters must use the POST-developed Scenario Test and the POST Scenario Competency Evaluation and Grading Test Forms or presenter-developed forms approved by POST, which minimally include the performance dimensions used for this scenario test.

## VIII. REQUIRED LEARNING ACTIVITIES

- A. The student will participate in one or more learning activities from the POST-developed *Instructor's Guide to Learning Activities for Leadership, Ethics and Community Policing (December 2005)* or other comparable sources regarding use of force. At a minimum, each activity, or combination of activities must address the following topics:
1. Exercise of leadership in the application of reasonable force
  2. Impact of ethical decision-making on the selection of appropriate force options
  3. Evaluation of the effectiveness of force option choices
  4. Consequences for the use of unreasonable force on the officer, community perception and public trust

## VIV. K9 for the Patrol officer

A. Course Goals:

1. This course will provide the officer with the knowledge to understand the abilities and safety benefits of incorporating a police K9 into calls for service, warrant services, and searches for suspects when deployment criteria are met. The course will also cover current suspect escape tactics, how to establish perimeters, and how to safely act as a K9 cover officer during building and area searches. The course consists of classroom discussion, hands-on exercises, and scenarios

B. Student Objectives:

1. Be aware of K9 resources, abilities, basic deployment criteria, legal concerns, and pre/post deployment responsibilities
2. Learn how to establish perimeters around buildings and neighborhoods
3. Learn suspect tactics to avoid capture
4. Demonstrate knowledge of their responsibilities while acting as a K9 cover officer
5. Demonstrate a minimum standard of expertise during scenarios in regard to acting as a K9 cover officer while taking part in both area and building searches for suspects. Students will also demonstrate proficiency in lifting and passing a K9 to simulate removal from an attic or assistance to the K9 handler lifting the dog over hazardous obstacles

C. Safety Guidelines:

1. Notify instructors of any injuries that occur
2. Notify instructors of pre-existing medical restrictions that affect participation
3. Instructors have first aid kits on site
4. If medical transportation is necessary, instructors have police radios/cell phones to request fire
5. Anyone requiring transport will be accompanied by an instructor
6. Nearest Hospital: Mercy San Juan 6501 Coyle Ave Carmichael 95608

D. Sacramento Police K9 Team

1. Overview
  - a. 9 patrol K9 teams including Sgt
  - b. 5 cross trained for narcotics/article searching. 4 EOD/gun detection & article searching. 2 SWAT certified. 1 single purpose EOD/gun detection Labrador
2. Responsibilities
  - a. Resource for patrol, detectives, and SWAT
  - b. Community/school demonstrates and public relations
  - c. Assist with calls for service with weapons/violence/wanted subjects
  - d. Assist outside agencies with watch commander approval
3. K9 training
  - a. 3-4 months initial training
  - b. K9s meet recommended POST guidelines after initial training then annually
  - c. Minimum 4 hours maintenance training per week per POST. SWAT K9 quarterly training with tactical team
  - d. Mandatory training on Wednesday 1300-1700 and 1800-2200
4. Schedule:
  - a. 6 days per week 0500-0400 (Wed 0800-0400 due to training)
  - b. K9 Teams on call for critical incidents/SWAT call outs with Lt approval

- c. West Sac PD/SSD K9 teams can be requested with Sgt/Watch Commander approval when no Sac PD K9 logged on.

## E. K9 Deployments

1. Guidelines (Operations Order 510.08)
  - a. Reasonably believe suspect has committed or is about to commit an offense and if any of the following exist:
  - b. There is a reasonable belief that the individual poses an immediate threat of violence or serious harm to public/officers
  - c. The suspect is physically resisting arrest and the use of a canine appears necessary to overcome such resistance
  - d. The individual is thought to be concealed in an area, where entry other than by canine would pose a threat to officers or the public
  - e. Mere flight from officers is not enough without one or more of the above conditions
2. Deployment Considerations
  - a. Suspects age (in 2003, policy changed to exclude 18 and over requirement)
  - b. Nature of the suspected offense
  - c. Potential danger to public/officers if the canine is utilized
  - d. Degree of resistance, if any, the suspect has shown
  - e. Potential for escape or flight if the canine is not utilized
  - f. The potential for injury to officers or the public caused by the suspect if they canine is not used
  - g. Graham vs. Conner (Objective reasonableness/Totality of Circumstances)
  - h. In all searches, both building an area, handlers are to give K9 announcements. With the concurrence of the on-scene supervisor K9 warnings may not be given if the announcements would increase the risk of injury or escape (armed suspect, etc.)
  - i. A Sergeant needs to authorize the use of the Canine except in rapidly evolving situation that is within policy, but is impractical to obtain supervisor's approval
3. Requesting K9
  - a. Have dispatch request K9 to your radio channel
  - b. If dispatch says K9 is on call or unavailable, ask them to raise the K9 or get ahold of the K9 yourself and advise them of your call
  - c. Get to know your K9 handlers and dogs and get contact information
4. K9 As A resource
  - a. Priority calls (weapons, wanted suspects, burglaries, vehicle/foot pursuits)
    - i. Potentially armed suspects
    - ii. Gang members
    - iii. Burglaries/Alarm calls with forced entry/suspicious circumstances
    - iv. Known wanted subjects on calls for service (run names provided by callers)
    - v. Ask for K9 if you think it could help at all
  - b. Building searches: 2008-2013 1,454 conducted
    - i. Burglaries (residential vs commercial)
    - ii. Burglary vs Trespass (abandoned buildings) What crime will we book for?
    - iii. Wanted Suspects/Warrant Services

1. Secure/remove any dogs and animals if safe to do so
  2. Debrief anyone who exits the building
  3. Arrest team ready
- c. Area Searches: 2008-2013 1,366 conducted
- i. Hold perimeter (don't enter back yards etc.)
  - ii. Use PA to make K9 warning if requested and record on in car camera
  - iii. Advise citizens to remain inside and lock doors and advise that a K9 is searching. Record on camera
  - iv. Upon K9 arrival give handler last direction of travel, point of losing visual of the suspect, and any unusual suspect actions
  - v. Suspect escape tactics (run out of perimeter, 602.5 PC, call for ride)
  - vi. Current K9 response tactics: Perimeter, assertive and contact people entering and leaving the area, immediate start of search to prevent 602.5)
  - vii. Radio channel will be advised at the start of the search
  - viii. Maintain perimeter. K9 will check hot spots and threat areas
  - ix. PAWS BEFORE BOOTS
- d. Attempt pickups/ warrant services
- i. Always request K9. We can assist even if K9 criteria aren't met
  - ii. Records Checks: Confirm your want – Criminal history, statues, and weapons information
  - iii. Perimeter around residence or area prior to making contact
  - iv. Establish an arrest team
  - v. Assign a K9 cover officer
  - vi. K9 will determine best location for deployment
- e. K9 Basics
- i. Find/Bite vs
  - ii. cells that fall off the suspects (tracking vs air Find/Bark  
K9 is searching for skin scenting)
    1. Wind direction/air conditioning/temperature/high ceilings
    2. Cover officer may see suspect before K9 narrows the source –  
COMMUNICATE WITH THE HANDLER
- f. Helpful information for handlers
- i. Known Suspects
    1. Want
    2. County, NCIC and RMS records checks
    3. Probation/Parole/PRCS status and primary offense
    4. Gang validation
    5. Criminal History (Violence, weapons, resisting)
    6. Any known friends/family in the area?
  - ii. Unknown Suspects
    1. Current want
    2. Suspect actions (weapons observed, reaching, resisting arrest)
    3. Search vehicle/initial path of travel for discarded evidence, weapons, or indicia
- g. Felony Vehicle Stops/ Clearing Vehicles (Special considerations)
- i. Wait for K9/AIR if possible
  - ii. K9 will focus on the driver unless there are known charges on the passengers
  - iii. K9 will only clear a vehicle under certain circumstances

- iv. If handler and K9 pursue a suspect, officers should provide cover on the un-cleared vehicle
- v. Do not chase in front of the K9
- vi. In a pursuit, the K9 will typically take lead unless PIT
- h. Narcotics Detection
  - i. Odors: Heroin, Methamphetamines, Cocaine, and some marijuana
  - ii. Vehicle stops: Search must be conducted within reasonable time period unless suspect is in custody (search status vs exterior of vehicle)
  - iii. Residence: Verify status, signed consent form or warrant
- i. Article searching
  - i. K9 can detect fresh human scent on an object
  - ii. Try to stay out of the area to be searched as to not disturb scent
  - iii. Does not work inside a residence as scent is everywhere
- j. Explosive and Gun Detection
  - i. Can locate guns that have been fired (powder residue) and spent shell casings
  - ii. Trained for common explosive odors: black powder, PETN, C4, ANFO, TNT, Det cord, Data sheet)
  - iii. Will not sniff suspicious packages, those are handled by EOD
- k. K9 Cover Officer Responsibilities
  - i. Lethal cover of handler
  - ii. Constantly scan area
  - iii. Radio traffic updates of search
  - iv. Communication with handler
  - v. Contact with citizens prior to entry into yards
  - vi. Handcuffing suspect after handler has control of K9 (blood/body fluid)
  - vii. Do not search in front of the K9
  - viii. Call for fire, stabilize the suspect after searching and handcuffing
  - ix. IF YOU GET BIT, DON'T PANIC. DON'T SHOOT THE DOG!
  - x. Report wrong

## F. Suspect Tactics and Perimeters

- 1. Perimeter Definition
  - a. First Officer
    - i. Broadcast location and direction of travel
    - ii. Pick a safe spot with cover and post up
    - iii. Direct additional resources, request air and K9
    - iv. When time permits, advise of the suspect description, want, and other information
  - b. Secondary Officers
    - i. Fill in perimeter officers
    - ii. Keep radio traffic to priority only
    - iii. Furthest uninvolved officers assist with calling perimeter
  - c. Containment and Perimeter Success
    - i. Set a perimeter when you lose sight of suspect
    - ii. Give clear and concise communication
    - iii. Direct units ahead of the suspect
    - iv. Broadcast location, direction you want the perimeter, and how big
  - d. Perimeter Concerns
    - i. Clear immediate area around your perimeter spot

- ii. Overhead lights on and officer out of the car (sitting duck)
  - iii. Communicate suspicious vehicles or subjects in the area
  - iv. Question subjects leaving the perimeter or attempting to watch and relay information via cell phone
  - v. DO NOT TAKE INDEPENDENT ACTION
  - vi. Do not check garbage cans or backyards without coordinating with your K9
  - vii. K9 will check FLIR hot spots
- e. Who should set a perimeter?
  - i. Initiating officer
  - ii. Distant units or uninvolved units
  - iii. Specialty units
  - iv. Supervisors
  - v. CSO's
  - vi. Dispatch
  - vii. ANY officer with a map
  - viii. \*\*Announce you are setting the perimeter\*\*
- f. Size of the perimeter
  - i. What is your want and how bad do want to catch the suspect
  - ii. Officer Down?? 10 Blocks plus? Inner/Outer?
  - iii. ETA of back up units
  - iv. Resources available? How many officers do you have?
- g. Perimeter Officer Responsibilities
  - i. Be visible and loud during response. Sirens help suspects go to ground and hide
  - ii. Advise of your perimeter location when you get there
  - iii. Get out of the car and get to a position of advantage
  - iv. Radio discipline/priority traffic
  - v. Voice citizen updates or noises heard etc.
  - vi. Control ingress and egress of pedestrians and vehicles
  - vii. Check vehicles leaving perimeter (consent etc.)
  - viii. Talk to people and ask if they have seen or heard anything.
  - ix. Don't leave your spot unless relieved.
  - x. Think of problem houses, friends, and relatives of the suspect
- h. Difficult Perimeter Locations
  - i. Shopping malls- work with security and cameras
  - ii. Parking structures-exterior corners, exit points, and stair wells
  - iii. Listen for door exit alarms
- 2. Suspect Actions
  - a. Tactics to Escape Containment
    - i. Run out of perimeter – expand the perimeter
    - ii. Walk out or blend in
      - a. Water lawn or plants
      - b. Walk up to perimeter officer and engage in conversation
      - c. Act like they belong at a house
      - d. Walk with other pedestrians in the area
    - iii. Leave perimeter in a vehicle
      - a. Uber/Lyft/Taxi
      - b. 215 PC
      - c. Hide in friend's vehicle

- d. Delivery vehicle/garbage trucks
    - e. Stop and check vehicles!
  - iv. Cell phones/scanner apps
    - a. Call in false 911 call to draw officers away
    - b. Call friends to watch police action for intel gathering
    - c. Scanner App to listen to police radio live
  - v. Change appearance
    - a. Shed layers of clothing
    - b. Steal clothing
  - vi. Hiding places
    - c. In side homes
    - d. Inside or under vehicles
    - e. Trash cans and dumpsters
    - f. Bushes and landscaping
    - g. Under houses, attics
    - h. Rooftops/tree cover
    - i. Trees
    - j. Water heater closets
    - k. Dog houses
    - l. Spas with covers
    - m. Drainage pipes

G. Air Response Unit

- 1. Primary officer advise location and where last seen
- 2. Blue light benefits
- 3. Listen to air unit for hazards etc.
- 4. Guide K9 to FLIR hot spots

H. POST Apprehension

- 1. Talk to your suspect (Miranda). Learn!
  - i. Where they ran
  - j. Why they ran
  - k. Where they hid
  - l. Why they hid instead of running
- 2. Book for resisting arrest (148A1 PC0)

I. Why K9?

- 1. K9 Bodie May 18<sup>th</sup>, 2012 at 1111 Robertson Way, Sacramento
  - b. Male: Car theft suspect. Discharged parolee. Fresh felony pursuit. Felony warrant for weapons violations. Armed with stolen .357 revolver taken during a burglary in Cameron Park
  - c. Female: Car theft suspect. On parole. Released days prior. Fired a round at some point. Gave the gun to Webb.

J. Hands on Scenarios

K. Conclusion

- 1. Review/Contact Information
- 2. Critique
- 3. Questions

## DE-ESCALATION

A. Definitions:



1. SPD: Employing techniques to stabilize a situation, to decrease the likelihood of the need to use force, and to increase the likelihood of voluntary compliance.
  2. Lexipol and Force Science: A system-based approach for using opportunities, knowledge, skills and abilities to resolve problems with minimal force where possible—which means there has to be an opportunity for this to occur. This is NOT a magical formula.
- B. Use:
1. Person in Crisis versus Non-Compliant Criminal Suspect
    - a. De-escalation most appropriate on person in crisis.
    - b. De-escalation can backfire on noncompliant criminal suspect.
    - c. Someone can be both.
  2. Conflict Communication versus Crisis Communications
    - a. Use Conflict Communication on criminal suspects.
    - b. Use Crisis Communication on those in a mental health crisis
  3. When safely possible, de-escalation techniques should be attempted.
- C. Does the law require the use of De-Escalation Tactics?
1. Roell v. Hamilton—"No caselaw prohibits officers from using any physical force against a person before first attempting alternative de-escalation techniques..."
  2. Resistance that was probably caused by excited delirium does not preclude officers from using a reasonable amount of force to bring a person under control.
- D. When should De-escalation be considered?
1. Do you have discretionary time?
  2. Who is at risk?
  3. Who is causing the risk?
  4. We do not want officers to hesitate.
- E. No Legal duty to prevent self-harm—Moral duty?
1. No obligation of the state to protect an individual against private violence—DeShaney v. Winnebago Co. DSS
  2. If officers chose to act, however, then liability may result from the chosen course of action and the result.
  3. Officers do not want to be the ones escalating the situation—Glenn v. Washington County
- F. Can you make contacts?
1. Focus on the behavior, not the diagnosis.
  2. Try to understand their purpose.
  3. Keep your face visible to the other person.
  4. Remember that sometimes you can't establish contact.
- G. Contact Do's and Don'ts
1. Do
    - a. Appear confident
    - b. Want to succeed
    - c. Actively listen
    - d. Provide clear instructions
    - e. Demonstrate patience and concern
  2. Don't

- a. Don't patronize or insult
- b. Don't raise voice or shout (except selectively)
- c. Ask person over and over to do the same thing.

H. Build Rapport and Influence

- 1. Communicate you are there to solve a problem.
- 2. Ask relevant questions.
- 3. Use emotional persuasion: Show how cooperating with you will help resolve their distress.
- 4. Use character persuasion: Appeal to their pride.

I. If unsuccessful, What's next?

- 1. Use positioning to contain/control.
- 2. Tactical intervention.
- 3. Disengagement.
- 4. Specialized take-down techniques.

Description	Hours
POST Minimum Required Hours	<u>12</u>
Agency Specific Hours	<u>13</u>
Total Instructional Hours	<u>25</u>



# **City of Sacramento Police Department**

## **Message Log Report**

Printed On: 8/1/2022

**1A26**

Date/Time	From	To	Message
2/8/2022 9:35:29PM	FR	SO	[Vehicle# 13746] [Badge1# 4720] [REDACTED] 213526 1992547 6724469 38.6321485 -121.430075 23.29 0 0 127.3 N N TXT/VER/18.5 LAN/A ENV/ LTID/VEH13746 CVER/7.5.4 PVER/7.5 PBLD/284 MSGID/1 JUR/SA UNIT/1A26 TYPE/PT ZON1/2B ZON2/P2 OFF1/4720 PAS1/***** DUT1/RFL PRT1/P25944 VEH/13746 ROK/Y MOK/Y LOK/Y REM/BSC...DDS PRF/DefaultDeploy.7.5.4.52~07062016.7.5.4.107
2/8/2022 9:35:51PM	FR	SO	[Vehicle# 13746] [Badge1# 4720] [REDACTED] 213546 1992547 6724469 38.6321485 -121.4300748 23.62 0 0 127.3 N N TXT/VER/18.5 LAN/A ENV/ LTID/VEH13746 CVER/7.5.4 PVER/7.5 PBLD/284 MSGID/2 JUR/SA UNIT/1A26 TYPE/PT ZON1/2B ZON2/P2 OFF1/4720 PAS1/***** DUT1/RFL PRT1/P25944 VEH/13746 ROK/Y MOK/Y LOK/Y REM/BSC...DDS PRF/DefaultDeploy.7.5.4.52~07062016.7.5.4.107
2/8/2022 9:38:46PM	FR	SO	[Vehicle# 13746] [Badge1# 4720] [REDACTED] 213841 1992362 6724627 38.631637 -121.429524 36.09 0 0 95.4 N N TXT/VER/18.5 LAN/A ENV/ LTID/VEH13746 CVER/7.5.4 PVER/7.5 PBLD/284 MSGID/1 JUR/SA UNIT/1A26 TYPE/PT ZON1/2B ZON2/P2 OFF1/4720 PAS1/***** DUT1/RFL PRT1/P25944 VEH/13746 ROK/Y MOK/Y LOK/Y REM/RELOG PRF/DefaultDeploy.7.5.4.52~07062016.7.5.4.107
2/8/2022 9:56:00PM	TO	MS	[FROM UNIT: [REDACTED] HSR3 21:55 1A26,AYE YA ... <IXS> <XF TP=MC> <STID> <STO> <SRL> </XF> </IXE>
2/8/2022 10:03:01PM	TO	MS	[FROM UNIT: [REDACTED] U1SM2 22:03 hey guys, [REDACTED] [REDACTED] is at it again....PC want for 422 and 417....allegedly had a gun today; 22-37768..happened on Knightlinger <IXS> <XF TP=MC> <STID> _4UG12H5O41CJ <STO>U1A2* <SRL>U1SM2,U1A2* </XF> </IXE>
2/8/2022 10:05:47PM	TO	MS	[FROM UNIT: [REDACTED] U1A28 22:05 any vehicle related? <IXS> <XF TP=MC> <STID> _4UG12H5O41CJ <STO>U1A2* <SRL>U1SM2,U1A2* </XF> </IXE>
2/8/2022 10:06:58PM	TO	MS	[FROM UNIT: [REDACTED] U1SM2 22:06 She left with someone else but I do not have veh info....Eckert and Hernandez are writing the rpt rt now if you wanna ask them <IXS> <XF TP=MC> <STID> _4UG12H5O41CJ <STO>U1A2* <SRL>U1SM2,U1A2* </XF> </IXE>
2/8/2022 10:08:52PM	TO	MS	[FROM UNIT: [REDACTED] HSR9 22:08 PMDT,ARMED 211 VEH BC CALL 38144 <IXS> <XF TP=MC> <STID> <STO> <SRL>HSR9 </XF> </IXE>
2/8/2022 10:13:00PM	TO	MS	[FROM UNIT: [REDACTED] U1SM2 22:12 so what do we got out there gentlemen??? <IXS> <XF TP=MC> <STID> _4UG12L462HVR <STO>:38127 <SRL>U1SM2,:38127 </XF> </IXE>
2/8/2022 10:20:49PM	TO	MS	[FROM UNIT: [REDACTED] U1A24 22:20 you good? need help out there? <IXS> <XF TP=MC> <STID> _4UG12AVKC269 <SRL>U1A24,U1A26 </XF> </IXE>
2/8/2022 10:48:34PM	FR	MS	[Badge1# 4720] 224832 1992341 6719723 38.6316627 -121.4466931 12.47 0 0 188.8 N N TXT/DEST/HSR3 MSG/hola THID/HSR3-U1A26 F1/U1A26,HSR3
2/8/2022 10:48:34PM	TO	MS	[FROM UNIT: [REDACTED] Message NOT sent. Unable to deliver message to desk/handle (SR3)
2/8/2022 11:10:04PM	FR	MS	[Badge1# 4720] 230959 1988871 6716826 38.6221826 -121.4569067 3.28 50.1 0 179.4 N N TXT/DEST/HSR11 MSG/w24 THID/_4UG12BSG0S6D F1/U1A26,HSR11
2/8/2022 11:10:15PM	TO	MS	[FROM UNIT: [REDACTED] HSR11 23:10 1A26,CHK <IXS> <XF TP=MC> <STID> <STO> <SRL> </XF> </IXE>

2/8/2022 11:16:06PM TO MS [FROM UNIT: [REDACTED] U3SM1 23:16 hi <IXS> <XF TP=MC> <STID>\_4UG132JXDWMI <SRL>U3SM1,U1A25,U1A26 </XF> <IXE>

2/8/2022 11 16 30PM TO MS [FROM UNIT: [REDACTED] U3SM1 23:16 i had a sick call today. not sure if im gonna have one tomorrow. If i do, do either of u want me to call u? I should know hopefully by 11 or 12 <IXS> <XF TP=MC> <STID>\_4UG132JXDWMI <SRL>U3SM1,U1A25,U1A26 </XF> <IXE>

2/8/2022 11:16:49PM TO MS [FROM UNIT: [REDACTED] U3SM1 23:16 that wasn't for u kodama <IXS> <XF TP=MC> <STID>\_4UG132JXDWMI <SRL>U3SM1,U1A25,U1A26 </XF> <IXE>

2/8/2022 11:16:59PM TO MS [FROM UNIT: [REDACTED] U3SM1 23:16 i had a sick call today. not sure if im gonna have one tomorrow. If i do, do either of u want me to call u? I should know hopefully by 11 or 12 <IXS> <XF TP=MC> <STID>\_4UG132SITPPU <SRL>U3SM1,U1A24,U1A26 </XF> <IXE>

2/8/2022 11:21:30PM TO MS [FROM UNIT: [REDACTED] U1A25 23:21 lol wow <IXS> <XF TP=MC> <STID>\_4UG132JXDWMI <SRL>U1A25,U3SM1,U1A26 </XF> <IXE>

2/8/2022 11:40:41PM FR MS [Badge1# 4720] 234037 1987875 6716785 38.6194488 -121.4570719 -7.55 0 0 243.4 N N TXT/DEST/U3SM1,U1A24 MSG/i would love to THID/\_4UG132SITPPU F1/U1A26,U3SM1,U1A24

2/8/2022 11:41:09PM FR MS [Badge1# 4720] 234108 1987875 6716784 38.6194491 -121.4570722 -7.22 0 0 243.4 N N TXT/DEST/U3SM1,U1A25 MSG/would love to THID/\_4UG132JXDWMI F1/U1A26,U3SM1,U1A25

2/8/2022 11:43:00PM TO MS [FROM UNIT: [REDACTED] U1A24 23:42 sorry i was working hard, just saw this. yes i will take it <IXS> <XF TP=MC> <STID>\_4UG132SITPPU <SRL>U1A24,U3SM1,U1A26 </XF> <IXE>

2/8/2022 11:48:06PM FR MS [Badge1# 4720] 234804 1987891 6716778 38.619492 -121.4570959 -0.98 0 0 350.8 N N TXT/DEST/HSR11 MSG/c4 29 and er THID/\_4UG12BSG0S6D F1/U1A26,HSR11

2/8/2022 11:48:51PM TO MS [FROM UNIT: [REDACTED] U3SM1 23:48 hmmmmmm <IXS> <XF TP=MC> <STID>\_4UG132SITPPU <SRL>U3SM1,U1A24,U1A26 </XF> <IXE>

2/8/2022 11:49:12PM TO MS [FROM UNIT: [REDACTED] U3SM1 23:49 i remember last week. I called Williams. No answer. I called Mcvey. He answered. And came in to work. <IXS> <XF TP=MC> <STID>\_4UG132SITPPU <SRL>U3SM1,U1A24,U1A26 </XF> <IXE>

2/8/2022 11:49:18PM TO MS [FROM UNIT: [REDACTED] U3SM1 23:49 hmmmmmm <IXS> <XF TP=MC> <STID>\_4UG132SITPPU <SRL>U3SM1,U1A24,U1A26 </XF> <IXE>

2/8/2022 11:50:11PM FR MS [Badge1# 4720] 235008 1986944 6716199 38.6169022 -121.4591417 -21.33 3.6 0 146.3 N N TXT/DEST/:SA:38218 MSG/29 u can c4 THID/\_4UG13BXXD281 F1/:SA:38218

2/8/2022 11:50:28PM TO MS [FROM UNIT: [REDACTED] U1A29 23:50 ok <IXS> <XF TP=MC> <STID>\_4UG13BXXD281 <STO>:SA:38218 <SRL>:SA:38218 </XF> <IXE>

2/8/2022 11:53:01PM TO MS [FROM UNIT: [REDACTED] U1A24 23:53 [REDACTED] <IXS> <XF TP=MC> <STID>\_4UG132SITPPU <SRL>U1A24,U3SM1,U1A26 </XF> <IXE>

2/8/2022 11:53:13PM TO MS [FROM UNIT: [REDACTED] U1A24 23:53 I back in full force now <IXS> <XF TP=MC> <STID>\_4UG132SITPPU <SRL>U1A24,U3SM1,U1A26 </XF> <IXE>

2/9/2022 12:02:49AM TO MS [FROM UNIT: [REDACTED] U1A24 00:02 Hey yall, the Speed Wash and Ermina, is getting out of hand. In out down time we need to do maximun enfourcement to that the PEH's get the hint, tows, cites, warrants <IXS> <XF TP=MC> <STID>\_4UG13ETWKPLN <SRL>U1A24,U1A26,U1A25 </XF> <IXE>

2/9/2022 12:03:17AM TO MS [FROM UNIT: [REDACTED] U1A25 00:03 copy that <IXS> <XF TP=MC> <STID>\_4UG13ETWKPLN <SRL>U1A25,U1A24,U1A26 </XF> <IXE>

2/9/2022 12:11:49AM FR MS [Badge1# 4720] 001146 1985192 6717222 38.6120735 -121.4555964 42.98 0 0 36.6 N N TXT/DEST/HSR11 MSG/er c3 THID/\_4UG12BSG0S6D F1/U1A26,HSR11

2/9/2022 12:57:10AM TO MS [FROM UNIT: [REDACTED] U1A24 00:57 who is doing 901? <IXS> <XF TP=MC> <STID>\_4UG12AVKC269 <SRL>U1A24,U1A26 </XF> <IXE>

2/9/2022 1:03:14AM FR MS [Badge1# 4720] 010309 1984903 6723929 38.6111673 -121.432133 -26.25 0 0 98.4 N N TXT/DEST/U1A24 MSG/not sure THID/\_4UG12BTC2H7I F1/U1A26,U1A24

2/9/2022 1:03:29AM FR MS [Badge1# 4720] 010324 1984903 6723928 38.6111665 -121.4321339 -25.59 0 0 98.4 N N TXT/DEST/U1A24 MSG/i think cumberland was getting measurements THID/\_4UG12BTC2H7I F1/U1A26,U1A24

2/9/2022 1:04:12AM TO MS [FROM UNIT: [REDACTED] U1A24 01:04 all dudes hx was 502 <IXS> <XF TP=MC> <STID>\_4UG12AVKC269 <SRL>U1A24,U1A26 </XF> <IXE>

2/9/2022 1:29:33AM FR MS [Badge1# 4720] 012933 1984854 6723908 38.6110328 -121.4322056 24.93 0 0 1.2 N N TXT/DEST/HSR11 MSG/er w 22 THID/\_4UG12BSG0S6D F1/U1A26,HSR11

2/9/2022 1:34:45AM FR MS [Badge1# 4720] 013441 1987298 6725261 38.6177212 -121.4274174 16.4 2.2 0 215.1 N N TXT/DEST/:SA:38248 MSG/c4, utl THID/\_4UG144MV3OYS F1/:SA:38248

2/9/2022 1:34:56AM TO MS [FROM UNIT: [REDACTED] U1A22 01:34 copy that <IXS> <XF TP=MC> <STID>\_4UG144MV3OYS <STO>:SA:38248 <SRL>:SA:38248 </XF> <IXE>

2/9/2022 1:35:53AM TO MS [FROM UNIT: [REDACTED] U1A22 01:35 tried calling the number again too <IXS> <XF TP=MC> <STID>\_4UG144MV3OYS <STO>:SA:38248 <SRL>:SA:38248 </XF> <IXE>

2/9/2022 1:44:15AM TO MS [FROM UNIT: [REDACTED] U1A24 01:44 CB! <IXS> <XF TP=MC> <STID>\_4UG12AVKC269 <SRL>U1A24,U1A26 </XF> <IXE>

2/9/2022 1:44:40AM FR MS [Badge1# 4720] 014439 1987026 6721401 38.61704 -121.4409315 32.15 35.6 0 45.6 N N TXT/DEST/U1A24 MSG/? THID/\_4UG12BTC2H7I F1/U1A26,U1A24

2/9/2022 1:45:02AM TO MS [FROM UNIT: [REDACTED] HSR11 01:45 1A26,COPY CALL? <IXS> <XF TP=MC> <STID> <STO> <SRL> </XF> <IXE>

2/9/2022 1:45:16AM FR MS [Badge1# 4720] 014514 1988510 6722704 38.6210925 -121.4363392 7.22 34.8 0 41 N N TXT/DEST/HSR11 MSG/aff THID/\_4UG12BSG0S6D F1/U1A26,HSR11

2/9/2022 1 45 21AM TO MS [FROM UNIT: [REDACTED] HSR11 01:45 1A26,TY <IXS> <XF TP=MC> <STID> <STO> <SRL> </XF> <IXE>

2/9/2022 1:53:11AM TO MS [FROM UNIT: [REDACTED] HCS2 01:53 PMDT,2 CHANNELS <IXS> <XF TP=MC> <STID> <STO> <SRL>HCS2 </XF> <IXE>

2/9/2022 1:59:43AM TO MS [FROM UNIT: [REDACTED] U1A24 01:59 dam Ko been at the hospital for a minute <IXS> <XF TP=MC> <STID>\_4UG12AVKC269 <SRL>U1A24,U1A26 </XF> <IXE>

2/9/2022 2:00:15AM FR MS [Badge1# 4720] 020010 1990800 6720345 38.6274196 -121.4445475 29.86 9.4 0 241.1 N N TXT/DEST/U1A24 MSG/cuz he went to ucd THID/\_4UG12BTC2H7I F1/U1A26,U1A24

2/9/2022 2:01:16AM TO MS [FROM UNIT: [REDACTED] U1A24 02:01 rookie <!XS> <XF TP=MC> <STID>\_4UG12AVKC269 <SRL>U1A24,U1A26 </XF> <!XE>

2/9/2022 2:01:28AM TO MS [FROM UNIT: [REDACTED] U1A24 02:01 north, in and out <!XS> <XF TP=MC> <STID>\_4UG12AVKC269 <SRL>U1A24,U1A26 </XF> <!XE>

2/9/2022 2:11:43AM FR MS [Badge1# 4720] 021140 1989772 6723269 38.6245479 -121.4343337 17.72 0 0 256.3 N N TXT/DEST/U1A22 MSG/smh THID/\_4UG14EYNXRJ4 F1/U1A26,U1A22

2/9/2022 2:12:11AM TO MS [FROM UNIT: [REDACTED] U1A22 02:12 literally the dude we talked too <!XS> <XF TP=MC> <STID>\_4UG14EYNXRJ4 <SRL>U1A22,U1A26 </XF> <!XE>

2/9/2022 2:12:41AM FR MS [Badge1# 4720] 021238 1989772 6723269 38.6245475 -121.4343342 18.04 0 0 256.3 N N TXT/DEST/U1A22 MSG/just say no to drugs kids THID/\_4UG14EYNXRJ4 F1/U1A26,U1A22

2/9/2022 2:13:09AM TO MS [FROM UNIT: [REDACTED] U1A22 02:13 forreal <!XS> <XF TP=MC> <STID>\_4UG14EYNXRJ4 <SRL>U1A22,U1A26 </XF> <!XE>

2/9/2022 2:57:20AM TO MS [FROM UNIT: [REDACTED] U1A24 02:57 what u got out there? <!XS> <XF TP=MC> <STID>\_4UG12AVKC269 <SRL>U1A24,U1A26 </XF> <!XE>

2/9/2022 3:05:04AM FR MS [Badge1# 4720] 030459 1997182 6724603 38.6448723 -121.4295024 33.79 10.2 0 223.5 N N TXT/DEST/HSR11 MSG/w21 THID/\_4UG12BSG0S6D F1/U1A26,HSR11

2/9/2022 3:05:16AM TO MS [FROM UNIT: [REDACTED] HSR11 03:05 1A26,CK <!XS> <XF TP=MC> <STID> <STO> <SRL> </XF> <!XE>

2/9/2022 3:16:34AM TO MS [FROM UNIT: [REDACTED] U1A24 03:16 2A blowing up <!XS> <XF TP=MC> <STID>\_4UG12AVKC269 <SRL>U1A24,U1A26 </XF> <!XE>

2/9/2022 3:18:14AM FR MS [Badge1# 4720] 031811 1992764 6724607 38.6327403 -121.4295855 38.06 0 0 179.2 N N TXT/DEST/U1A24 MSG/its been like that for over a year now THID/\_4UG12BTC2H7I F1/U1A26,U1A24

2/9/2022 3:20:28AM TO MS [FROM UNIT: [REDACTED] HSR11 03:20 1A26,NJOY <!XS> <XF TP=MC> <STID> <STO> <SRL> </XF> <!XE>

2/9/2022 3:20:29AM FR MS [Badge1# 4720] 032026 1992580 6724589 38.6322363 -121.4296531 35.76 0 0 244.5 N N TXT/DEST/HSR11 MSG/ty! THID/\_4UG12BSG0S6D F1/U1A26,HSR11

2/9/2022 3:58:27AM FR MS [Badge1# 4720] 035825 1992581 6724580 38.6322394 -121.4296843 32.15 0 0 244.5 N N TXT/DEST/HSR11 MSG/er 245t THID/\_4UG12BSG0S6D F1/U1A26,HSR11

2/9/2022 3:58:55AM TO MS [FROM UNIT: [REDACTED] HSR11 03:58 1A26,CK <!XS> <XF TP=MC> <STID> <STO> <SRL> </XF> <!XE>

2/9/2022 4:09:57AM TO MS [FROM UNIT: [REDACTED] U1SM2 04:09 it might br there now by speedy wash <!XS> <XF TP=MC> <STID>\_4UG15BHETAOP <SRL>U1SM2,U1A24,U1A26 </XF> <!XE>

2/9/2022 4:10:10AM TO MS [FROM UNIT: [REDACTED] U1A24 04:10 copy er <!XS> <XF TP=MC> <STID>\_4UG15BHETAOP <SRL>U1A24,U1SM2,U1A26 </XF> <!XE>

2/9/2022 4 10 40AM TO MS [FROM UNIT: [REDACTED] U1SM2 04:10 facinf arcade <!XS> <XF TP=MC> <STID>\_4UG15BHETAOP <SRL>U1SM2,U1A24,U1A26 </XF> <!XE>

2/9/2022 4:11:57AM TO MS [FROM UNIT: [REDACTED] U1A24 04:11 what was veh? <!XS> <XF TP=MC> <STID>\_4UG12AVKC269 <SRL>U1A24,U1A26 </XF> <!XE>

2/9/2022 4:12:16AM	FR	MS	[Badge1# 4720] 041215 1987267 6721642 38.6176973 -121.4400848 40.35 43.2 0 46.1 N N TXT/DEST/U1A24 MSG/blk impala THID/_4UG12BTC2H7I F1/U1A26,U1A24
2/9/2022 4:49:46AM	TO	MS	[FROM UNIT: ██████████] VPROD_RMS - Notebook data upload complete. - vRMS 8.1 - File:go38218_lfw8emmsp5.xml <IXS> <XF TP=DB> <DB TP=RA ID=1 FN=\$MRE\MDTApprovalFiles\COMMAND.XML> CMUS?CSReport uploaded?MSVPROD_RMS - Notebook data upload complete. - vRMS 8.1?FLgo38218_lfw8emmsp5.xml?STRW?PS?ND02-09-2022?NT 0449?CCN?ETGO?IN?SC?UD02-09-2022?UT0449?OW4720?SB? PCXX?OGP2L01? </DB> </XF> <XF TP=MC> <FC TP=DEL F1=\$MDT\MDTTransfer\go38218_lfw8emmsp5.xml> </XF> <!XE>
2/9/2022 4:50:51AM	TO	MS	[FROM UNIT: ██████████] U1A24 04:50 go out of sight pls <IXS> <XF TP=MC> <STID>_4UG12AVKC269 <SRL>U1A24,U1A26 </XF> <!XE>
2/9/2022 4:53:02AM	TO	MS	[FROM UNIT: ██████████] U1A24 04:53 940? <IXS> <XF TP=MC> <STID>_4UG15BHETAOP <SRL>U1A24,U1SM2,U1A26 </XF> <!XE>
2/9/2022 4:53:14AM	TO	MS	[FROM UNIT: ██████████] U1SM2 04:53 yes <IXS> <XF TP=MC> <STID>_4UG15BHETAOP <SRL>U1SM2,U1A24,U1A26 </XF> <!XE>
2/9/2022 4:53:22AM	TO	MS	[FROM UNIT: ██████████] U1A24 04:53 kinney? <IXS> <XF TP=MC> <STID>_4UG15BHETAOP <SRL>U1A24,U1SM2,U1A26 </XF> <!XE>
2/9/2022 4:53:40AM	FR	MS	[Badge1# 4720] 045339 1989749 6723265 38.6244856 -121.4343478 26.9 0 0 259.6 N N TXT/DEST/U1SM2,U1A24 MSG/im on the side of autozone THID/_4UG15BHETAOP F1/U1A26,U1SM2,U1A24
2/9/2022 4:54:06AM	TO	MS	[FROM UNIT: ██████████] U1A24 04:54 kinney <IXS> <XF TP=MC> <STID>_4UG12AVKC269 <SRL>U1A24,U1A26 </XF> <!XE>
2/9/2022 4:54:13AM	FR	MS	[Badge1# 4720] 045410 1989750 6723266 38.6244869 -121.4343477 27.23 0 0 259.6 N N TXT/DEST/U1A24 MSG/ck THID/_4UG12BTC2H7I F1/U1A26,U1A24
2/9/2022 4:57:02AM	TO	MS	[FROM UNIT: ██████████] U1SM2 04:57 940 Kinney conference room <IXS> <XF TP=MC> <STID>_4UG15BHETAOP <SRL>U1SM2,U1A24,U1A26 </XF> <!XE>
2/9/2022 5:31:31AM	FR	MS	[Badge1# 4720] 053127 1992574 6724587 38.6322186 -121.4296609 39.04 0 0 260.9 N N TXT/DEST/:38294 MSG/can I do anything out there to help? THID/_4UG15XYRZTGI F1/U1A26,:38294
2/9/2022 5:32:12AM	FR	MS	[Badge1# 4720] 053203 1992574 6724587 38.6322185 -121.4296603 39.04 0 0 260.9 N N TXT/DEST/HSR11 MSG/er 459t w25 THID/_4UG12BSG0S6D F1/U1A26,HSR11
2/9/2022 5:32:53AM	TO	MS	[FROM UNIT: ██████████] U1A28 05:32 most likely, we standing by with one who is 924, Kodama is at the 925 doing a good 459, unk about a 447 <IXS> <XF TP=MC> <STID>_4UG15XYRZTGI <STO>U1A26 <SRL>U1A28,U1A26,:38294 </XF> <!XE>
2/9/2022 5:33:02AM	FR	MS	[Badge1# 4720] 053300 1992676 6724655 38.6324976 -121.4294208 34.12 0 0 358.6 N N TXT/DEST/:38294 MSG/er THID/_4UG15XYRZTGI F1/U1A26,:38294
2/9/2022 5:33:49AM	TO	MS	[FROM UNIT: ██████████] U1A25 05:33 yea good 447 too <IXS> <XF TP=MC> <STID>_4UG15XYRZTGI <STO>U1A26 <SRL>U1A25,U1A26,:38294 </XF> <!XE>
2/9/2022 5:34:25AM	TO	MS	[FROM UNIT: ██████████] U1A25 05:34 back er <IXS> <XF TP=MC> <STID>_4UG15LTZSWKN <STO>:SA:38294 <SRL>:SA:38294 </XF> <!XE>



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2/9/2022 5:35:01AM TO MS [FROM UNIT: [REDACTED] U1A28 05:35 1sm2 was waiting on that portion, does fire need to come out? <IXS> <XF TP=MC> <STID>\_4UG15LTZSWKN <STO>:SA:38294 <SRL>:SA:38294 </XF> <IXE>

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2/9/2022 5:35:31AM TO MS [FROM UNIT: [REDACTED] U1A25 05:35 no it was small <IXS> <XF TP=MC> <STID>\_4UG15LTZSWKN <STO>:SA:38294 <SRL>:SA:38294 </XF> <IXE>

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2/9/2022 6:06:10AM FR MS [Badge1# 4720] 060607 1975199 6705325 38.5848228 -121.4974251 1.97 2.8 0 352.9 N N TXT/DEST/U1A25 MSG/pc dec done? THID/\_4UG167K93TE8 F1/U1A26,U1A25

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2/9/2022 6:06:40AM TO MS [FROM UNIT: [REDACTED] U1A25 06:06 yes, finishing up, he just needs his prop sec and medical question, and his add <IXS> <XF TP=MC> <STID>\_4UG167K93TE8 <SRL>U1A25,U1A26 </XF> <IXE>

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2/9/2022 6:06:52AM FR MS [Badge1# 4720] 060647 1974347 6705294 38.5824824 -121.4975523 7.87 8.5 0 179.5 N N TXT/DEST/U1A25 MSG/perfect, ty THID/\_4UG167K93TE8 F1/U1A26,U1A25

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2/9/2022 6:07:25AM TO MS [FROM UNIT: [REDACTED] U1A25 06:07 ty for transporting ! <IXS> <XF TP=MC> <STID>\_4UG167K93TE8 <SRL>U1A25,U1A26 </XF> <IXE>

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2/9/2022 7:16:01AM TO MS [FROM UNIT: [REDACTED] VPROD\_RMS - Notebook data upload complete. - vRMS 8.1 - File:go38292\_pe9uk5ikup5.xml <IXS> <XF TP=DB> <DB TP=RA ID=1 FN=\$MRE\MDTApprovalFiles\COMMAND.XML> CMUS?CSReport uploaded?MSVPROD\_RMS - Notebook data upload complete. - vRMS 8.1?FLgo38292\_pe9uk5ikup5.xml?STRW?PS?ND02-09-2022?NT0715?CCN?ETGO?IN\*?SC?UD02-09-2022?UT0715?OW4720?SB?PCXX?OGP2L01? </DB> </XF> <XF TP=MC> <FC TP=DEL F1=\$MDT\MDTTransfer\go38292\_pe9uk5ikup5.xml> </XF> <IXE>

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2/9/2022 7:29:16AM TO MS [FROM UNIT: [REDACTED] VPROD\_RMS - Notebook data upload complete. - vRMS 8.1 - File:go38260\_l399siyatp5.xml <IXS> <XF TP=DB> <DB TP=RA ID=1 FN=\$MRE\MDTApprovalFiles\COMMAND.XML> CMUS?CSReport uploaded?MSVPROD\_RMS - Notebook data upload complete. - vRMS 8.1?FLgo38260\_l399siyatp5.xml?STRW?PS?ND02-09-2022?NT0729?CCN?ETGO?IN?SC?UD02-09-2022?UT0729?OW4720?SB?PCXX?OGP2L01? </DB> </XF> <XF TP=MC> <FC TP=DEL F1=\$MDT\MDTTransfer\go38260\_l399siyatp5.xml> </XF> <IXE>

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2/9/2022 7:33:38AM FR BY 4720 [REDACTED] 073335 1992398 6724391 38.6317389 -121.4303485 77.43 1 0 90.4 N N TXT/MSGID/2 MIL/0.0 MOK/Y ROK/Y OFFC/Y

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# **City of Sacramento Police Department**

## **Message Log Report**

Printed On: 8/15/2022

**1A24**

2/8/2022 5:43:23AM	FR	SO	[Vehicle# 13848] [Badge1# 4384] AA172.30.29.144 054321 1992195 6724681 38.6311757 -121.4293382 16.08 0 0 182.2 N N TXT/VER/18.5 LAN/A ENV/ LTID/VEH13848 CVER/7.5.4 PVER/7.5 PBLD/284 MSGID/3 JUR/SA UNIT/1A24 TYPE/PT ZON1/2B ZON2/P2 OFF1/4384 PAS1/***** DUT1/RFL PRT1/P25467 VEH/13848 ROK/Y MOK/Y LOK/Y REM/RELOG PRF/DefaultDeploy.7.5.4.52~07062016.7.5.4.107
2/8/2022 5:43:59AM	FR	SO	[Vehicle# 13848] [Badge1# 4384] AA172.30.29.144 054357 1992195 6724680 38.6311776 -121.4293436 23.29 0 0 182.2 N N TXT/VER/18.5 LAN/A ENV/ LTID/VEH13848 CVER/7.5.4 PVER/7.5 PBLD/284 MSGID/4 JUR/SA UNIT/1A24 TYPE/PT ZON1/2B ZON2/P2 OFF1/4384 PAS1/***** DUT1/RFL PRT1/P25467 VEH/13848 ROK/Y MOK/Y LOK/Y REM/RELOG PRF/DefaultDeploy.7.5.4.52~07062016.7.5.4.107
2/8/2022 6:43:00AM	TO	MS	[FROM UNIT: AA172.30.29.144] HSD12 06:42 PMDT,FYI KAISER SOUTH IS AT MAX CAPACITY FOR 5150 PT,IF UNITS DO COME BY WITH PT,WAIT CAN BE UP TO 2-4 HOURS, <!XS> <XF TP=MC> <STID> <STO> <SRL>HSD12 </XF> <!XE>
2/8/2022 6:45:01AM	FR	BY	4384 AA172.30.29.144 064458 1992417 6724442 38.6317897 -121.4301702 59.06 0 0 220.5 N N TXT/MSGID/5 MIL/2542 MOK/Y ROK/Y OFFC/Y
2/8/2022 9:34:12PM	FR	SO	[Vehicle# 13747] [Badge1# 4384] [REDACTED] 213407 1992358 6724684 38.631624 -121.4293247 38.39 0 0 10 N N TXT/VER/18.5 LAN/A ENV/ LTID/VEH13747 CVER/7.5.4 PVER/7.5 PBLD/284 MSGID/1 JUR/SA UNIT/1A24 TYPE/PT ZON1/2B ZON2/P2 OFF1/4384 PAS1/***** DUT1/RFL PRT1/P25467 DUT2/LL VEH/13747 ROK/Y MOK/Y LOK/Y REM/DDS/BSC PRF/DefaultDeploy.7.5.4.52~07062016.7.5.4.107
2/8/2022 9:34:41PM	FR	SO	[Vehicle# 13747] [Badge1# 4384] [REDACTED] 213427 1992366 6724689 38.6316466 -121.4293086 26.25 0 0 10 N N TXT/VER/18.5 LAN/A ENV/ LTID/VEH13747 CVER/7.5.4 PVER/7.5 PBLD/284 MSGID/2 JUR/SA UNIT/1A24 TYPE/PT ZON1/2B ZON2/P2 OFF1/4384 PAS1/***** DUT1/RFL PRT1/P25467 DUT2/LL VEH/13747 ROK/Y MOK/Y LOK/Y REM/DDS/BSC PRF/DefaultDeploy.7.5.4.52~07062016.7.5.4.107
2/8/2022 9:34:48PM	FR	SO	[Vehicle# 13747] [Badge1# 4384] [REDACTED] 213437 1992364 6724691 38.6316419 -121.4292997 22.31 0 0 10 N N TXT/VER/18.5 LAN/A ENV/ LTID/VEH13747 CVER/7.5.4 PVER/7.5 PBLD/284 MSGID/3 JUR/SA UNIT/1A24 TYPE/PT ZON1/2B ZON2/P2 OFF1/4384 PAS1/***** DUT1/RFL PRT1/P25467 DUT2/LL VEH/13747 ROK/Y MOK/Y LOK/Y REM/DDS/BSC PRF/DefaultDeploy.7.5.4.52~07062016.7.5.4.107
2/8/2022 9:54:27PM	TO	MS	[FROM UNIT: [REDACTED] HSR11 21:54 1A24,U CAN C4 <!XS> <XF TP=MC> <STID> <STO> <SRL> </XF> <!XE>
2/8/2022 9:54:38PM	FR	MS	[Badge1# 4384] 215432 1983140 6717057 38.6064419 -121.4562169 -6.56 34.3 0 90.4 N N TXT/DEST/HSR11 MSG/copy c4 THID/_4UG12AUJJPFL F1/U1A24,HSR11
2/8/2022 9:54:44PM	TO	MS	[FROM UNIT: [REDACTED] HSR11 21:54 1A24,A28 WANTS IT STACKED TO THEM <!XS> <XF TP=MC> <STID> <STO> <SRL> </XF> <!XE>
2/8/2022 9:54:54PM	FR	MS	[Badge1# 4384] 215453 1983139 6718163 38.6064214 -121.4523479 4.59 37.4 0 90.5 N N TXT/DEST/HSR11 MSG/copy THID/_4UG12AUJJPFL F1/U1A24,HSR11
2/8/2022 9:55:36PM	FR	MS	[Badge1# 4384] 215534 1983255 6719281 38.606721 -121.4484326 2.62 19.2 0 350.6 N N TXT/DEST/HSR11 MSG/er to the SS in 2B pls THID/_4UG12AUJJPFL F1/U1A24,HSR11

2/8/2022 9:56:22PM TO MS [FROM UNIT: ██████████ HSR11 21:56 1A24,CHK <IXS>  
<XF TP=MC> <STID> <STO> <SRL> </XF> <IXE>

2/8/2022 10:03:01PM TO MS [FROM UNIT: ██████████ U1SM2 22:03 hey guys, ██████████  
██████████ is at it again....PC want for 422 and 417....allegedly had a  
gun today; 22-37768..happened on Knightlinger <IXS> <XF  
TP=MC> <STID> \_4UG12H5O41CJ <STO>U1A2\*  
<SRL>U1SM2,U1A2\* </XF> <IXE>

2/8/2022 10:05:47PM TO MS [FROM UNIT: ██████████ U1A28 22:05 any vehicle related?  
<IXS> <XF TP=MC> <STID> \_4UG12H5O41CJ <STO>U1A2\*  
<SRL>U1SM2,U1A2\* </XF> <IXE>

2/8/2022 10:06:57PM TO MS [FROM UNIT: ██████████ U1SM2 22:06 She left with  
someone else but I do not have veh info....Eckert and Hernandez  
are writing the rpt rt now if you wanna ask them <IXS> <XF  
TP=MC> <STID> \_4UG12H5O41CJ <STO>U1A2\*  
<SRL>U1SM2,U1A2\* </XF> <IXE>

2/8/2022 10:08:51PM TO MS [FROM UNIT: ██████████ HSR9 22:08 PMDT,ARMED 211  
VEH BC CALL 38144 <IXS> <XF TP=MC> <STID> <STO>  
<SRL>HSR9 </XF> <IXE>

2/8/2022 10:20:49PM FR MS [Badge1# 4384] 222044 1990253 6723143 38.6258709  
-121.4347648 28.22 0 0 302.6 N N TXT/DEST/U1A26 MSG/you  
good? need help out there? THID/\_4UG12AVKC269  
F1/U1A24,U1A26

2/8/2022 10:25:50PM FR MS [Badge1# 4384] 222547 1992363 6719785 38.6317215  
-121.4464758 12.8 8.2 0 276 N N TXT/DEST/HSR11 MSG/w/26  
THID/\_4UG12AUJJPFL F1/U1A24,HSR11

2/8/2022 10:26:00PM TO MS [FROM UNIT: ██████████ HSR11 22:25 1A24,CHK <IXS>  
<XF TP=MC> <STID> <STO> <SRL> </XF> <IXE>

2/8/2022 11:16:57PM TO MS [FROM UNIT: ██████████ U3SM1 23:16 i had a sick call  
today. not sure if im gonna have one tomorrow. If i do, do either of u  
want me to call u? I should know hopefully by 11 or 12 <IXS> <XF  
TP=MC> <STID> \_4UG132SITPPU <SRL>U3SM1,U1A24,U1A26  
</XF> <IXE>

2/8/2022 11:40:42PM TO MS [FROM UNIT: ██████████ U1A26 23:40 i would love to <IXS>  
<XF TP=MC> <STID> \_4UG132SITPPU  
<SRL>U1A26,U3SM1,U1A24 </XF> <IXE>

2/8/2022 11:42:59PM FR MS [Badge1# 4384] 234258 1987863 6716768 38.6194144  
-121.4571311 36.75 0 0 180.6 N N TXT/DEST/U3SM1,U1A26  
MSG/sorry i was working hard, just saw this. yes i will take it  
THID/\_4UG132SITPPU F1/U1A24,U3SM1,U1A26

2/8/2022 11:48:50PM TO MS [FROM UNIT: ██████████ U3SM1 23:48 hmmmmmm  
<IXS> <XF TP=MC> <STID> \_4UG132SITPPU  
<SRL>U3SM1,U1A24,U1A26 </XF> <IXE>

2/8/2022 11:49:11PM TO MS [FROM UNIT: ██████████ U3SM1 23:49 i remember last  
week. I called Williams. No answer. I called Mcvey. He answered.  
And came in to work. <IXS> <XF TP=MC>  
<STID> \_4UG132SITPPU <SRL>U3SM1,U1A24,U1A26 </XF>  
<IXE>

2/8/2022 11:49:17PM TO MS [FROM UNIT: ██████████ U3SM1 23:49 hmmmmmm <IXS>  
<XF TP=MC> <STID> \_4UG132SITPPU  
<SRL>U3SM1,U1A24,U1A26 </XF> <IXE>

2/8/2022 11:53:00PM FR MS [Badge1# 4384] 235259 1987863 6716768 38.6194144  
-121.4571292 37.4 0 0 180.6 N N TXT/DEST/U3SM1,U1A26 MSG/  
██████████ THID/\_4UG132SITPPU  
F1/U1A24,U3SM1,U1A26

2/8/2022 11:53:11PM FR MS [Badge1# 4384] 235309 1987863 6716768 38.6194144  
-121.4571292 37.4 0 0 180.6 N N TXT/DEST/U3SM1,U1A26 MSG/I  
back in full force now THID/\_4UG132SITPPU  
F1/U1A24,U3SM1,U1A26

2/8/2022 11:55:06PM	FR	MS	[Badge1# 4384] 235503 1987862 6716769 38.6194137 -121.457128 37.73 0 0 180.6 N N TXT/DEST/HSR11 MSG/i will be er shortly THID/_4UG12AUJJPFL F1/U1A24,HSR11
2/8/2022 11 55 35PM	FR	MS	[Badge1# 4384] 235534 1987860 6716773 38.6194058 -121.4571141 47.24 0 0 185.5 N N TXT/DEST/HSR11 MSG/c4 THID/_4UG12AUJJPFL F1/U1A24,HSR11
2/8/2022 11:55:37PM	FR	MS	[Badge1# 4384] 235534 1987860 6716773 38.6194058 -121.4571141 47.24 0 0 185.5 N N TXT/DEST/HSR11 MSG/them THID/_4UG12AUJJPFL F1/U1A24,HSR11
2/8/2022 11:55:38PM	FR	MS	[Badge1# 4384] 235534 1987860 6716773 38.6194058 -121.4571141 47.24 0 0 185.5 N N TXT/DEST/HSR11 MSG/im er THID/_4UG12AUJJPFL F1/U1A24,HSR11
2/8/2022 11:57:10PM	FR	MS	[Badge1# 4384] 235706 1986920 6717963 38.6168057 -121.4529692 22.31 22.7 0 92.1 N N TXT/DEST:/SA:38220 MSG/28 and 29, u can c4 THID/_4UG13DTFCMJN F1:/SA:38220
2/8/2022 11:57:25PM	TO	MS	[FROM UNIT: [REDACTED] U1A28 23:57 copy ty <IXS> <XF TP=MC> <STID>_4UG13DTFCMJN <STO>:SA:38220 <SRL>:SA:38220 </XF> <IXE>
2/8/2022 11:57:26PM	TO	MS	[FROM UNIT: [REDACTED] U1A29 23:57 ok <IXS> <XF TP=MC> <STID>_4UG13DTFCMJN <STO>:SA:38220 <SRL>:SA:38220 </XF> <IXE>
2/8/2022 11:59:32PM	TO	MS	[FROM UNIT: [REDACTED] U2A16 23:59 c4 here, fire is here and does not need PD <IXS> <XF TP=MC> <STID>_4UG13DTFCMJN <STO>:SA:38220 <SRL>:SA:38220 </XF> <IXE>
2/8/2022 11:59:45PM	FR	MS	[Badge1# 4384] 235940 1990170 6723622 38.6256347 -121.4330921 31.17 28.7 0 20.9 N N TXT/DEST:/SA:38220 MSG/thx THID/_4UG13DTFCMJN F1:/SA:38220
2/9/2022 12:00:06AM	FR	MS	[Badge1# 4384] 000006 1990177 6723619 38.6256549 -121.4331028 42.32 7.6 0 200.1 N N TXT/DEST/HSR11 MSG/er to A26 THID/_4UG12AUJJPFL F1/U1A24,HSR11
2/9/2022 12:02:48AM	FR	MS	[Badge1# 4384] 000245 1988873 6722924 38.6220844 -121.4355617 46.92 4.8 0 209.9 N N TXT/DEST/U1A26,U1A25 MSG/Hey yall, the Speed Wash and Ermina, is getting out of hand. In out down time we need to do maximun enfourcement to that the PEH's get the hint, tows, cites, warrants THID/_4UG13ETWKPLN F1/U1A24,U1A26,U1A25
2/9/2022 12:03:17AM	TO	MS	[FROM UNIT: [REDACTED] U1A25 00:03 copy that <IXS> <XF TP=MC> <STID>_4UG13ETWKPLN <SRL>U1A25,U1A24,U1A26 </XF> <IXE>
2/9/2022 12:57:09AM	FR	MS	[Badge1# 4384] 005708 1984914 6724511 38.6111876 -121.430096 35.76 0 0 147.8 N N TXT/DEST/U1A26 MSG/who is doing 901? THID/_4UG12AVKC269 F1/U1A24,U1A26
2/9/2022 1:03:15AM	TO	MS	[FROM UNIT: [REDACTED] U1A26 01:03 not sure <IXS> <XF TP=MC> <STID>_4UG12BTC2H7I <SRL>U1A26,U1A24 </XF> <IXE>
2/9/2022 1:03:16AM	TO	MS	[FROM UNIT: [REDACTED] U1A19 01:03 926? <IXS> <XF TP=MC> <STID>_4UG13W29NGL8 <SRL>U1A19,U1A24 </XF> <IXE>
2/9/2022 1:03:30AM	TO	MS	[FROM UNIT: [REDACTED] U1A26 01:03 i think cumberland was getting measurements <IXS> <XF TP=MC> <STID>_4UG12BTC2H7I <SRL>U1A26,U1A24 </XF> <IXE>
2/9/2022 1:03:51AM	FR	MS	[Badge1# 4384] 010349 1984915 6724511 38.6111891 -121.430095 36.75 0 0 147.8 N N TXT/DEST/U1A19 MSG/nah, 502 F THID/_4UG13W29NGL8 F1/U1A24,U1A19
2/9/2022 1:04:11AM	FR	MS	[Badge1# 4384] 010409 1984915 6724511 38.611189 -121.4300953 36.75 0 0 147.8 N N TXT/DEST/U1A26 MSG/all dudes hx was 502 THID/_4UG12AVKC269 F1/U1A24,U1A26

2/9/2022 1:04:24AM	TO	MS	[FROM UNIT: [REDACTED] U1A19 01:04 wait the person who was sent to ucd was 502 <IXS> <XF TP=MC> <STID>_4UG13W29NGL8 <SRL>U1A19,U1A24 </XF> <IXE>
2/9/2022 1:04:55AM	FR	MS	[Badge1# 4384] 010450 1984914 6724511 38.6111887 -121.4300951 36.75 0 0 147.8 N N TXT/DEST/U1A19 MSG/suspect was 502 THID/_4UG13W29NGL8 F1/U1A24,U1A19
2/9/2022 1:05:10AM	FR	MS	[Badge1# 4384] 010506 1984914 6724511 38.6111887 -121.430095 36.75 0 0 147.8 N N TXT/DEST/U1A19 MSG/smack into a car at an intersection THID/_4UG13W29NGL8 F1/U1A24,U1A19
2/9/2022 1:05:16AM	TO	MS	[FROM UNIT: [REDACTED] U1A19 01:05 ahhh..no im talking about the person thay was hit <IXS> <XF TP=MC> <STID>_4UG13W29NGL8 <SRL>U1A19,U1A24 </XF> <IXE>
2/9/2022 1:05:19AM	FR	MS	[Badge1# 4384] 010516 1984914 6724511 38.6111887 -121.430095 36.75 0 0 147.8 N N TXT/DEST/U1A19 MSG/p2 got transported THID/_4UG13W29NGL8 F1/U1A24,U1A19
2/9/2022 1:05:33AM	FR	MS	[Badge1# 4384] 010531 1984914 6724511 38.6111887 -121.4300952 37.07 0 0 147.8 N N TXT/DEST/U1A19 MSG/he was knocked out THID/_4UG13W29NGL8 F1/U1A24,U1A19
2/9/2022 1:05:38AM	FR	MS	[Badge1# 4384] 010536 1984914 6724511 38.6111887 -121.4300952 37.07 0 0 147.8 N N TXT/DEST/U1A19 MSG/but came to THID/_4UG13W29NGL8 F1/U1A24,U1A19
2/9/2022 1:05:45AM	TO	MS	[FROM UNIT: [REDACTED] U1A19 01:05 ahhhh ok <IXS> <XF TP=MC> <STID>_4UG13W29NGL8 <SRL>U1A19,U1A24 </XF> <IXE>
2/9/2022 1:05:47AM	FR	MS	[Badge1# 4384] 010542 1984914 6724511 38.6111888 -121.4300951 37.07 0 0 147.8 N N TXT/DEST/U1A19 MSG/whats the code for reckless driving THID/_4UG13W29NGL8 F1/U1A24,U1A19
2/9/2022 1:06:16AM	TO	MS	[FROM UNIT: [REDACTED] U1A19 01:06 23109 <IXS> <XF TP=MC> <STID>_4UG13W29NGL8 <SRL>U1A19,U1A24 </XF> <IXE>
2/9/2022 1:06:31AM	TO	MS	[FROM UNIT: [REDACTED] U1A19 01:06 23103 <IXS> <XF TP=MC> <STID>_4UG13W29NGL8 <SRL>U1A19,U1A24 </XF> <IXE>
2/9/2022 1:30:06AM	TO	MS	[FROM UNIT: [REDACTED] U1SM2 01:30 thanks guys, once TT's clean up all the debris we can open up the roadway <IXS> <XF TP=MC> <STID>_4UG1433TN2S5 <STO>:SA:38226 <SRL>:SA:38226 </XF> <IXE>
2/9/2022 1:30:48AM	TO	MS	[FROM UNIT: [REDACTED] U1A21 01:30 chk....cap city had to send another tow for the audi, still waiting on that <IXS> <XF TP=MC> <STID>_4UG1433TN2S5 <STO>:SA:38226 <SRL>:SA:38226 </XF> <IXE>
2/9/2022 1:31:00AM	TO	MS	[FROM UNIT: [REDACTED] U1SM2 01:30 ckck <IXS> <XF TP=MC> <STID>_4UG1433TN2S5 <STO>:SA:38226 <SRL>:SA:38226 </XF> <IXE>
2/9/2022 1:31:21AM	FR	MS	[Badge1# 4384] 013119 1984912 6724510 38.611183 -121.4300976 38.71 0 0 147.8 N N TXT/DEST/:SA:38226 MSG/cool THID/_4UG1433TN2S5 F1/:SA:38226
2/9/2022 1:44:15AM	FR	MS	[Badge1# 4384] 014410 1984912 6724510 38.6111812 -121.4300996 39.04 0 0 147.8 N N TXT/DEST/U1A26 MSG/CB! THID/_4UG12AVKC269 F1/U1A24,U1A26
2/9/2022 1:44:40AM	TO	MS	[FROM UNIT: [REDACTED] U1A26 01:44 ? <IXS> <XF TP=MC> <STID>_4UG12BTC2H7I <SRL>U1A26,U1A24 </XF> <IXE>
2/9/2022 1:53:10AM	TO	MS	[FROM UNIT: [REDACTED] HCS2 01:53 PMDT,2 CHANNELS <IXS> <XF TP=MC> <STID> <STO> <SRL>HCS2 </XF> <IXE>

2/9/2022 1:59:32AM TO MS [FROM UNIT: [REDACTED] UGNG78 01:59 thank you guys for all the help <IXS> <XF TP=MC> <STID>\_4UG1433TN2S5 <STO>:SA:38226 <SRL>:SA:38226 </XF> <IXE>

2/9/2022 1:59:42AM FR MS [Badge1# 4384] 015939 1984907 6724511 38.6111695 -121.4300932 28.22 0 0 188.6 N N TXT/DEST/U1A26 MSG/dam Ko been at the hospital for a minute THID/\_4UG12AVKC269 F1/U1A24,U1A26

2/9/2022 2:00:16AM TO MS [FROM UNIT: [REDACTED] U1A26 02:00 cuz he went to ucd <IXS> <XF TP=MC> <STID>\_4UG12BTC2H7I <SRL>U1A26,U1A24 </XF> <IXE>

2/9/2022 2:01:16AM FR MS [Badge1# 4384] 020111 1984907 6724511 38.6111695 -121.4300944 28.87 0 0 188.6 N N TXT/DEST/U1A26 MSG/rookie THID/\_4UG12AVKC269 F1/U1A24,U1A26

2/9/2022 2:01:27AM FR MS [Badge1# 4384] 020127 1984907 6724511 38.6111692 -121.4300945 28.87 0 0 188.6 N N TXT/DEST/U1A26 MSG/north, in and out THID/\_4UG12AVKC269 F1/U1A24,U1A26

2/9/2022 2:01:54AM FR MS [Badge1# 4384] 020153 1984907 6724511 38.6111693 -121.4300948 28.54 0 0 188.6 N N TXT/DEST/U1A25 MSG/should have gone to kaiser north, rook THID/\_4UG12AWFBPDY F1/U1A24,U1A25

2/9/2022 2:05:04AM FR MS [Badge1# 4384] 020503 1984907 6724510 38.6111695 -121.4300972 28.87 0 0 188.6 N N TXT/DEST/HSR11 MSG/sd1 in pursuit? THID/\_4UG12AUJJPF F1/U1A24,HSR11

2/9/2022 2:47:48AM TO MS [FROM UNIT: [REDACTED] HSR11 02:47 1A24,DID YOU ALREADY REQ FORENSICLEAN FROM THE SUPV ? <IXS> <XF TP=MC> <STID> <STO> <SRL> </XF> <IXE>

2/9/2022 2:48:44AM FR MS [Badge1# 4384] 024838 1990357 6723471 38.6261503 -121.4336136 36.09 0 0 200.3 N N TXT/DEST/HSR11 MSG/yes directly THID/\_4UG12AUJJPF F1/U1A24,HSR11

2/9/2022 2:48:48AM FR MS [Badge1# 4384] 024844 1990357 6723471 38.6261505 -121.4336139 36.09 0 0 200.3 N N TXT/DEST/HSR11 MSG/thank you THID/\_4UG12AUJJPF F1/U1A24,HSR11

2/9/2022 2:57:19AM FR MS [Badge1# 4384] 025717 1990068 6723362 38.6253603 -121.4340027 48.56 0 0 356.6 N N TXT/DEST/U1A26 MSG/what u got out there? THID/\_4UG12AVKC269 F1/U1A24,U1A26

2/9/2022 3:16:05AM FR MS [Badge1# 4384] 031603 1992671 6724668 38.6324855 -121.4293751 53.81 0 0 2 N N TXT/DEST/HSR11 MSG/thats mapping in the county THID/\_4UG12AUJJPF F1/U1A24,HSR11

2/9/2022 3:16:34AM FR MS [Badge1# 4384] 031633 1992671 6724667 38.6324847 -121.4293763 53.81 0 0 2 N N TXT/DEST/U1A26 MSG/2A blowing up THID/\_4UG12AVKC269 F1/U1A24,U1A26

2/9/2022 3:16:41AM TO MS [FROM UNIT: [REDACTED] HSR11 03:16 1A24,NOT ON OUR END... THE COUNTY LINE ISNT AT THE INTERSECTION THERE BUT JUST SOUTH OF IT <IXS> <XF TP=MC> <STID> <STO> <SRL> </XF> <IXE>

2/9/2022 3:17:08AM TO MS [FROM UNIT: [REDACTED] U1A28 03:17 you can c4 <IXS> <XF TP=MC> <STID>\_4UG14WYPTQCW <SRL>U1A28,U1A24 </XF> <IXE>

2/9/2022 3:17:09AM FR MS [Badge1# 4384] 031704 1992671 6724667 38.632485 -121.4293768 53.48 0 0 2 N N TXT/DEST/:SA:38276 MSG/this is mapping in the county THID/\_4UG14WYGEJ83 F1/:SA:38276

2/9/2022 3:17:19AM FR MS [Badge1# 4384] 031714 1992671 6724667 38.6324849 -121.4293771 53.48 0 0 2 N N TXT/DEST/U1A28 MSG/coo THID/\_4UG14WYPTQCW F1/U1A24,U1A28

2/9/2022 3:18:14AM TO MS [FROM UNIT: [REDACTED] U1A26 03:18 its been like that for over a year now <IXS> <XF TP=MC> <STID>\_4UG12BTC2H7I <SRL>U1A26,U1A24 </XF> <IXE>

2/9/2022 3:18:30AM	FR	MS	[Badge1# 4384] 031826 1992602 6724573 38.6322962 -121.4297101 37.73 0 0 239.9 N N TXT/DEST/U1A28 MSG/thx THID/_4UG14WYPTQCW F1/U1A24,U1A28
2/9/2022 4:00:04AM	FR	MS	[Badge1# 4384] 040002 1992593 6724573 38.6322712 -121.4297076 58.73 0 0 239.9 N N TXT/DEST/HSR11 MSG/er to shell THID/_4UG12AUJJPFL F1/U1A24,HSR11
2/9/2022 4:00:14AM	TO	MS	[FROM UNIT: ██████████] HSR11 04:00 1A24,CK <IXS> <XF TP=MC> <STID> <STO> <SRL> </XF> <IXE>
2/9/2022 4:09:56AM	TO	MS	[FROM UNIT: ██████████] U1SM2 04:09 it might br there now by speedy wash <IXS> <XF TP=MC> <STID> _4UG15BHETAOP <SRL>U1SM2,U1A24,U1A26 </XF> <IXE>
2/9/2022 4:10:08AM	FR	MS	[Badge1# 4384] 041004 1985494 6719277 38.6128699 -121.4483975 57.74 0 0 314.7 N N TXT/DEST/U1SM2,U1A26 MSG/copy er THID/_4UG15BHETAOP F1/U1A24,U1SM2,U1A26
2/9/2022 4:10:38AM	TO	MS	[FROM UNIT: ██████████] U1SM2 04:10 facinf arcade <IXS> <XF TP=MC> <STID> _4UG15BHETAOP <SRL>U1SM2,U1A24,U1A26 </XF> <IXE>
2/9/2022 4:11:56AM	FR	MS	[Badge1# 4384] 041152 1986235 6720627 38.6148808 -121.4436568 59.38 49.6 0 45.5 N N TXT/DEST/U1A26 MSG/what was veh? THID/_4UG12AVKC269 F1/U1A24,U1A26
2/9/2022 4:12:17AM	TO	MS	[FROM UNIT: ██████████] U1A26 04:12 blk impala <IXS> <XF TP=MC> <STID> _4UG12BTC2H7I <SRL>U1A26,U1A24 </XF> <IXE>
2/9/2022 4:22:54AM	FR	MS	[Badge1# 4384] 042250 1990117 6723358 38.6254939 -121.4340164 49.87 0 0 270.4 N N TXT/DEST/HSR11 MSG/w/26 THID/_4UG12AUJJPFL F1/U1A24,HSR11
2/9/2022 4:31:11AM	TO	MS	[FROM UNIT: ██████████] U1A25 04:31 lol dont get me started... instant regret <IXS> <XF TP=MC> <STID> _4UG12AWFBPDX <SRL>U1A25,U1A24 </XF> <IXE>
2/9/2022 4:33:08AM	FR	MS	[Badge1# 4384] 043304 1990114 6723357 38.6254865 -121.434019 50.85 0 0 270 N N TXT/DEST/U1A25 MSG/omg THID/_4UG12AWFBPDX F1/U1A24,U1A25
2/9/2022 4:33:21AM	TO	MS	[FROM UNIT: ██████████] U1A25 04:33 not again <IXS> <XF TP=MC> <STID> _4UG12AWFBPDX <SRL>U1A25,U1A24 </XF> <IXE>
2/9/2022 4:33:45AM	FR	MS	[Badge1# 4384] 043340 1990114 6723357 38.6254864 -121.4340191 51.51 0 0 270 N N TXT/DEST/U1A25 MSG/lol THID/_4UG12AWFBPDX F1/U1A24,U1A25
2/9/2022 4:50:50AM	FR	MS	[Badge1# 4384] 045047 1990117 6723356 38.6254929 -121.4340232 54.13 0 0 270 N N TXT/DEST/U1A26 MSG/go out of sight pls THID/_4UG12AVKC269 F1/U1A24,U1A26
2/9/2022 4:53:00AM	FR	MS	[Badge1# 4384] 045255 1990089 6723528 38.6254146 -121.4334229 30.51 0 0 92.4 N N TXT/DEST/U1SM2,U1A26 MSG/940? THID/_4UG15BHETAOP F1/U1A24,U1SM2,U1A26
2/9/2022 4:53:13AM	TO	MS	[FROM UNIT: ██████████] U1SM2 04:53 yes <IXS> <XF TP=MC> <STID> _4UG15BHETAOP <SRL>U1SM2,U1A24,U1A26 </XF> <IXE>
2/9/2022 4:53:21AM	FR	MS	[Badge1# 4384] 045321 1990580 6723784 38.6267592 -121.4325154 36.75 40.4 0 20.5 N N TXT/DEST/U1SM2,U1A26 MSG/kinney? THID/_4UG15BHETAOP F1/U1A24,U1SM2,U1A26
2/9/2022 4:53:41AM	TO	MS	[FROM UNIT: ██████████] U1A26 04:53 im on the side of autozone <IXS> <XF TP=MC> <STID> _4UG15BHETAOP <SRL>U1A26,U1SM2,U1A24 </XF> <IXE>
2/9/2022 4:54:06AM	FR	MS	[Badge1# 4384] 045402 1992821 6724379 38.632902 -121.4303844 36.09 22 0 87.2 N N TXT/DEST/U1A26 MSG/kinney THID/_4UG12AVKC269 F1/U1A24,U1A26



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2/9/2022 4:54:13AM	TO	MS	[FROM UNIT: [REDACTED] U1A26 04:54 ck <!XS> <XF TP=MC> <STID>_4UG12BTC2H7I <SRL>U1A26,U1A24 </XF> <!XE>
2/9/2022 4:57:01AM	TO	MS	[FROM UNIT: [REDACTED] U1SM2 04:57 940 Kinney conference room <!XS> <XF TP=MC> <STID>_4UG15BHETAOP <SRL>U1SM2,U1A24,U1A26 </XF> <!XE>
2/9/2022 5:49:14AM	FR	BY	4384 [REDACTED] 054912 1992449 6724444 38.631879 -121.430163 53.48 0 0 211 N N TXT/MSGID/4 MIL/19300 MOK/Y ROK/Y OFFC/Y REM/EOW at 0600

---

**From:** [Desiree Sayles](#)  
**To:** [OPSA](#)  
**Cc:** [Neil Cybulski](#)  
**Subject:** IAD2022-039  
**Date:** Monday, February 14, 2022 1:01:11 PM  
**Attachments:** [KINNEY-CAPTOFFICE\\_20220210\\_053344.pdf](#)

---

Good afternoon –

Attached is the SPD 330 for IAD2022-039.

**Summary:** [REDACTED] was upset with the way his contact with Ofc. McVey was conducted.

**Allegation(s):** Service

Thank you,

*Desiree Sayles*

Internal Affairs Division  
Sacramento Police Department  
Desk: (916)808-3796  
Main: (916)808-2290

*\*Email correspondence with the City of Sacramento (and attachments, if any) may be subject to the California Public Records Act, and as such may therefore be subject to public disclosure unless otherwise exempt under the Act*

**From:** [Desiree Sayles](#)  
**To:** [OPSA](#)  
**Cc:** [Michael Rinehart](#)  
**Subject:** IAD2022-039  
**Date:** Tuesday, August 23, 2022 1:47:00 PM

---

Good afternoon –

The allegation(s) for IAD2022-039 has been changed from service to **discourtesy, conduct unbecoming, improper search & seizure, force, and improper tactics.**

Thank you,

*Desiree Sayles*

Internal Affairs Division  
Sacramento Police Department  
Desk: (916)808-3796  
Main: (916)808-2290

*\*Email correspondence with the City of Sacramento (and attachments, if any) may be subject to the California Public Records Act, and as such may therefore be subject to public disclosure unless otherwise exempt under the Act*

**From:** [OPSA](#)  
**To:** [Desiree Sayles](#)  
**Cc:** [Michael Rinehart](#); [LaTasha Watson](#); [Dwight White](#); [Brian Kinney](#); [Michele Valeros](#)  
**Subject:** RE: IAD2022-039  
**Date:** Tuesday, December 13, 2022 2:08:23 PM  
**Attachments:** [image001.png](#)  
[OPSA CLOSE OUT FORM OPSA2022-0052\[IAD2022-039\].pdf](#)

---

Hi Desiree,  
Close case. No further questions.  
Thank you,  
*Alayna A Magdaleno*  
Executive Assistant to the Director  
Office of Public Safety Accountability  
915 I Street, HCH 3rd Floor  
Sacramento, CA 95814  
Direct: (916) 808-7537  
Main Line: (916) 808-7525



---

**From:** Desiree Sayles <dsayles@pd.cityofsacramento.org>  
**Sent:** Thursday, December 1, 2022 2:39 PM  
**To:** OPSA <OPSA@Cityofsacramento.org>  
**Cc:** Michael Rinehart <mrinehart@pd.cityofsacramento.org>; Neil Cybulski <ncybulski@pd.cityofsacramento.org>  
**Subject:** IAD2022-039

Good afternoon –

Attached is the SPD 332 for IAD2022-039. The IA file will be shared via One Drive and Evidence.com.

Thank you,

*Desiree Sayles*

Internal Affairs Division  
Sacramento Police Department  
Desk: (916)808-3796  
Main: (916)808-2290

*\*Email correspondence with the City of Sacramento (and attachments, if any) may be subject to the California Public Records Act, and as such may therefore be subject to public disclosure unless otherwise exempt under the Act*

## Close Out Form

**Date:** December 13, 2022

**IA Case #:** IAD2022-039

**OPSA Case #:** OPSA2022-0052

**Complainant's Name:** [REDACTED]

**Employee(s) Name:** Officer J McVey [0293]

**OPSA:**

- ☒ CLOSE CASE
- ☐ DO NOT CLOSE

**Notes:**

Sustained

**OPSA Review:**

Agree

**Approved By:**

LaTasha Watson, Director  
Office of Public Safety Accountability

## Request for Review Form

**Date of Request:** February 24, 2022

**IA Case #:** IAD2022-039

**OPSA Case #:** OPSA2022-0052

**Complainant's Name:** [REDACTED]

**Employee(s):** Officer J McVey [0293]

**OPSA:**



**WILL** REVIEW



**WILL NOT** REVIEW\*

*\* Send DISPOSITION form(s) to OPSA upon completion of case.*



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# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



## 210.04 GENERAL AND PROFESSIONAL CONDUCT 5-7-21

### PURPOSE

The purpose of this order is to establish criteria for the general and professional conduct of Department employees.

### PREAMBLE

Working in partnership with the community to protect life and property, solve neighborhood problems, and enhance the quality of life in our City shall be the mission of the Department.

### POLICY

It shall be the policy of the Sacramento Police Department to ensure exemplary conduct of Department employees, both on and off duty, and in keeping with the standards of the City Charter, Civil Service Rules and Regulations, and established labor agreements.

### PROCEDURE

#### A. PROFESSIONAL CONDUCT (ALL EMPLOYEES)

1. Employees on or off duty shall
  - a. Be governed by ordinary and reasonable rules of good conduct and behavior.
  - b. Not commit any act whether negligent, intentional, criminal, or otherwise that could bring discredit upon the Department or the City.
  - c. Abide by all laws to include, but not limited to the Penal Code, the Health and Safety Code, and the Welfare and Institutions Code. In addition, employees shall ensure that their personal vehicles are compliant with the California Vehicle Code.
2. Employees shall
  - a. When they become aware of possible misconduct by another Department employee, on or off duty, immediately report the incident to a supervisor and/or directly to the Internal Affairs Division.
  - b. Not retaliate or in any way attempt to negatively influence or prevent an employee from reporting possible misconduct. After an employee makes a report of possible misconduct, employees shall not take any retaliatory action against that employee.
  - c. Serve the public by direction, counsel, and example that does not interfere with the discharge of their police responsibilities. They shall respect and protect the rights of individuals and perform their services with honesty and integrity.
  - d. Be responsible for establishing and maintaining a high spirit of cooperation and respect for others throughout the Department.
  - e. Treat other employees in the Department, regardless of rank, with the respect due to them as fellow employees.
  - f. Properly perform assigned police responsibilities during a scheduled shift.  
**NOTE: Improper performance or failure to perform assigned police responsibilities during a scheduled shift shall be regarded as neglect or dereliction of duty and cause for disciplinary action.**
  - g. Not speak slightingly or express humiliating discourtesies or derogatory comments to or engage in any harassing behavior towards any person. Employees should refrain from the use of profanity.
  - h. When contacting the public in the performance of their official duties
    - (1) Courteously and accurately provide all appropriate information upon request.
    - (2) Respectfully provide their name, badge, and/or identification number upon request.





# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



(3) Impartially serve all persons coming to the attention of the Department.

- i. Remain awake while on duty. If unable to stay awake, employees shall report this fact to their supervisor, who shall determine the appropriate course of action.

**NOTE: Sleeping on duty shall be regarded as dereliction of duty and cause for disciplinary action.**

- j. Not lend, sell, or permit the use of their badges or credentials by other employees/persons under any circumstances.
- k. Not seek the influence or intervention of any person outside the Department for purposes of personal advantage, transfer, or advancement.
- l. Not use any electronic amplifying or recording device to eavesdrop upon or record the conversation of any other employee without their knowledge. This shall not prohibit the use of taping devices or electronic amplifying or recording devices during criminal investigations or other law enforcement activity in which there is no expectation of privacy.
- m. Not file false, inaccurate or improper information orally or in writing, either personally or through another employee, for criminal prosecution, personal gain, or for unearned recognition, including sick or injury reports, falsification of public records, or for any other purpose.
- n. Submit written reports as required by Department orders or instructions from a superior.
- o. Pay their debts promptly.
- p. Maintain a telephone with voicemail capability where they can be reached during any emergency requiring their services. NOTE: Employees on duty or officially on call shall be directly available by normal communication, including cellular telephones.
- q. Complete an Emergency Notification Form (SPD 552) pursuant to General Order 256.01 (Address and Telephone Changes).
- r. Upon notification of an emergency, report for duty as soon as reasonably possible or in compliance with the directive given upon notification.
- s. Not interfere with any person arrested, case under investigation, or case being prosecuted, with the intention of doing physical harm, delaying, or preventing the case from reaching a successful conclusion in accordance with lawful procedure.
- t. Not converse with arrested persons unless required by the nature of their police duties or connected with an official investigation of a case.
- u. Report all facts in writing to the COP if they receive any information that the lawful prosecution of any criminal charge is being, or has been, interfered with in any manner that would indicate any unlawful compounding, compromising, or fixing.
- v. Not, while on duty, suggest, recommend, advise, or otherwise counsel the retention of any attorney or bail bond broker to any person coming to their attention as a result of police business. Employees shall not
  - (1) Convey communications between prisoners and their attorneys, bail bond brokers, or persons involved in a criminal or civil case of interest to this Department. A supervisory officer may exercise such authorization when an in-custody prisoner requests a specific attorney to be contacted.
  - (2) Act as bailor for any person in custody where a fee, gratuity, or reward is solicited or accepted.

### B. AUDIOVISUAL MEDIA FOR SOCIAL NETWORKING OR PERSONAL USE

- 1. All audiovisual media (e.g., film/digital images, video, etc.) captured in the performance of an employee's duties shall be considered property of the Sacramento Police Department.
- 2. It shall not be recorded, printed, downloaded, or distributed for an employee's personal or non-Departmental use unless used in a manner approved by the Chief of Police.



# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



3. Employees shall not use personally-owned cameras or equipment (including cellular phone cameras) to capture audiovisual media during the performance of their duties pursuant to GO 525.04 (Use of Digital Cameras for Investigative Purposes).
4. If a situation exists in which the use of personal or non-Departmental equipment is deemed necessary, employees shall notify their supervisor.

### C. GRATUITIES

1. A gratuity is defined as any gift or reduction in normal price, offered or given, whether solicited or not, because of one's position with the Police Department. These include
  - a. Discounts or free food and drink (including coffee) at restaurants and drive-ins.
  - b. Discounts or free admission to places of amusement (e.g., sporting events and theaters) on or off duty.
2. Employees shall not accept any gratuity as they represent a compromise of our professional status.
3. This order shall apply only to those types of gratuities that are given to employees because of their employment with the Police Department. Discount prices offered to employee groups as a normal procedure for business operations shall not be prohibited by this order.
4. Employees offered or who suspect that they have been given a gratuity shall
  - a. Explain to the donor that they cannot accept a discount or gift as it is against Department policy.
  - b. Ask the person(s) offering to cooperate with the Department in doing their part to eliminate this practice.
5. Supervisors who are made aware of the gratuity shall
  - a. Contact the business person(s) suspected of or known to offer gratuities and advise them of the Department policy.
  - b. Advise these persons that if the practice continues, it may result in officers not being allowed to frequent the establishment during duty hours. NOTE: Officers invited to various functions to speak or for other purposes as Department representatives are allowed to accept free meals.
6. Department personnel in their capacity as City employees shall not endorse products or services when they know or should reasonably know the endorsement identifying the Department will be used for advertising.

### D. SUPERVISION/LAWFUL ORDERS

1. Employees are subject to the lawful supervision of all superiors.
  - a. Any employee given an order in conflict with any previous order or direction shall call the conflict to the attention of the person giving the order.
  - b. If that supervisor requires the order still be carried out, the employee shall comply and the responsibility for the conflict and the action taken by the employee shall rest with that supervisor.
2. Supervisors shall not knowingly issue any order that is in violation of any law, ordinance, Department order, or the Law Enforcement Code of Ethics.
3. Employees shall fulfill the functions of the Department and the office to which they are assigned and perform any lawful duty assigned by a superior.
4. The willful disobedience of any lawful order issued by a superior is insubordination.
5. Employees shall not publicly criticize instructions or orders received.
6. Employees in doubt as to the nature or details of their assignment shall seek clarification from their supervisor.

### E. OFFICER RESPONSIBILITY

1. Officers shall act reasonably within the limits of their authority as defined by statute and judicial



# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



interpretations to ensure the rights of both the individual and the public are protected.

2. Officers, on or off duty, shall take appropriate police action toward aiding all fellow peace officers exposed to danger.
3. On duty officers shall
  - a. Be in uniform/properly dressed and have required equipment required on/with them.
  - b. Be attentive and alert to the directions of supervisors at roll call.
  - c. Acquaint themselves daily with the information provided by the Department (e.g., AB, IB, SNOW, etc.).
  - d. Respond to their given assignment promptly and remain to the end of their shift, unless otherwise relieved.
  - e. Be attentive to reports and complaints by citizens and take appropriate action or refer them to the appropriate person or agency.
  - f. Not allow prisoners or suspects access to weapons or objects readily adaptable as weapons.
  - g. Respond as soon as possible to calls meeting the criteria for police assistance from citizens or other officers.
    - (1) Failure to answer a call for police assistance promptly without justification shall be regarded as dereliction of duty and cause for disciplinary action.
    - (2) Except under extraordinary circumstances or when otherwise directed by a supervisor, employees shall not fail to answer any direct landline or radio call directed to them.
  - h. When in plain clothes, conspicuously display their badge if their firearm is exposed.
4. Off-duty officers shall perform reasonable police services pursuant to GO 570.02 (Crimes Involving Officers or Their Families).
5. Plainclothes off-duty officers shall not wear or carry their firearm conspicuously exposed.
6. On or off-duty plainclothes officers shall not draw or display their firearm in any public place except during the course of an arrest or investigation or when an officer reasonably believes it is necessary for their safety or the safety of others.
7. Officers outside the boundaries of this state for extradition or other matters of direct concern to the City shall not engage in police activities unless necessary in the performance of their extradition duties as an agent of the state, and then only after consideration of the tactical situation. If an officer does engage in police activities, he/she must notify the Department as soon as reasonably practical after taking such action.
8. The priority of call assignments depends on many factors and shall normally be the responsibility of Communications personnel and field supervisors.
  - a. Officers may delay responding to a call if
    - (1) Contacted by a citizen in need of immediate police attention.
    - (2) Personal observation of an event requires immediate police attention.
  - b. Such determination shall be based on the comparative urgency and the risk to life and property of the assigned call and the intervening incident.
  - c. When it is impossible for an officer to handle a citizen's concern or an observed event, the officer shall, if circumstances permit, either give directions for obtaining such assistance or initiate the necessary notifications.

### **F. MEALS/PERSONAL BUSINESS**

1. While on duty, employees shall
  - a. Devote their time to the performance of police functions.
  - b. Not carry on personal business. Personal visitations shall only be made during the approved meal period.
  - c. Arrange for a meal period in accordance with the established labor agreements and the schedule made by the employees' supervisors and/or the need for police service.



# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



- d. Not play any illegal games of chance for money.
- e. Not, while in uniform, shop or carry packages containing merchandise unless required in the line of duty.
- f. Not leave their assigned area for any reason other than for police duties without permission from their supervisor. Approval or disapproval of the request shall be within the authority of the supervisor and shall be based on the following considerations, including, but not limited to:
  - (1) Distance from the work area.
  - (2) Anticipated time required.
  - (3) Expected workload.
  - (4) Need for police services.

- 2. No more than four (4) uniformed personnel and a maximum of three (3) marked cars shall be permitted at a place of business or parked together except for official business.
- 3. Police Department cashiers shall not cash personal checks for employees at any time.

### G. ABSENCE WITHOUT LEAVE

- 1. Employees shall report for duty as scheduled unless absence is authorized by a supervisor.
- 2. Employees shall be absent without leave upon failing to appear for duty at the date, time, and location specified without supervisory approval.
- 3. Supervisors shall report absences without leaves as follows:
  - a. Absences of one (1) day shall be reported in writing to the respective division/watch commander.
  - b. Absences in excess of one (1) day shall be reported in writing to the Chief of Police (COP).

### H. ALCOHOL/DRUG IMPAIRMENT

- 1. Employees shall not
  - a. Use or possess marijuana or marijuana products, as defined by California H&S code Section 11018.1, medical or otherwise, on or off duty.
  - b. Drink alcoholic beverages to an extent that renders them unfit to report for their next regularly scheduled shift.  
Appear on duty under the influence of any alcoholic beverage or drug.
  - c. While on duty, transport alcoholic beverages in a police vehicle except as evidence, property of the prisoner or suspect, or found property.
  - d. Carry a firearm on or off duty when impaired due to being under the influence of alcohol, medication, or any other substance.
  - e. While on duty or on call, drink any kind of intoxicating beverage or take any intoxicating drugs.
    - (1) Employees shall notify their supervisor if they are taking, while on duty or on call, a prescribed medication that may impair their judgment or performance.
    - (2) Supervisors shall follow GO 220.06 (Employees Suspected of Working Under the Influence - WUI) concerning the employee's fitness for duty or his/her ability to remain on call.
- 2. Plainclothes officers may, while on special assignment, partake of an alcoholic beverage when necessary for the performance of such assignment.
  - a. The alcoholic beverage shall be consumed in moderation and officers shall not become intoxicated.
  - b. Advance notice of the assignment shall be given to the Division Commander. This advance notice shall include pertinent details of the assignment, as well as the specific location(s) (if known) where the employees are going to consume alcoholic beverages.
- c. Employees working hours during which their respective division commander is not available shall give advance notice to an on-duty watch commander



# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



### 580.02 USE OF FORCE 12-16-21

#### PURPOSE

This policy establishes guidelines for the use and application of force, as well as the procedures for after-force medical care.

#### POLICY

The Sacramento Police Department (SPD) values the sanctity of human life and the freedoms guaranteed by the United States and California constitutions. Use of force (UOF) by peace officers is of important concern to the community. The role of law enforcement is to safeguard life, dignity, and liberty of all persons, without prejudice to anyone. Peace officers shall carry out duties, including UOF, in a manner that is fair and unbiased. This policy will be regularly reviewed and updated by the Professional Standards Division to reflect developing practices and procedures.

It is the policy of the Department that a peace officer is justified in using deadly force upon another person only as a last resort when reasonable alternatives have been exhausted or are not feasible and the officer reasonably believes, based on the totality of the circumstances, that such force is necessary.

This policy is based upon Assembly Bill 392 as codified in Penal Code 835a which states:

- (a) The Legislature finds and declares all of the following:
  - (1) That the authority to use physical force, conferred on peace officers by this section, is a serious responsibility that shall be exercised judiciously and with respect for human rights and dignity and for the sanctity of every human life. The Legislature further finds and declares that every person has a right to be free from excessive use of force by officers acting under color of law.
  - (2) As set forth below, it is the intent of the Legislature that peace officers use deadly force only when necessary in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer.
  - (3) That the decision by a peace officer to use force shall be evaluated carefully and thoroughly, in a manner that reflects the gravity of that authority and the serious consequences of the use of force by peace officers, in order to ensure that officers use force consistent with law and agency policies.
  - (4) That the decision by a peace officer to use force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force.
  - (5) That individuals with physical, mental health, developmental, or intellectual disabilities are significantly more likely to experience greater levels of physical force during police interactions, as their disability may affect their ability to understand or comply with commands from peace officers. It is estimated that individuals with disabilities are involved in between one-third and one-half of all fatal encounters with law enforcement.





# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



- (b) Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force to effect the arrest, to prevent escape, or to overcome resistance.
- (c) (1) Notwithstanding subdivision (b), a peace officer is justified in using deadly force upon another person only when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for either of the following reasons:
  - (A) To defend against an imminent threat of death or serious bodily injury to the officer or to another person.
  - (B) To apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Where feasible, a peace officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.
- (2) A peace officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.
- (d) A peace officer who makes or attempts to make an arrest need not retreat or desist from their efforts by reason of the resistance or threatened resistance of the person being arrested. A peace officer shall not be deemed an aggressor or lose the right to self-defense by the use of objectively reasonable force in compliance with subdivisions (b) and (c) to effect the arrest or to prevent escape or to overcome resistance. For the purposes of this subdivision, "retreat" does not mean tactical repositioning or other de-escalation tactics.
- (e) For purposes of this section, the following definitions shall apply:
  - (1) "Deadly force" means any use of force that creates a substantial risk of causing death or serious bodily injury, including, but not limited to, the discharge of a firearm.
  - (2) A threat of death or serious bodily injury is "imminent" when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.
  - (3) "Totality of the circumstances" means all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force.

## POLICY AND PROCEDURE

### A. DEFINITIONS AND CONCEPTS

1. **IMMINENT THREAT OF DEATH OR SERIOUS BODILY INJURY** - A threat of death or serious bodily injury is "imminent" when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.
2. **FEASIBLE** - Reasonably capable of being done or carried out under the totality of the circumstances to successfully achieve the lawful objective without increasing risk to the peace officer or another person.



# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



3. **TOTALITY OF THE CIRCUMSTANCES** – All facts known to, or perceived by, the peace officer at the time, including the conduct of the officer and the subject leading up to the UOF.
4. **PROPORTIONALITY** - The balance of the severity of the offense committed, the threat to public safety and the level of force needed to overcome resistance based on the totality of the circumstances known to, or perceived by, the officer at the time.
5. **DE-ESCALATION** - Taking action or communicating verbally or nonverbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the UOF or with a reduction of the force necessary. De-escalation tactics include, but are not limited to, warnings, verbal persuasion, and tactical repositioning.
6. **CRISIS INTERVENTION TECHNIQUES (CIT)** - A collaborative approach to safely and effectively address the needs of people with mental illnesses, link them to appropriate services, and divert them from the criminal justice system if appropriate. The primary goal of CIT is to improve peace officer and mental health consumer safety while reducing injuries to peace officers and consumers during law enforcement contacts. Crisis intervention techniques include using distance, time, verbal tactics, or other tactics to de-escalate a situation.
7. **REACTIVE AUTHORITY**- Pre-determined set of force directives given during a critical incident, provided by the Incident Commander or designee, regarding the type of force authorized to effect an arrest, overcome resistance, prevent escape, and/or to preserve life. The reactive authority shall be consistent with current policy and law.
8. **PERSONAL BODY WEAPON (PBW)** - Improvised use of a part of a peace officer's body, including but not limited to the head, hands, arms, legs, and feet, as a weapon.
9. **LEVELS OF RESISTANCE**
  - a. **COMPLIANT** - Subject offers no resistance.
  - b. **PASSIVE NON-COMPLIANCE** – Subject does not respond to verbal commands but also offers no physical form of resistance.
  - c. **ACTIVE RESISTANCE** – Subject uses evasive movements in an attempt to defeat a peace officer's attempt at control, including bracing, tensing, running away, verbally or physically signaling an intention to avoid or prevent being taken into or retained in custody.
  - d. **ASSAULTIVE** – The subject is aggressive or combative; attempting to assault the peace officer or another person, verbally or physically displays an intention to assault the peace officer or another person.
  - e. **LIFE-THREATENING** – The subject is taking action likely to result in serious bodily injury or death of the peace officer or another person.
10. **FORCE DEFINITIONS**
  - a. **REPORTABLE UOF** - Any UOF that causes injury as defined below; any UOF whether or not it results in injury, involving the discharge of a firearm, a canine bite, or use of an impact weapon, chemical agent, or CED; and any UOF, whether or not it results in injury, that deviates from the techniques taught and the equipment provided by the department (section G.4. & G.5.).
  - b. **LESS LETHAL FORCE**- Any force that is not reasonably likely to cause death. Less lethal force options include, but are not limited to, the use of the CED, baton, chemical agents, 40mm projectiles, bean bag shotgun rounds, personal body weapons, and control holds.
  - c. **DEADLY FORCE** - Any use of force that creates a substantial risk of causing death or serious bodily injury, including, but not limited to, the discharge of a firearm.
11. **INJURY DEFINITIONS**
  - a. **INJURY** - Any visible bodily injury or complaint of bodily injury (non-visible injury) reasonably related to the UOF applied. This type of injury does not include the temporary pain associated with the proper application of control holds and/or restraints.



# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



- b. SERIOUS BODILY INJURY- Bodily injury that involves a substantial risk of death, unconsciousness, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ.
- 12. POSTITIONAL ASPHYXIA – Situating a person in a manner that compresses their airway and reduces the ability to sustain adequate breathing. This includes, without limitation, the use of any physical restraint that causes a person’s respiratory airway to be compressed or impairs the person’s breathing or respiratory capacity, including any action in which pressure or body weight is unreasonably applied against a restrained person’s neck, torso, or back, or positioning a restrained person without reasonable monitoring for signs of asphyxia.
- 13. RETALIATION – Demotion, failure to promote to a higher position when warranted by merit, denial of access to training and professional development opportunities, denial of access to resources necessary for an officer to properly perform their duties, or intimidation, harassment, or the threat of injury while on duty or off duty.
- 14. INTERCEDE- For purposes of this policy, the term “intercede” includes, but is not limited to, physically stopping an excessive use of force, recording the excessive force, if equipped with a body-worn camera, and documenting efforts to intervene, efforts to deescalate the offending officer’s excessive use of force, and confronting the offending officer about the excessive force during the use of force; and if the offending officer continues, reporting to dispatch or the watch commander on duty and stating the offending officer’s name, unit, location, time, and situation, in order to establish a duty for that officer to intervene.
- 15. EXCESSIVE FORCE- A level of force that is found to have violated Section 835a of the Penal Code, the requirements on the use of force required by this section, or any other law or statute, including Section 835a of the Penal Code and Section 7286 of the Government Code.
- 16. KINETIC ENERGY PROJECTILES- For purposes of this policy, the term “kinetic energy projectiles” means any type of device designed as less lethal, to be launched from any device as a projectile that may cause bodily injury through the transfer of kinetic energy and blunt force trauma. For purposes of this section, the term includes, but is not limited to, items commonly referred to as rubber bullets, plastic bullets, beanbag rounds, and foam tipped plastic rounds.
- 17. CHEMICAL AGENTS- For purposes of this policy, the term “chemical agents” means any chemical that can rapidly produce sensory irritation or disabling physical effects in humans, which disappear within a short time following termination of exposure. For purposes of this section, the term includes, but is not limited to, chloroacetophenone tear gas, commonly known as CN tear gas; 2-chlorobenzalmalonitrile gas, commonly known as CS gas; and items commonly referred to as pepper balls, pepper spray, or oleoresin capsicum.

### B. DUTY TO INTERCEDE

- 1. If a peace officer observes another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject, the peace officer shall intercede, when feasible to do so under the totality of the circumstances. If they do not do so, they shall be subject to discipline to the same severity as if they themselves engaged in the excessive force.
- 2. Peace officers shall immediately report potential excessive force to a superior officer when present and observing another officer using force that the officer believes to be beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances based upon the totality of information actually known to the officer.
- 3. Retaliation against a peace officer that reports a suspected violation of a law or regulation of another officer to a supervisor or IA is prohibited.

### C. VERBAL WARNING





# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



If feasible, and if doing so would not increase the danger to the peace officer or another person, the peace officer shall make every attempt to identify themselves and to issue a clear and comprehensible verbal warning before using any force that is likely to cause serious bodily injury or death, so that the subject(s) are given the opportunity to submit to the authority of the peace officer.

### D. RENDERING MEDICAL AID

Peace officers on scene shall promptly render aid and/or summon medical assistance when reasonable and safe to do so pursuant to GO 522.02 (Emergency Care for Individuals Under Police Care or Control) when any UOF has resulted in any type of injury or death regardless of custody status.

### E. USE OF FORCE DURING AN ASSEMBLY, PROTEST, OR DEMONSTRATION

1. Peace officers using kinetic energy projectiles or chemical agents during an assembly, protest, or demonstration shall ensure that such force is used pursuant to RM 532.11 (First Amendment Assembly Manual) and GO 580.12 (Less Lethal Munitions).
2. Peace officers shall only use kinetic energy projectiles or chemical agents during an assembly, protest, or demonstration if the use is objectively reasonable to defend against a threat of life or serious bodily injury to any individual, including a peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with all of the following requirements:
  - a. De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
  - b. Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
  - c. Persons are given an objectively reasonable opportunity to disperse and leave the scene.
  - d. An objectively reasonable effort has been made to identify persons engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of persons.
  - e. Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
  - f. Officers shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
  - g. An objectively reasonable effort has been made to extract individuals in distress.
  - h. Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.
  - i. Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.
  - j. Kinetic energy projectiles or chemical agents shall not be used by any law enforcement agency solely due to any of the following:
    - (1) A violation of an imposed curfew.
    - (2) A verbal threat.
    - (3) Noncompliance with a law enforcement directive.
  - k. If the chemical agent to be deployed is tear gas, only a lieutenant or above at the scene of the assembly, protest, or demonstration may authorize the use of tear gas.

### F. GENERAL CONSIDERATIONS GOVERNING USE OF FORCE

1. Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force necessary to effect the arrest, to prevent escape, or to overcome resistance.
2. A peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance or threatened resistance of the person being arrested. A peace officer shall not be deemed an aggressor or lose his right to self-defense by the use of objectively reasonable force in



# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



compliance with subsections E.1 and F.1-2 to effect the arrest or to prevent escape or to overcome resistance. For the purposes of this paragraph, “retreat” does not mean tactical repositioning or other de-escalation tactics.

3. A peace officer shall consider the principles of proportionality in looking at the totality of the circumstances by weighing the severity of the offense, the reasonably perceived level of resistance and the need for apprehension prior to the utilization of force. A peace officer shall continually evaluate tactics when determining the appropriate UOF response.
4. The decision by a peace officer to use force shall be evaluated carefully and thoroughly, in a manner that reflects the gravity of that authority and the serious consequences of the use of force by peace officers, in order to ensure that officers use force consistent with law and department policies.
5. The decision by a peace officer to use force shall be evaluated from the perspective of a reasonable peace officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight. The totality of the circumstances shall account for occasions when peace officers may be forced to make quick judgments about using force.
  - a. Circumstances of consideration may include, but are not limited to:
    - (1) The immediacy and severity of the perceived threat
    - (2) The conduct of the subject
    - (3) Officer versus subject factors such as age, size, relative strength, skill level, injuries sustained, level of exhaustion and number of peace officers available versus subjects
    - (4) The conduct of the involved peace officer
    - (5) The effects of drugs or alcohol
    - (6) The subject’s apparent mental state or capacity
    - (7) The subject’s apparent ability to understand and comply with officer commands
    - (8) The proximity or access of weapons to the subject
    - (9) The level of threat or resistance presented by the subject
    - (10) The availability of other reasonable and feasible options and their possible effectiveness
    - (11) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained
    - (12) The seriousness of the subject offense or reason for contact with the subject
    - (13) The training and experience of the peace officer
    - (14) The potential for injury to peace officers, subjects or another person
    - (15) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the peace officer
    - (16) The risk and reasonably foreseeable consequences of escape or apparent attempt by the subject
    - (17) Prior contacts with the subject or awareness of any propensity for violence
    - (18) Environmental factors and/or other exigent circumstances
    - (19) The availability of other resources

Not all of the above factors may be present or relevant in a particular situation, and there may be additional factors not listed.

6. When using force, a peace officer should only use techniques and equipment that are approved by the department. Circumstances may arise in which a peace officer reasonably believes that it would be impractical or ineffective to use any of the tools, weapons or techniques provided by SPD. A peace officer may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the peace officer may resort to using any objectively reasonable means of force. The use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.



# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



7. When feasible, peace officers shall attempt to de-escalate situations.
8. When a peace officer reasonably believes they are dealing with a mentally ill, developmentally disabled, or an emotionally disturbed subject, the officer shall, if time and circumstances reasonably permit, utilize CIT.

### F. CONSIDERATIONS GOVERNING USE OF DEADLY FORCE

1. Notwithstanding subsection E.1, a peace officer is justified in using deadly force upon another person only as a last resort when reasonable alternatives have been exhausted or are not feasible and the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for either of the following reasons:
  - a. To defend against an imminent threat of death or serious bodily injury to the officer or to another person.
  - b. To apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Where feasible, a peace officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.
2. A peace officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.
3. A subject gaining control of one or more pieces of a peace officer's equipment, without the subject presenting an imminent threat of serious bodily injury or death, is not enough by itself to justify the use of deadly force.
4. A peace officer may discharge a firearm in the performance of their official duty:
  - a. Pursuant to Section F. 1.-4; or
  - b. At a firing range, pursuant to all safety rules and regulations; or
  - c. In order to stop a potentially aggressive animal, such as a dog, if the animal reasonably appears to pose an imminent threat of serious bodily injury or death to a peace officer or to another person and alternative methods are not feasible or would likely be ineffective.
    - (1) In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, Conducted Energy Device, oleoresin capicum (OC) spray, animal control peace officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.
5. Firearms shall not be discharged as a warning.
6. Peace officers shall consider their surroundings and potential risks to bystanders and other peace officers to the extent reasonable under the circumstances, before discharging a firearm.
7. When a peace officers discharges or attempts to discharge a firearm while on or off duty, intentionally or accidentally, the employee shall immediately notify the on-duty watch commander. This does not include intentional discharges at a range or for recreational purposes (e.g., hunting, private target practice, or other similar activities).

### G. PROHIBITED USES OF FORCE

1. Peace officers shall not use force:
  - a. By means of a carotid restraint, choke hold, or any other type of neck restraint.
  - b. Or utilize any transport methods that involve a substantial risk of positional asphyxia.
  - c. Against subjects who are not subject to arrest or detention, except to protect the officer or another person.
  - d. Against subjects who are handcuffed or otherwise restrained, except where the subject is actively resisting, attempting escape, or poses an imminent threat of harm to the peace officer, themselves or another person.



# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



- e. For the sole purpose of preventing the exercise of first amendment rights, when a legitimate law enforcement purpose does not exist.
- f. For the sole purpose punishment or retaliation.
- g. To stop a subject from swallowing a substance that is already in their mouth.

### H. VERBALIZATION DURING UNLAWFUL ASSEMBLY OR PROTEST

- 1. When feasible, peace officers should verbalize any use of force that is utilized during a mass protest/unlawful assembly. The following should be verbalized on body worn camera:
  - a. Location of where the use of force occurred
  - b. Type of force that was utilized
  - c. Reason for the use of force
  - d. Description of subject for whom the use of force was intended

### I. FORCE OPTIONS

- 1. Peace officers have a variety of force options available to them. Peace officers do not need to follow a continuum of force but shall select the UOF they deem appropriate for the circumstances, ensuring their UOF complies with the law, the provisions of this policy and any specific SPD policies or manuals governing the type of force they select to use.
- 2. Peace officers shall continue to assess their UOF selection and either transition to a different UOF option or discontinue a UOF based on their assessment, ensuring their UOF option remains reasonable for the circumstances.
- 3. Equipment for Sworn Peace Officers
  - a. Issued and required on person
    - (1) Firearm
    - (2) Conductive Energy Devices (CED)
    - (3) Impact weapons (Baton)
    - (4) Handcuffs
    - (5) Radio
    - (6) Oleoresin Capsicum (OC) spray
    - (7) Body Worn Camera (BWC)
    - (8) Flexible Body Armor
  - b. Issued and need to have readily available. This is not a complete list of other issued equipment:
    - (1) Less Lethal Shotgun (readily available in patrol vehicle)
    - (2) Patrol rifle (readily available in patrol vehicle and for qualified sworn personnel)
    - (3) Flashlight
    - (4) Gas Mask
    - (5) Ballistic Helmet
    - (6) Orange reflective vest
- 4. Required Equipment Issuance and UOF options for Non-Sworn Uniformed Department Personnel
  - a. Issued and required on duty belt:
    - (1) Oleoresin Capsicum (OC) spray
    - (2) Conductive Energy Devices (CED)
- 5. UOF Options for Sworn Peace Officers
  - a. The following is an alphabetical list of UOF options. This is not a complete list of options:
    - (1) Bola Wrap
    - (2) Chemical Agents
    - (3) Conductive Energy Devices (CED)
    - (4) Control Holds
    - (5) Discharge of Firearms and Other Deadly Force
    - (6) Impact Weapons (baton)
    - (7) Less Lethal Weapons Systems
    - (8) Personal Body Weapons



# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



- (9) Pointing of a Firearm at a Person
- (10) Takedowns
- (11) Use of Canine
- (12) Verbal Commands/Instructions/Command Presence
- 6. UOF Options for Authorized, Non-Sworn Uniformed Personnel
  - a. Authorized non-sworn uniformed department personnel shall only use the CED or OC in immediate defense of themselves or another member of the department.
  - b. Authorized non-sworn uniformed department personnel who use the CED or OC in defense of themselves or another person shall:
    - (1) Attempt to get away from the situation as soon as possible.
    - (2) Call for code-3 assistance from sworn peace officers as soon as feasible.
- 7. The following is a list of SPD policies and manuals address specific UOF topics:
  - a. GO 522.02 (Emergency Care for Individuals Under Police Care or Control)
  - b. GO 580.03 (Use of Force Reporting, Investigations and Response)
  - c. GO 580.06 (De-escalation and Planned Response)
  - d. GO 580.04 (Firearms)
  - e. GO 580.10 (Use of the Conductive Energy Device (CED))
  - f. GO 580.12 (Less Lethal Weapons Systems)
  - g. GO 580.14 (Use of Canine)
  - h. RM 523.02 (Search and Handcuff Manual)
  - i. RM 532.09 (Arrest of Passive Resisters Manual)
  - j. RM 532.11 (Crowd and Riot Control Manual)
  - k. RM 580.07 (Chemical Agents Manual)
  - l. RM 580.08 (Baton Manual)
- J. USE OF PERSONAL BODY WEAPONS (PBWs)
  - 1. A peace officer may use PBWs to transition to a better position of advantage (i.e., positional change, handcuffing, etc.) to create distance/space, or overcome an assaultive subject.
  - 2. When PBWs are used, peace officers must continually evaluate the ability to transition to a more advantageous position and/or recognize the signs of submission/compliance by the subject.
  - 3. PBWs shall not be utilized against subjects solely engaging in passive non-compliance or merely active resistance.
  - 4. PBWs should not be used on handcuffed persons unless they are exhibiting active aggression and/or to prevent subjects from harming themselves or another person.
- K. USE OF A CONDUCTIVE ENERGY DEVICE (CED)
  - 1. The CED shall be used pursuant to GO 580.10 (Use of the Conducted Energy Device).
  - 2. A peace officer may deploy and use the CED under the following circumstances:
    - a. To incapacitate a subject whose conduct rises at least to the level of active resistance. This includes threats or pre-indicators leading up to assaultive or resistive behavior.
    - b. To incapacitate a suicidal subject who can't be safely controlled through crisis intervention techniques or other force options.
  - 3. Peace officers shall avoid using the CED for more than a total of three (3) five-second cycles (15 seconds), unless the totality of the circumstances are such that a reasonable peace officer would conclude that each subsequent application of the CED, analyzed separately, is warranted by the imminent threat to the officer or another person.
  - 4. CED deployment shall cease when the subject no longer poses an imminent threat of harm to the peace officer or another person.
  - 5. The use of the CED is considered a serious UOF. Each individual cycle of the CED must be objectively reasonable under the circumstances.
  - 6. The CED should not be used on handcuffed persons unless they are actively resisting or exhibiting active aggression and/or to prevent subjects from harming themselves or another person.





# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



### L. POINTING A FIREARM

1. Nothing in this policy shall preclude a peace officer from drawing of a firearm when the officer reasonably believes it necessary for the safety of the officer or another.
2. Detentions involving the pointing of a firearm at a person shall be entered into the Racial Identify Profiling Act database (RIPA) pursuant to GO 210.09.
3. The pointing of a firearm at a person shall be documented in the appropriate report, RIPA and on the Computer Aided Dispatch (CAD) call using the abbreviation "FPAP" (Firearm Pointed At Person).

### M. MOVING VEHICLES

1. A peace officer shall make every reasonable effort to move out of the path of an approaching vehicle.
2. A peace officer shall make every reasonable effort to not intentionally place themselves in a position where a vehicle could be perceived as a threat to the officer.
3. Peace officers shall not discharge a firearm at or from a moving vehicle unless one of the following circumstances exists:
  - a. The peace officer reasonably believes that there is an imminent threat of death or serious bodily injury to a peace officer or another person, by means other than the moving vehicle.
  - b. The peace officer reasonably believes that the driver is using or is attempting to use the vehicle as a means to cause imminent threat of death or serious bodily injury to the peace officer or another person.

### N. TRAINING

1. At least annually, all sworn personnel shall receive training related to this agency's UOF policy and related legal updates for the following:
  - a. Legal standards for UOF
  - b. Duty to intercede
  - c. The use of objectively reasonable force
  - d. Supervisory responsibilities
  - e. UOF review and analysis
  - f. Guidelines for the use of deadly force
  - g. State required reporting
2. Additional regular and periodic training shall include:
  - a. Training standards and requirements relating to demonstrating knowledge and understanding of the law enforcement agency's UOF policy.
  - b. Training and guidelines regarding vulnerable populations, including, but not limited to, children, elderly persons, people who are pregnant, and people with physical, mental, and developmental disabilities.
  - c. Minimum training and course titles related to the objectives in the UOF policy include but are not limited to, the standards in Peace Officers Standards and Training (POST) Learning Domain 20 (Use of Force), and the following:
    - (1) De-escalation and interpersonal communication training, including tactical methods that use time, distance, cover, and concealment, to avoid escalating situations that lead to violence.
    - (2) Implicit and explicit bias and cultural competency.
    - (3) Skills including de-escalation (crisis intervention) techniques to effectively, safely, and respectfully interact with people with disabilities or behavioral health issues.
    - (4) Alternatives to the use of deadly force and physical force, so that de-escalation tactics and less lethal alternatives are, where feasible, part of the decision-making process leading up to the consideration of deadly force. Enhancing a peace officer's discretion and judgment in using less lethal and deadly force in accordance with this policy.
    - (5) Mental health and policing, including bias and stigma.
    - (6) Using public service, including the rendering of first aid, to provide a positive point of contact between law enforcement peace officers and community members to increase trust and reduce conflicts.
    - (7) UOF scenario training including simulations of low-frequency, high-risk situations and calls for service, shoot-or-don't-shoot situations, and real-time force option decision making.



# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



3. All UOF training provided to all sworn personnel shall be documented by the department.
4. Any officer that receives a sustained internal affairs complaint for excessive force will not be allowed to train any officer(s) for a period of three years from the date the complaint is substantiated. This includes:
  - a. Field training
  - b. In-service training
  - c. Academy instruction or evaluation
  - d. Roll Call presentations
5. Officers shall advise any supervisor that tasks him/her with a training assignment that they are not authorized to instruct, teach, or train. Failure to do so will be cause for discipline.
  - a. The officer is not obligated to go into detail about the prior incident or complaint as to why they cannot train other than to advise the supervisor that in accordance with applicable law they are not authorized to train at that time.

### O. REPORTING

1. Supervisors Responsibilities. Upon notification of a reportable UOF, the peace officer's field supervisor shall:
  - a. Respond to the location of the arrest to ensure that a thorough investigation takes place. A thorough investigation into a UOF by a peace officer should include, but is not limited to, an area canvass (for witnesses, evidence and surveillance video), witness statements (which should be obtained by a supervisor or peace officers not involved in the UOF), subject statements, and photographs of the scene and any injuries. If the supervisor is unable to respond to the location of the arrest, the supervisor shall note the reasons why on the call.
  - b. Review the incident with the arresting peace officer and/or other officers.
  - c. Review all recordings (both audio and video) of the event, including In-Car Camera, Body Worn Camera video, and any available surveillance video).
  - d. Assess the appropriateness of the UOF and any charge(s) against the subject.
  - e. Consider arranging for other peace officers to transport and book the subject in the event the subject continues to display hostile, confrontational, or oppositional behavior toward the arresting officer(s).
  - f. A peace officer's field supervisor shall advise the watch commander of any incident involving UOF and initiate a management level review by making a tracking software entry whenever the following reportable UOF events occur:
    - (1) Any reportable UOF that results in the subject requiring a medical clearance (Fit for Incarceration report) prior to booking or, if the subject is not booked into jail or juvenile hall, any injury that would likely require a Fit for Incarceration report.
    - (2) Any reportable UOF, involving the discharge of a firearm, a canine bite, or the use of an impact weapon, chemical agent, or CED.
    - (3) Any reportable UOF that deviates from the techniques taught or the equipment provided by the department.
    - (4) Any UOF the supervisor or Watch Commander determines should be subject to a management level review.
  - g. The field supervisor shall enter the following information into the tracking software:
    - (1) peace officer(s) involved
    - (2) type of force used
    - (3) extent of injuries (if any) to the peace officer and/or subject
    - (4) supervisor's response or reason for no response
    - (5) any administrative actions taken by a supervisor or other managerial personnel
    - (6) all pertinent documents related to the incident (i.e. Red Border, Blue Border, Taser download, etc.)
  - h. Tracking software entries should be completed within 30 days of the incident date and routed in accordance to department procedure.



# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



(1) In cases where a firearm has been discharged or the UOF results in serious bodily injury or death, the tracking software entry shall be completed by FIT personnel.

(2) All uses of force shall be categorized using the level of force definitions. (See Appendix #1.)

P. DISCLOSURE OF PUBLIC RECORDS

The department will disclose public records pursuant to applicable law, including Penal Code Section 832.7.

Q. REPORTING TO THE CALIFORNIA DEPARTMENT OF JUSTICE

PSU shall submit statistical data regarding all qualifying officer-involved shootings and incidents involving UOF resulting in serious bodily injury is to be reported to the California Department of Justice (URSUS) as required by Government Code Section 12525.2.

R. COMPLIANCE

Any member of the public can submit a complaint to any member of the Department and in any form (i.e. in person, telephone, email, etc.). Once the complaint is received, it should be routed to the Internal Affairs Division in accordance with General Order 220.01 (Personnel Complaints).

S. LEGAL REFERENCES

1. California Penal Code Sections 196, 835a, 13652 and 13652.1.
2. California Government Code Sections 7286 and 12525.2.
3. *GRAHAM V. CONNOR* 490 U.S. 386 (1989) sets the legal standard for reasonable force. The court's decision "requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an imminent threat to the safety of the officer or others, and whether he is actively resisting arrest or attempting to evade arrest by flight." In addition, "the 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on scene, rather than with 20/20 vision of hindsight... the question is whether the officers' actions are 'objectively reasonable' in light of the facts and circumstances confronting them."
4. *TENNESSEE V. GARNER* 471 U.S. 1 (1985) is a civil case in which the Supreme Court of the United States held that, under the Fourth Amendment, when a law enforcement officer is pursuing a fleeing suspect, the officer may not use deadly force to prevent escape unless "the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others." It was found that use of deadly force to prevent escape is an unreasonable seizure under the Fourth Amendment, in the absence of probable cause that the fleeing suspect posed a physical danger.





# SACRAMENTO POLICE DEPARTMENT

## GENERAL ORDERS



LEVEL 1	LEVEL 2	LEVEL 3
<ul style="list-style-type: none"><li>• UOF resulting in death</li><li>• UOF resulting in Serious Bodily Injury (SBI)</li><li>• Officer involved shooting resulting in injury or death</li><li>• Officer involved shooting-subject missed</li><li>• Use of vehicle as weapon resulting in SBI</li><li>• In-custody death</li><li>• Use of non-issued equipment resulting in SBI or death</li></ul>	<ul style="list-style-type: none"><li>• Officer involved shooting of an animal</li><li>• Canine bite</li><li>• CED deployment-probe</li><li>• Use of chemical agents</li><li>• Use of baton</li><li>• Use of CED drive stun</li><li>• Use of personal body weapons</li><li>• Use of less lethal weapons systems</li><li>• Use of BolaWrap®</li></ul>	<ul style="list-style-type: none"><li>• Any UOF used to overcome a combative, physically aggressive, or fleeing subject who has delayed, obstructed, or fought with an officer</li><li>• Any UOF that results in a visible injury or complaint of pain by the subject to whom force was applied to. Example: visible scratch, abrasion, complaint of pain however not minor discomfort by application of certain control holds or handcuffs</li></ul>



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



REPORTING REQUIREMENTS FOR LEVEL 1	REPORTING REQUIREMENTS FOR LEVEL 2	REPORTING REQUIREMENTS FOR LEVEL 3
<ul style="list-style-type: none"><li>• Sergeant notification</li><li>• Homicide call out</li><li>• CSI request</li><li>• IAD call out</li><li>• PSU call out</li><li>• PIO call out</li><li>• District Attorney response team</li><li>• OPSA</li><li>• Crime or casualty report</li><li>• Red border form (RM 3)</li><li>• Tracking software entry</li></ul> <p>All call outs are based on the needs of the incident.</p>	<ul style="list-style-type: none"><li>• Sergeant notification</li><li>• Crime or casualty report</li><li>• CSI request</li><li>• Red border form (RM 3)</li><li>• Tracking software entry</li><li>• Watch commander investigation (shooting of an animal)</li></ul>	<ul style="list-style-type: none"><li>• Sergeant notification</li><li>• Incident/crime report</li><li>• CSI request</li><li>• Red border form (RM 3) if there is visible injury</li><li>• No tracking software entry</li></ul>

**INTERVIEW WITH DAVID WILLIAMS**

Rinehart = Sgt. Michael Rinehart

Antonetti = Det. Leah Antonetti

Williams = Ofc. David Williams

Davis = Tim Davis

ANTONETTI The date is August 17, 2022, and the time is 2148 hours. Present in the Internal Affairs office are Ofc. David Williams, Representative Tim Davis, Sgt. Michael Rinehart, and myself, Det. Leah Antonetti. The purpose of this interview is to conduct an interview of David Williams, who is an employee with the Sacramento Police Department in the capacity of officer. This is an administrative investigation on the charges against Ofc. Joel McVey for discourtesy, improper search and seizure, force, and conduct unbecoming of an employee, in which you may be a witness. Do you understand that this is an administrative investigation only?

WILLIAMS Yes.

ANTONETTI The results of this investigation could lead to disciplinary action up to and including termination of the employee allegedly responsible. Do you understand this?

WILLIAMS Yes.

ANTONETTI Based upon the authority vested in me by the Chief of Police, I am ordering you to cooperate with this investigation. This means that you must be truthful in all of your statements and answer all questions fully and honestly. Also, you are ordered to provide, at this time, all information you may know regarding this incident. Failure to answer a question, or failure to answer it truthfully and fully, will be considered a lack of cooperation that could subject you to disciplinary action up to and including termination for insubordination. Do you understand this?

WILLIAMS Yes.

RINEHART Good evening. Sir, can you please state and spell your name for the record?

WILLIAMS David Williams, D-A-V-I-D, W-I-L-L-I-A-M-S.

RINEHART Prior to this interview, I provided you and your representative with the following items: SPD CAD call 22-38292; SPD report 22-38292; your Axon video related

44 to SPD 22-38292; message logs for 1-Alpha-24, dated 02/08/2022 through  
45 02/09/2022. Have you had enough time to review this material?  
46  
47 WILLIAMS Yes.  
48  
49 RINEHART Prior to this interview, did you have enough time to meet with your  
50 representative?  
51  
52 WILLIAMS Yes.  
53  
54 RINEHART Do you have any questions before we begin?  
55  
56 WILLIAMS I do not.  
57  
58 RINEHART How long have you been a sworn peace officer?  
59  
60 WILLIAMS Six years and three months.  
61  
62 RINEHART And what academy did you graduate from?  
63  
64 WILLIAMS 16BR-1.  
65  
66 RINEHART Can you describe your assignments that you've held with the Sacramento Police  
67 Department?  
68  
69 WILLIAMS Team 11, graveyard shift. I've been in graves the whole time.  
70  
71 RINEHART Okay. Do you have any prior law enforcement experience?  
72  
73 WILLIAMS I do not.  
74  
75 RINEHART As a Sacramento Police Department officer, are you expected to be familiar with  
76 our department's general orders, manuals, policies, and training?  
77  
78 WILLIAMS Yes.  
79  
80 RINEHART Are those policies readily available to officers through our automated manual  
81 system (AMS) and Acumen?  
82  
83 WILLIAMS Yes.  
84  
85 RINEHART In the academy, were you taught the levels of force options and de-escalation  
86 techniques?  
87

88 WILLIAMS Yes. Although, I don't think they emphasized de-escalation in my academy.  
89  
90 RINEHART Okay. As an officer, have you attended continued professional training where  
91 they discussed de-escalation tactics?  
92  
93 WILLIAMS Yes.  
94  
95 RINEHART Can you describe how the term "objective reasonableness" applies to situations  
96 where force may be necessary?  
97  
98 WILLIAMS I didn't know there was going to be a test. I'm sorry, can you...?  
99  
100 RINEHART In your own words, what is "objective reasonableness" as an officer?  
101  
102 WILLIAMS What is reasonable and objective. *[laughs]* I don't know. Those are good words.  
103  
104 DAVIS Are you asking him to explain how to figure out when force should be used and  
105 what level?  
106  
107 RINEHART Yes. So, as an officer, what are the — from your experience, what are your  
108 considerations when you determine to use force and whether or not it's  
109 reasonable?  
110  
111 WILLIAMS Myself?  
112  
113 RINEHART Yes. Or appropriate.  
114  
115 WILLIAMS It has to match the situation. So, I mean, if it's someone talking, then obviously  
116 you talk to them. If they escalate or move in an aggressive manner, then that  
117 would cause me to move in that... I don't know. I'm probably not explaining it  
118 right.  
119  
120 RINEHART Okay. Can you describe the importance for officers to maintain professional  
121 conduct during their duties?  
122  
123 WILLIAMS Yeah. It's important. I, myself, have gotten in trouble for that, so I try to project  
124 that professional image all of the time.  
125  
126 RINEHART And what are the impacts that unprofessional conduct can have in our community  
127 when negative contacts occur?  
128  
129 WILLIAMS It makes the department look bad.  
130  
131 RINEHART What is your current patrol team, shift, district, and scheduled days off?

132  
133 WILLIAMS Graves, District 2, Team 11, days off are Friday, Saturday, and Sunday.  
134  
135 RINEHART On February 8th of 2022, what shift were you working, and what was your  
136 identifier?  
137  
138 WILLIAMS I was working the graveyard shift, 2100 to 0700 hours, Alpha-24.  
139  
140 RINEHART How long have you known Ofc. Joel McVey?  
141  
142 WILLIAMS When he joined the team, not this year but the prior year.  
143  
144 RINEHART Can you describe your relationship with Ofc. McVey?  
145  
146 WILLIAMS He is my beat partner.  
147  
148 ANTONETTI Is it strictly a professional relationship?  
149  
150 WILLIAMS I wouldn't say that, no. He's a friend. I mean, we've hung out socially, if that's  
151 the question.  
152  
153 RINEHART Can you describe Ofc. McVey as an officer?  
154  
155 WILLIAMS He's a good person.  
156  
157 RINEHART Okay.  
158  
159 WILLIAMS He's a newer officer.  
160  
161 RINEHART Okay. Can you estimate how long you've worked with Ofc. McVey in a patrol  
162 capacity?  
163  
164 WILLIAMS I would say a year and eight months because we're in August. Right? Yeah.  
165  
166 RINEHART Prior to your shift on February 8th of 2022, did you have any experiences with  
167 Ofc. McVey that would lead you to question his decision-making ability?  
168  
169 WILLIAMS No.  
170  
171 RINEHART Prior to your shift on February 8th of 2022, were you aware of any circumstances  
172 where Ofc. McVey was discourteous with members of the community during his  
173 performance as an officer?  
174  
175 WILLIAMS Discourteous? No.

176  
177 RINEHART Prior to your shift on February 8th of 2022, did Ofc. McVey display any  
178 deficiencies as it relates to his knowledge and experience with search and seizure?  
179  
180 WILLIAMS No.  
181  
182 RINEHART In around February of 2022, can you explain if there was any ongoing issues  
183 around the Speed Wash located in District 2?  
184  
185 WILLIAMS There's been ongoing issues at the Speed Wash since I've been in District 2.  
186  
187 RINEHART Can you describe what the issues have been?  
188  
189 WILLIAMS Most recently — well, this year — and these are not like — the group that deals  
190 drugs and everything at the Wienerschnitzel had been moving over to the Speed  
191 Wash. And within the last year or so, there's been a lot of high traffic for drugs,  
192 loitering, and they're just using the Speed Wash kind of like as an inlet for all  
193 kinds of crime. It's been a constant problem.  
194  
195 RINEHART Okay. And as an officer who works in that area assigned to a patrol team, what  
196 are some things that your team has done to combat that? What do you guys do  
197 when you guys — during your duties?  
198  
199 WILLIAMS When calls allow, I make proactive stops, traffic stops, contact 971's, people  
200 loitering. I ask my team for help, more visible traffic through that area. Even my  
201 sergeant goes through that area.  
202  
203 RINEHART Okay. On February 8th of 2022, can you describe what time your shift started  
204 and ended?  
205  
206 WILLIAMS 2100.  
207  
208 RINEHART On February 8th? And then, would it have — because it's graveyard shift, your  
209 day would have ended the following morning, the 9th of February?  
210  
211 WILLIAMS Yes.  
212  
213 RINEHART Okay. And what time did your shift end around?  
214  
215 WILLIAMS 0700 hours, unless it's my workout day, and then I go in at 0600 hours.  
216  
217 RINEHART Okay. On February 9th of 2022 at 0416 hours, were you in the area of the Speed  
218 Wash, 1443 Arcade Boulevard?  
219

220 WILLIAMS Yes.  
221  
222 RINEHART Was there any factors that led you to respond to that area that morning?  
223  
224 WILLIAMS Yes.  
225  
226 RINEHART Can you tell me about that?  
227  
228 WILLIAMS So, earlier in the night, my sergeant — he patrols that area too. He alerted — I  
229 think there was three of us in B that night, which is rare. I don't know who 25  
230 was. But he had alerted us of a car. I don't remember specifically. I think it was  
231 a white Nissan that he observed frequenting that area and making stops and  
232 moving around. And he had messaged the B units a couple of times to go try to  
233 contact that car and at least do an ID on them and see who they are. And that was  
234 kind of the reason for being in that area. I contacted a separate car. Do you want  
235 to keep going?  
236  
237 RINEHART Sure.  
238  
239 WILLIAMS Okay. So, this Speed Wash, prior to the incident, I was on the side of the Speed  
240 Wash. When my camera activates, you can see me running up people. I had  
241 actually parked next to a car that I didn't really have any PC to stop. Everything  
242 was current on the car. So, I rolled down my window and I started talking to  
243 them, and they were very compliant. They gave me their — I think there was  
244 three subjects in the car. They gave me their names, their date of births. And as  
245 I was small talk, I was running them up. And that's when I basically heard Ofc.  
246 McVey make a stop over here. So, the car that I had initially contacted, I believe  
247 it was like a white Ford, and my sergeant was saying to look for a white Nissan,  
248 but he makes mistakes like that all of the time where he'll get a car wrong, so I  
249 thought I had the car. And then, when I heard my beat partner put out a stop, I  
250 thought maybe he had the car. So, everyone in my car was clear, so I went over  
251 to him to see if he had the car that my sergeant was trying to allude us to.  
252  
253 RINEHART Okay. And before I proceed into the stop, just to help refresh your memory, if  
254 you want to, take a look at your message logs around the time of 0408 to 0409  
255 hours, that area. And if you want to, take a look at some of those remarks. Maybe  
256 it will help refresh your memory about the type of car that you were responding  
257 to look for.  
258  
259 WILLIAMS I thought it was on this side. Excuse me. Oh, a black Impala. And this is from  
260 me, right? Who is this one from? Oh.  
261  
262 RINEHART And just for the record, we're referring to the message log at 04:12:17 hours on  
263 February 9th of 2022. Did that give you an opportunity to refresh your memory?



264  
265 WILLIAMS Yes. I mean, like I said, I don't remember specifically. I thought I was looking  
266 for a white Nissan.  
267  
268 RINEHART So, is it fair to say that you were responding to the area due to a vehicle that was  
269 possibly involved in some type of criminal activity?  
270  
271 WILLIAMS Yes.  
272  
273 RINEHART And while you arrived in that area, you conducted a consensual contact?  
274  
275 WILLIAMS I did, yes.  
276  
277 RINEHART And then at the conclusion of your consensual contact, another officer had made  
278 a stop around the corner, in front of the Speed Wash?  
279  
280 WILLIAMS Yes.  
281  
282 RINEHART And who was that officer?  
283  
284 WILLIAMS Ofc. McVey.  
285  
286 RINEHART And when Ofc. McVey had broadcasted a stop or you observed him make a stop,  
287 can you tell me what you observed?  
288  
289 WILLIAMS So, I'm visual, so it helps me to remember. I was around the corner here, so my  
290 view was obstructed. What first alerted me was that he put out a stop right near  
291 me. So, when I came around, I had already seen Ofc. McVey out of the car,  
292 talking to a subject that appeared to be walking away from him.  
293  
294 RINEHART Okay. And when you had observed this stop that was broadcasted by Ofc.  
295 McVey, were you ever advised of any information, once you exited the car, that  
296 led you to believe he was contacting anything beyond a suspicious occupied  
297 vehicle?  
298  
299 WILLIAMS I had pretty much no information when I approached. Like I said, I saw him  
300 contacting a subject that was walking away.  
301  
302 RINEHART Okay. Prior to this interview, I provided you with your Axon Body 3 worn  
303 camera under 22-38292, dated February 9th of 2022. At this time, we're going to  
304 play a segment of this video file, which is titled "X60311820." And we'll start at  
305 the 00:28 mark.  
306  
307 *[BODY-CAMERA VIDEO PLAYING]*

308  
309 And we'll be stopping the video at the 02:21 marker. From watching the video  
310 or from your recollection, can you tell me what occurred when you arrived on  
311 scene?  
312

313 WILLIAMS Like I said, when I arrived on scene, I saw Ofc. McVey standing outside of his  
314 car, talking to a subject that, from my point of view, appeared to be walking away  
315 from him. When Ofc. McVey went to detain him, I went in and grabbed an arm  
316 and helped him detain him.  
317

318 RINEHART So, what was your role in this contact when you arrived?  
319

320 WILLIAMS Just a cover officer. Like I said, I didn't really know what was going on. In the  
321 interest of officer safety, I mean, I assumed that Ofc. McVey had legal cause to  
322 contact him, and I went to back him up.  
323

324 RINEHART When you exited your patrol vehicle, can you describe the conversation between  
325 Ofc. McVey and the citizen who was detained, Mr. [REDACTED]?  
326

327 WILLIAMS They were going back and forth.  
328

329 RINEHART Can you describe what you observed?  
330

331 WILLIAMS Can you be more specific? What I heard?  
332

333 RINEHART Yes.  
334

335 WILLIAMS He said, "Because I fucking said so," I think, twice. The subject, I don't remember  
336 his name, asked about why he was going in the back of the car, and I think Ofc.  
337 McVey said he was being a shithead.  
338

339 RINEHART How did that conversation between Ofc. McVey and the citizen make you feel at  
340 the time during this stop?  
341

342 WILLIAMS Honestly, I was little uncomfortable. And you can see in the video, I distanced  
343 myself after. There were some things I didn't like.  
344

345 RINEHART Can you tell me what some of the things are that you didn't like?  
346

347 WILLIAMS Like I said, I tried to maintain professionalism. It's been a challenge for me not  
348 to curse during calls. It's something I've been working on for a long time. So,  
349 when there's that kind of language going on where it's — it's hard for me to...  
350 like if there's a situation where you're fighting with someone that's different, when

351 it's kind of like you're contacting someone... I don't know if I'm saying that right.  
352 What was the question again? I'm sorry.  
353  
354 RINEHART Did you feel that the nature of the conversation or the use of profanity at that time  
355 was professional and necessary by Ofc. McVey?  
356  
357 WILLIAMS Do you want me to give my opinion on -  
358  
359 RINEHART Yes, on what you observed.  
360  
361 WILLIAMS Okay. I don't think it was very professional, no.  
362  
363 RINEHART Okay. Were you made of a legal authority to detain Mr. [REDACTED]?  
364  
365 DAVIS Can you restate that?  
366  
367 RINEHART Yes. During the time from when you arrived and he was detained and placed in  
368 handcuffs, were you aware of a legal authority to detain?  
369  
370 WILLIAMS I didn't know anything that was taking place. Like I said, I went there to cover  
371 and help.  
372  
373 RINEHART When Mr. [REDACTED] was being handcuffed, were you aware of which vehicle was a  
374 suspicious occupied vehicle that was broadcast by Ofc. McVey?  
375  
376 WILLIAMS I did not. I think I asked on camera a couple of times, and I think I actually asked  
377 about the vehicle, is this the vehicle, and I believe he said no, but it was the  
378 vehicle. I think he made a mistake.  
379  
380 RINEHART And what concerns, from watching this video or from your recollection, exist  
381 when detaining a subject and facing away from an involved vehicle?  
382  
383 WILLIAMS Well, that was the thing, too. I thought — initially, I thought it was the driver.  
384 And then when I peered in there, I think you can see where I'm shining my  
385 flashlight. There was another person in there. So, I was confused as to what was  
386 going on.  
387  
388 RINEHART Okay.  
389  
390 WILLIAMS And like I said, it seemed like a lot of focus was on the person outside the vehicle.  
391 And I believe I thought that that was the driver. And when I saw someone else  
392 in there, like I said, it just — it confused me.  
393

394 RINEHART Okay. From the conversation, do you recall a conversation where Ofc. McVey  
395 is speaking with Mr. [REDACTED] about how he had came out of the car, but he wasn't  
396 the driver?  
397

398 WILLIAMS Yeah, I heard that.  
399

400 RINEHART Okay. Did that elevate any concerns for you on who was being detained?  
401

402 WILLIAMS It didn't click right away. Like I said, I don't know a lot that was going into it.  
403 I'm just going to say I was confused. There was a lot going on, and I didn't have  
404 the information I'd like to have when I'm contacting someone is what I'll say.  
405

406 RINEHART And from your initial observation of Mr. [REDACTED] when he was outside the car, did  
407 you believe he was being confrontational, or did you -  
408

409 WILLIAMS I think he was being confrontational, yes.  
410

411 RINEHART Okay. And is there a difference between a subject who is being confrontational  
412 versus a subject who is attempting to flee?  
413

414 WILLIAMS Yes.  
415

416 RINEHART Okay. In this situation, did you believe that Mr. [REDACTED] was being  
417 confrontational, or did you believe he was attempting to flee?  
418

419 WILLIAMS It appeared he was stalling, and I've seen that, where a subject is talking while  
420 he's trying to find his escape. So, I mean, like I said, I didn't know everything  
421 that was going on, but that was one of the things. Yes, if — I was already  
422 thinking, if he goes and runs that way, which way I was going to go. And I've  
423 seen it happen where they're stalling. I don't know if that's the right word.  
424

425 ANTONETTI So, was Mr. [REDACTED]'s body language showing you any type of characteristics,  
426 based off your training and experience, to show you -  
427

428 WILLIAMS Yes.  
429

430 ANTONETTI - that he was looking to flee?  
431

432 WILLIAMS Yes.  
433

434 ANTONETTI So, what would those characteristics be?  
435

436 WILLIAMS Like dodgy movements, backing up. I don't know, if he was pulled out of the car,  
437 if a cursory search had been done yet. So, I had to think about if he's armed or  
438 something.  
439

440 ANTONETTI Did Mr. [REDACTED]'s characteristics show you that he was being confrontational?  
441

442 WILLIAMS Yes.  
443

444 ANTONETTI What were those characteristics?  
445

446 WILLIAMS Like furtive movements, the way he was backing up. I think he was backing up  
447 towards this vehicle, and that's why, like I said — I don't know. I was just very  
448 confused.  
449

450 DAVIS When you said "this vehicle," you pointed to the blue truck on the video.  
451

452 WILLIAMS Yeah. Again, during the video, I think I pointed at that car. I wasn't sure he came  
453 out of it.  
454

455 RINEHART Okay. What, if any, officer-safety concerns existed for you at that time when the  
456 stop was — of the stop when Ofc. McVey moved forward to detain Mr. [REDACTED]?  
457

458 WILLIAMS One second. Can you say -  
459

460 RINEHART Was there any officer-safety concerns that you observed -  
461

462 WILLIAMS Yeah.  
463

464 RINEHART - when Ofc. McVey confronted Mr. [REDACTED] on the passenger side of the car?  
465

466 WILLIAMS Concerns for myself?  
467

468 RINEHART Or Ofc. McVey.  
469

470 WILLIAMS Well, there was people standing around, so that's why I was kind of walking  
471 around, looking into the Speed Wash, looking into the car. So, yeah, there were  
472 some concerns.  
473

474 RINEHART Now, knowing that there was a driver in the driver's seat of the vehicle which he  
475 had conducted an enforcement stop on, and Mr. [REDACTED] being on the passenger  
476 side of that car, do you feel it was appropriate to approach Mr. [REDACTED]? Or is  
477 there a different way, safer options?  
478

479 WILLIAMS For the driver?

480  
481 RINEHART For the officers to contact Mr. [REDACTED]. Was that the -  
482  
483 WILLIAMS Was that the safest way that we could contact him?  
484  
485 RINEHART Yes.  
486  
487 WILLIAMS No. I mean, there's always better ways to do things.  
488  
489 RINEHART What would have been another way, from your experience, of contacting a  
490 passenger in a suspicious occupied vehicle who exited a car? What would be a  
491 different practice or approach?  
492  
493 WILLIAMS Stay behind cover and call him back.  
494  
495 RINEHART Okay. When Mr. [REDACTED] was detained, did you feel that the amount of force used  
496 to detain Mr. [REDACTED] was appropriate?  
497  
498 DAVIS Would you like to watch the video again?  
499  
500 WILLIAMS No. It's not the way I would do it. What was your question again? I'm sorry.  
501  
502 RINEHART Did you feel that the amount of force used to detain Mr. [REDACTED] was appropriate?  
503  
504 WILLIAMS Can I say somewhat?  
505  
506 RINEHART Yeah. Do you mind explaining?  
507  
508 WILLIAMS It's not the way I would do it.  
509  
510 RINEHART How would you do it?  
511  
512 WILLIAMS I think I would use a little bit more verbal judo, kind of, to gain compliance. And  
513 I'm usually up front when I detain someone. I tell them exactly what I'm doing,  
514 exactly for the reasons why. That's not the way it was done. Like I said, when  
515 I'm detaining someone, I'm "This is why I'm detaining you," or "This is what I'm  
516 doing. I'm not going in your pockets, but I'm going to pat you down for a  
517 weapon."  
518  
519 RINEHART And with the force that was applied to detain Mr. [REDACTED], what made you feel —  
520 what made you feel that you would do it differently as it relates to the detention?  
521  
522 WILLIAMS You're asking what? I'm sorry.  
523

524 RINEHART Is there something specific about the detention, the force that was applied, that  
525 you felt was not appropriate?  
526

527 WILLIAMS Probably the manner in which — the words that were used. I wouldn't do that.  
528

529 RINEHART Do you feel that the communication between Ofc. McVey and [REDACTED] —  
530 or the communication between Ofc. McVey escalated the situation, leading to the  
531 detention?  
532

533 WILLIAMS I'm not sure if it did or not.  
534

535 RINEHART Okay.  
536

537 WILLIAMS Like I said, it's not how I would do it.  
538

539 RINEHART What was the demeanor of Mr. [REDACTED] with Ofc. McVey?  
540

541 WILLIAMS I would say noncompliant.  
542

543 RINEHART How so?  
544

545 WILLIAMS Well, he was giving him orders, and it seems like the subject was not complying.  
546 He was backing up.  
547

548 RINEHART Do you feel that the usage of profanity by Ofc. McVey was taken as an act of  
549 discourtesy by Mr. [REDACTED]?  
550

551 WILLIAMS I don't...  
552

553 RINEHART Do you feel that the use of profanity by Ofc. McVey de-escalated or elevated the  
554 situation?  
555

556 WILLIAMS It probably elevated it.  
557

558 RINEHART What was the necessity to detain Mr. [REDACTED] in the back of a patrol vehicle?  
559

560 WILLIAMS I don't know.  
561

562 RINEHART Do you feel that the circumstances of this contact justified Mr. [REDACTED] being  
563 detained in the patrol vehicle?  
564

565 WILLIAMS I think the limited bit of information that I had at the time, like I said, I don't really  
566 know everything that was going on, so I can't — I don't think I'd be qualified to

567 answer that, if it was warranted or not, because, like I said, there's a lot going on  
568 before I even showed up. So, I don't know everything that happened prior to that.  
569

570 RINEHART Okay. When you conduct a pat-down search on the subject, what are some of the  
571 considerations that you must take prior to, when determining to conduct a pat-  
572 down search?  
573

574 WILLIAMS Like what?  
575

576 RINEHART When officers conduct Terry pat-down searches on subjects, what are some of  
577 the considerations you must take?  
578

579 WILLIAMS Like your backdrop, people around you.  
580

581 RINEHART Specifically related to a cursory pat-down search of a subject, a stop and frisk,  
582 what are some of the factors you must consider when determining if you're  
583 justified to conduct a pat-down search?  
584

585 WILLIAMS There has to be a detention. I'm sorry.  
586

587 DAVIS Are you asking him when it's legal to conduct a pat-down search?  
588

589 RINEHART Yes, what officer-safety considerations or considerations of others possessing  
590 weapons, those factors. Are those factors when considering whether or not to  
591 conduct a pat-down search?  
592

593 WILLIAMS I'm not understanding the question. I'm sorry.  
594

595 ANTONETTI Based on your training and experience — [*cough*] sorry. Based on your training  
596 and experience, when would you have the legal authority to pat someone down  
597 with a Terry pat-down frisk?  
598

599 WILLIAMS You have to have a reasonable suspicion that they have a weapon or the  
600 commission of a crime or conducted a crime. Is that what you're asking?  
601

602 RINEHART And when you saw Mr. [REDACTED] that night, were you able to observe his  
603 appearance and clothing?  
604

605 WILLIAMS Yes.  
606

607 RINEHART From your observation, did you believe that he could have possessed a weapon?  
608

609 WILLIAMS Like concealed?  
610



611 RINEHART Sure.  
612  
613 WILLIAMS I mean, it's possible.  
614  
615 RINEHART Okay. All right. We're going to continue playing Ofc. Williams's body-worn  
616 camera file, which is the same video, and we'll start at the 02:21 time mark.  
617  
618 [BODY-CAMERA VIDEO PLAYING]  
619  
620 Did that video help refresh your memory?  
621  
622 WILLIAMS (No response.)  
623  
624 ANTONETTI Just for the record, we stopped it at the 05:00 mark.  
625  
626 RINEHART Can you walk me through the conversation at the driver's side of the vehicle that  
627 was stopped? And then, also — can you tell me about the conversation at the  
628 driver's side of the vehicle?  
629  
630 WILLIAMS Of the -  
631  
632 RINEHART The vehicle that was stopped, yes, the driver.  
633  
634 WILLIAMS So, he was asking her to ID the male subject. She wouldn't give his name, so that  
635 seemed a little weird. I just caught that he did say his name was [REDACTED]. I didn't  
636 catch that. And he had told me he had an ID on him.  
637  
638 RINEHART Okay. Did you receive any complaints at the patrol vehicle from Mr. [REDACTED]?  
639  
640 WILLIAMS Complaints?  
641  
642 RINEHART Was he making any type of complaints?  
643  
644 WILLIAMS Yes. He was saying he didn't like the way he was treated. So, right away, I said,  
645 "After we get everyone ID'd, if you want to file a complaint, I'll walk you through  
646 that."  
647  
648 RINEHART Okay. Can you further describe what conversations you were present for in this  
649 segment of the video or from what you recall?  
650  
651 WILLIAMS What do you mean?  
652  
653 RINEHART Can you describe the conversation Ofc. McVey had with the driver, or were you  
654 a part of that?

655  
656 WILLIAMS It sounded like the vehicle was expired, so I was trying to be helpful. I was going  
657 to do a tow if that's the direction he wanted the stop to go. Honestly, I was trying  
658 to help, but at the same time, I already saw the direction this was going and I  
659 didn't want to be a part of this.  
660  
661 RINEHART And what direction was that?  
662  
663 WILLIAMS Well, the guy in the back seat was already saying things like "mistreatment" and  
664 all of that, and I kind of knew where that was leading. So, I knew the sergeant  
665 was going to come out. And like I said, I tried to distance myself from this  
666 negative stuff.  
667  
668 RINEHART Okay. Why were comments made to the driver about her vehicle getting towed?  
669  
670 WILLIAMS Because it was expired.  
671  
672 RINEHART Okay. Do you feel it's appropriate to explain to a driver that if they do not provide  
673 an identity of a passenger that their car is going to be towed?  
674  
675 WILLIAMS Probably not.  
676  
677 RINEHART Do you recall hearing Ofc. McVey explain that to the driver?  
678  
679 WILLIAMS I think I caught the tail end of it.  
680  
681 RINEHART And how can that be problematic?  
682  
683 WILLIAMS Because it's like — it's almost like threatening if you don't say something or do  
684 something.  
685  
686 RINEHART Could towing the driver's car be perceived as coercive in an effort to obtain  
687 information desired about Mr. [REDACTED]?  
688  
689 WILLIAMS Yes.  
690  
691 RINEHART Okay. We're going to continue playing Ofc. Williams's body-worn camera file,  
692 which is the same video. We'll start at the 14:00 time mark.  
693  
694 [BODY-CAMERA VIDEO PLAYING]  
695  
696 For the record, we'll be stopping at the 18:01 time marker. During this segment  
697 of video, did you assist — at this point in the call, did you assist with conducting  
698 computer records checks?

699  
700 WILLIAMS Yes.  
701  
702 RINEHART And from the records checks that you conducted, did you identify anything of  
703 concern as it relates to the occupants involved in this detention?  
704  
705 WILLIAMS He had gun history from a while back.  
706  
707 RINEHART Anything recent? Any recent arrests, or any type of probation/parole status,  
708 warrants, or anything that you observed?  
709  
710 WILLIAMS No. He was clear.  
711  
712 RINEHART And the driver as well?  
713  
714 WILLIAMS I don't remember if I looked it up. I heard McVey said that she was just 14-6 and  
715 that was it.  
716  
717 DAVIS And just for the record, what does 14-6 mean?  
718  
719 WILLIAMS Suspended.  
720  
721 RINEHART Suspended driver's license?  
722  
723 WILLIAMS Yes.  
724  
725 RINEHART Did Sgt. Nutley, 1-Sam-2, respond to your location during this stop?  
726  
727 WILLIAMS Yes.  
728  
729 RINEHART Can you describe the conversation you initially had with Sgt. Nutley?  
730  
731 WILLIAMS I was trying to explain to him about my consensual contact because we were  
732 there, looking for the car that he had saw. And I told him that I didn't think that  
733 the car I had contacted was the car he was describing. And by now, I was pretty  
734 sure that this car was not it as well.  
735  
736 RINEHART Were you present at any point when Ofc. McVey was updating Sgt. Nutley  
737 regarding the circumstances of this incident?  
738  
739 WILLIAMS Some parts, yes.  
740  
741 RINEHART Can you describe that conversation?  
742

743 WILLIAMS Ofc. McVey was telling him about the subject and the car.  
744

745 RINEHART How did you interpret Sgt. Nutley's comment, as it relates to the passenger, Mr.  
746 [REDACTED], when Ofc. McVey was describing that he was walking away? And Sgt.  
747 Nutley's comment was "You have to be careful," as it relates to detaining a  
748 passenger who walks away. How did you interpret that?  
749

750 WILLIAMS That it wasn't good.  
751

752 RINEHART Okay. And as it relates to conducting enforcement stops, what are the legal  
753 considerations of detaining a passenger who decides to walk away from a car?  
754

755 WILLIAMS I'd say you need a little bit more history on the car, if there's a gun involved, if  
756 that car was involved in a crime, possibly.  
757

758 RINEHART So, merely a passenger who decides to exit a car and walk away, is there legal  
759 cause to detain that person?  
760

761 WILLIAMS There's an officer-safety concern. Legal cause to detain them? I would say you  
762 need a little bit more.  
763

764 RINEHART And would that subject being confrontational support that? Or when you say "a  
765 little bit more," can you explain?  
766

767 WILLIAMS Like if the vehicle had history. It's hard to articulate.  
768

769 RINEHART Well, if you — when you interpreted Sgt. Nutley's comment as it relates to this  
770 incident as not being good, what concerns did you have?  
771

772 WILLIAMS That this wasn't a good stop.  
773

774 RINEHART Okay. We're going to continue playing Ofc. Williams's body-worn camera file,  
775 which is the same video, and we'll start it at the 20:00 time mark.  
776

777 [BODY-CAMERA VIDEO PLAYING]  
778

779 Can you explain your conversation that you had with Ofc. McVey near your  
780 patrol vehicle?  
781

782 WILLIAMS I was a little bit upset.  
783

784 RINEHART Can you tell me why?  
785

786 WILLIAMS When he said he — the things that were unfolding, it didn't seem like a good stop,  
787 and I didn't want any more part of it than I already was involved in. And I didn't  
788 want to — I didn't think we should be talking about it. I mean, the sergeant is on  
789 scene now. And like I said, I didn't want any more part of the call.  
790

791 RINEHART By you stating twice, "That is the extent of my knowledge of this whole thing,"  
792 to Ofc. McVey, what were you conveying to him at that point in the conversation?  
793

794 WILLIAMS That I didn't want to talk about it.  
795

796 RINEHART What concerns did you have about this incident as it relates to your involvement?  
797

798 WILLIAMS I was concerned about getting in trouble.  
799

800 RINEHART At the end of this call for service, what happened?  
801

802 WILLIAMS The subject was released. I gave him a call number, my name and badge, Ofc.  
803 McVey's name and badge, the sergeant's name and badge. Sergeant was still  
804 trying to talk to him. He was out of cuffs by then, and the sergeant was still trying  
805 to talk to him, and I don't think that they were seeing on the same page. I can  
806 kind of tell that the subject was kind of aggravated by Ofc. McVey, so I told  
807 McVey to just drive away and I would stay there to stand by with the sergeant  
808 because I thought that his presence was not allowing the sergeant to calm him  
809 down. And so, I told McVey to leave the scene.  
810

811 RINEHART And when you said you obtained your information, was that provided on an  
812 information card to Mr. [REDACTED]?  
813

814 WILLIAMS Yes, an information card.  
815

816 RINEHART And you just explained that you advised Ofc. McVey to drive away and turn off  
817 his cameras. What was the purpose of that?  
818

819 WILLIAMS I think he needed to decompress and maybe get some F-bombs out somewhere,  
820 so I thought he should do it elsewhere. I'm just being honest.  
821

822 RINEHART In your experience of working with Ofc. McVey, have you seen him engage with  
823 the public and use profanity of this nature?  
824

825 WILLIAMS Like towards the public?  
826

827 RINEHART Any similar interactions prior to this incident?  
828

829 WILLIAMS There have been a couple of times where there was no language like that. There  
830 have been a couple of similar instances where I kind of stepped in and took over  
831 the call and had him go wait in the car, yes.  
832  
833 RINEHART Okay. Did you remain at the scene with Sgt. Nutley until the contact ended with  
834 Mr. [REDACTED] and the driver?  
835  
836 WILLIAMS Yes.  
837  
838 RINEHART And was the driver released with no enforcement?  
839  
840 WILLIAMS I believe so.  
841  
842 RINEHART After this call ended, was there any type of debrief?  
843  
844 WILLIAMS Yes.  
845  
846 RINEHART Can you tell me about that?  
847  
848 WILLIAMS We had a 940 with the sergeant after. We discussed how the call went and the  
849 pros and cons.  
850  
851 RINEHART Okay. Was this enforcement contact documented under SPD 22-38292?  
852  
853 WILLIAMS I believe Ofc. McVey wrote an I-report.  
854  
855 RINEHART Okay. Did you author any type of supplement in relation to this call?  
856  
857 WILLIAMS I did not.  
858  
859 RINEHART During this enforcement stop, were there any acts of discourtesy displayed, in  
860 your opinion?  
861  
862 WILLIAMS Yes.  
863  
864 RINEHART Can you explain?  
865  
866 WILLIAMS The use of profanity.  
867  
868 RINEHART During this enforcement stop, did you have any concerns of improper search and  
869 seizure?  
870

871 WILLIAMS I'm sorry. Yeah, there were some concerns. Like I said, I didn't know all of the  
872 information going into it. And as things unfolded, I didn't feel comfortable during  
873 the contact.  
874

875 RINEHART Okay. We're going to take a brief break. The time is 2244 hours.  
876  
877 It's 2252 hours, and we are back on the record. Ofc. Williams, previously, you  
878 described that there was a few prior incidents where Ofc. McVey had  
879 demonstrated similar actions when interacting with the public where you felt like  
880 you had to intervene.  
881

882 WILLIAMS Yes.  
883

884 RINEHART Would you say that this incident on February 9th of 2022 was out of character or  
885 was not out of character for Ofc. McVey?  
886

887 WILLIAMS Well, like I said, there's two instances where, yes, I intervened. I wouldn't say  
888 that this is always his character, but it seemed similar to those incidents where I  
889 intervened.  
890

891 RINEHART And have you had any discussions, as a partner, with Ofc. McVey about his  
892 interactions with the public and as it relates to de-escalation?  
893

894 WILLIAMS Absolutely.  
895

896 RINEHART Can you tell me about that?  
897

898 WILLIAMS Without going into great detail about the other situations, when there are  
899 situations that I think that Ofc. McVey can work on, I definitely debrief him, kind  
900 of — I'm sorry. I'm tired and hungry. I kind of explain the way I would do it  
901 differently. In the situation that I was speaking about where I asked him to go to  
902 the car, I just — I took over. And I try not to take over the situation because he  
903 is a newer officer and he's learning, so I try to just paint a different picture.  
904

905 RINEHART Okay.  
906

907 WILLIAMS I don't know if that explained it right.  
908

909 RINEHART Previously, I asked you if you felt that the amount of force used to detain Mr.  
910 [REDACTED] was appropriate, and you replied — you described that verbal, you would  
911 have incorporated more verbal judo. More de-escalation is what I feel you were  
912 describing. Can you describe how Ofc. McVey detained [REDACTED]?  
913

914 WILLIAMS Real fast, real — went to hands-on to take him to the car.

915  
916 RINEHART Can you describe the hands-on portion?  
917  
918 WILLIAMS He grabbed an arm, I grabbed an arm, and we placed them behind his back.  
919  
920 RINEHART Do you feel that the level of force applied was appropriate?  
921  
922 WILLIAMS To detain him, yes.  
923  
924 RINEHART Okay. Previously, I asked if you had any concerns of improper search and  
925 seizure, and you indicated yes or you described yes. Can you explain why you  
926 felt that way?  
927  
928 WILLIAMS No, not specifically.  
929  
930 RINEHART Okay. Upon learning about the facts of the call -  
931  
932 WILLIAMS After the fact?  
933  
934 RINEHART While on scene when you gathered more information about this call and with  
935 your personal knowledge of the events that transpired during this call, did you  
936 have concerns of an improper search and seizure involving Mr. [REDACTED]?  
937  
938 WILLIAMS Yes.  
939  
940 RINEHART Why is that?  
941  
942 WILLIAMS Because if there was no legal means to detain this person, I didn't think it was a  
943 good idea to detain him.  
944  
945 RINEHART From your experience of working with Ofc. McVey during this incident, what  
946 could have — could there have been anything done differently to change the  
947 outcome of this call?  
948  
949 WILLIAMS With talking to the guy more, yes.  
950  
951 RINEHART Is there any other approaches that you feel would have been more appropriate  
952 during this call?  
953  
954 WILLIAMS Yeah.  
955  
956 RINEHART Can you describe that?  
957



958 WILLIAMS Well, it's hard when you're the second person coming in, when someone has  
959 already gauged in a direction, to change the direction it's going. So, at the time,  
960 like I said, he was going in to detain him. I came to back him up. And when  
961 we're out there, you can't just say, "Wait, hold up. I need to know all of the  
962 information on why we're doing this." I have to assume that he was doing the  
963 right thing or he had just cause to do what he was doing, and I didn't have all of  
964 that information. So, is there a different way to handle that situation? Absolutely.  
965 But when I came on scene, I don't think that there was a lot of time to change the  
966 direction it was going. Does that answer the question?  
967

968 RINEHART You described that you worked with Ofc. McVey for over a year on patrol. Is  
969 that accurate?  
970

971 WILLIAMS Yes.  
972

973 RINEHART Okay. Can you estimate how many enforcement stops you have participated in  
974 with Ofc. McVey?  
975

976 WILLIAMS A lot, countless.  
977

978 RINEHART So, in your experience working patrol with Ofc. McVey, have you had other  
979 interactions of enforcement contacts where there were similar acts of discourtesy  
980 or unprofessional conduct?  
981

982 WILLIAMS No.  
983

984 RINEHART Okay. Do you have anything else that you would like to add, that you feel is  
985 important to this investigation?  
986

987 WILLIAMS Just that I think Ofc. McVey is a good police officer. I think he gets a little  
988 hotheaded sometimes, but I've never seen him do anything that would cause great  
989 concern. Yeah, like I said, I hope that he doesn't get in a lot of trouble for this.  
990 I've answered all of the questions honestly, the best I could.  
991

992 RINEHART When you just say "hotheaded," can you describe what you mean by that?  
993

994 WILLIAMS I think he needs to, during this situation, just to explain a little bit more instead  
995 of getting hotheaded, like I said. And I threw that out there.  
996

997 ANTONETTI Is that a topic of discussion you've had with Ofc. McVey, since you've told us  
998 that you've discussed things with him?  
999

1000 WILLIAMS Yes. Like I said, there was two other incidents, not like this, but where I put him  
1001 on time-out and said, "Go away. You're not helping. I will take over." So, after

1002 those incidents, yes, I kind of explained to him where the direction he was going,  
1003 what that would lead to. And on those situations, we were in that situation  
1004 together, where I was able to kind of cut him off before anything happened, pretty  
1005 much. And we've had conversations where I'm trying to explain to him a little  
1006 bit more tact and just explaining yourself to the person you're contacting goes a  
1007 long way, where you don't go down to a situation and make something out of  
1008 nothing that was not there. I know I'm very talking very "generalistic". I'm trying  
1009 not to throw out any more words. I said hotheaded. That was my words.  
1010

1011 RINEHART Can you briefly describe the two incidents where you felt like you had to assist  
1012 Ofc. McVey, as far as his behaviors, and what does he — what actions he was  
1013 displaying that felt like you had to assist him?  
1014

1015 WILLIAMS I can explain one. The other one I don't recall too much. But it was a third-party  
1016 DV call. We went to the house. The neighbor had said that she believed her  
1017 neighbors, the male and female, were fighting. We went to the door. We knocked  
1018 on the door. The male answered it, and I started talking to him, explaining why  
1019 we were here. I saw the female half in the background. I asked the female half,  
1020 "Please, come out," and she did. She came out. I told McVey to talk to the male  
1021 half. I said, "I'm going to take the female half." We went to the driveway, so  
1022 they were separated, and I began talking to her, asking her about physical  
1023 violence. I checked her over. No concerns, nothing 927. There was no DV. She  
1024 advised her three kids were thrashing about and made a lot of noise. So, I was  
1025 like, "Okay." No crime, nothing. Confirmed multiple times no physical violence,  
1026 none. I'm going back.  
1027

1028 As we were walking back, Ofc. McVey is with the male half, and they were  
1029 having a conversation about why he can come into the house. And it was — the  
1030 male subject was like, "You can't come in my house." Ofc. McVey is like, "Well,  
1031 we're investigating DV. I'm going to come in if I want to." And I just saw that  
1032 all playing out not good. So, very respectfully, I told him, Ofc. McVey, to go to  
1033 the car. I talked to the male half, explained everything. The male half invited me  
1034 into the house. I went into the house, told him about the complaint. I told him  
1035 what I had — the conversation I had with his wife. He introduced me to his three  
1036 kids, and it all seemed legit, what she had said, the kids thrashing about. And that  
1037 was where — like I said, there was no — in my opinion, there was no need to get  
1038 into an argument of why or why not we can go into the house. And when we had  
1039 nothing to go on and it all seemed legitimate, from what we talked to all the  
1040 parties about, there was no crime. And, yeah, that's — and I don't remember how  
1041 long ago that was. I don't remember if it was this year or last year, but that  
1042 situation kind of played out where, like I said, I had to take over because the  
1043 direction that — that conversation that they were having didn't need to happen.  
1044

1045 RINEHART And just for the record, for your description you said 927. Were you referring to  
1046 a suspicious individual?  
1047

1048 WILLIAMS Yeah. There was nothing suspicious going on. There was nothing.  
1049

1050 RINEHART Okay. And as a police officer, is it common when you go on calls for service  
1051 with partners that sometimes some officers may not get along with a certain party  
1052 and you work together collectively to problem solve and work towards a solution?  
1053

1054 WILLIAMS Absolutely.  
1055

1056 RINEHART Was this one of those situations where you were able to communicate better with  
1057 the male subject than Ofc. McVey?  
1058

1059 WILLIAMS Yes.  
1060

1061 RINEHART Did you feel that this circumstance, or the other circumstance, warranted further  
1062 — like a supervisor notification? Or was it -  
1063

1064 WILLIAMS No.  
1065

1066 RINEHART Okay.  
1067

1068 WILLIAMS No. Like I said, I'm confident that I did my job. I made sure there was no crime.  
1069 And the conversation we had afterwards is me explaining to him that the direction  
1070 he was going was going to get him a complaint, and there was no need to go in  
1071 the house when the female had already came out and was compliant. And I kind  
1072 of showed him, after I was talking to the guy, the guy actually invited me in. And  
1073 you can get a lot more by being a little bit more subtle and not so — and this is  
1074 my words, not anything — "I'm a cop and I can do this," kind of thing, if that  
1075 makes sense.  
1076

1077 RINEHART Okay. Do you feel — earlier, you described your relationship with Ofc. McVey  
1078 and his experience level as an officer. Do you feel that he has grown as an officer  
1079 since he has encountered these incidents?  
1080

1081 WILLIAMS Absolutely, from when we started working together the previous year. Like I  
1082 said, he had just got off Phase 4, and a lot of the — I mean, not — little mistakes  
1083 that newer officers make, he has corrected those. And I think he's learned a great  
1084 deal, not from me but from the team and how we interact with people.  
1085

1086 RINEHART I'm going to go back to the beginning conversation of the detention. Ofc. McVey  
1087 made a statement similar to "Go with the program." Do you recall hearing — to  
1088 Mr. [REDACTED]. Do you remember hearing that?

1089  
1090 WILLIAMS Yes.  
1091  
1092 RINEHART Do you know what he meant by that?  
1093  
1094 WILLIAMS I would assume like comply with what he's telling him.  
1095  
1096 RINEHART Okay. Is there anything else that you would like to add?  
1097  
1098 WILLIAMS No.  
1099  
1100 RINEHART Okay.  
1101  
1102 ANTONETTI Is there anything else relating to this matter that we have not covered that needs  
1103 to be added, clarified, or changed? If so, I am ordering you to provide that  
1104 information now.  
1105  
1106 WILLIAMS I've given you everything that I can recall.  
1107  
1108 ANTONETTI After you leave this interview, should you remember anything that is different  
1109 from or in addition to the information that you've given today, I am ordering you  
1110 to contact Sgt. Rinehart immediately. I am also ordering you to not discuss this  
1111 matter with any other department employee. Do you understand these orders?  
1112  
1113 WILLIAMS I do.  
1114  
1115 ANTONETTI That concludes the interview at 2308 hours.  
1116  
1117 **End of Recording**  
1118  
1119 **Transcribed by: DocuScript, LLC/mw**

**INTERVIEW WITH OFFICER JOEL MCVEY**

Rinehart = Sgt. Michael Rinehart

Antonetti = Det. Leah Antonetti

McVey = Ofc. Joel McVey

Gabriel = Brian Gabriel

ANTONETTI The date is August 24, 2022. The time is 1951 hours. Present in the Internal Affairs office are Ofc. Joel McVey; Brian Gabriel, representative; Sgt. Michael Rinehart; and myself, Det. Leah Antonetti. The purpose of this meeting is to conduct an interview of Joel McVey, who is an employee with the Sacramento Police Department in the capacity of police officer. This is an administrative investigation on the charges of discourteous, improper search and seizure, conduct unbecoming, force, and improper tactics involving Joel McVey. This is an administrative investigation only on these charges. Do you understand that?

MCVEY Yes, I do.

ANTONETTI However, since the allegations indicated that a crime may have been committed, I am advising you that you have the right to remain silent. Anything you say may be used against you in court. You have the right to the presence of an attorney before and during any questioning. If you cannot afford an attorney, one will be appointed for you free of charge before any questioning if you want. Do you understand each of these rights that I have explained to you?

MCVEY Yes, ma'am.

ANTONETTI Having these rights in mind, do you wish to talk to us now?

MCVEY No.

ANTONETTI Although you have a right to remain silent and to not incriminate yourself, your silence can be deemed insubordination and result in administrative discipline. Do you understand that, based upon the authority vested in me by the Chief of Police, I am ordering you to answer all of our questions?

MCVEY Yes, ma'am.

ANTONETTI Any statement made under compulsion of a threat of discipline cannot be used against you in a later criminal proceeding. However, if you do not answer our questions truthfully and fully, a charge of insubordination may be imposed which could result in discipline up to and including termination. Do you understand this is only an administrative investigation?

45 MCVEY Yes, ma'am.  
46  
47 ANTONETTI Do you understand the allegations?  
48  
49 MCVEY Yes, ma'am.  
50  
51 ANTONETTI Do you understand that I am ordering you to answer our questions and that if you  
52 do not answer them truthfully and fully, it could result in disciplinary action up  
53 to and including termination?  
54  
55 MCVEY Yes, ma'am.  
56  
57 RINEHART Good evening, sir.  
58  
59 MCVEY Good evening.  
60  
61 RINEHART Can you please state and spell your name for the record?  
62  
63 MCVEY Joel McVey, J-O-E-L, M-C-V-E-Y.  
64  
65 RINEHART Prior to this interview, I provided you with the following items: SPD CAD Call  
66 Report 22-38292; SPD Report 22-38292; your Axon video related to 22-38292,  
67 which is three files; dispatch audio file related to 22-38292 on 02/09/22; message  
68 logs for 1-Alpha-26 dated 02/08/22 to 02/09/22; POST Expanded Course Outline,  
69 Learning Domains 1, 3, 15, 16, and 20 from SPD academy 19BR-1; General  
70 Order 210.04: General and Professional Conduct, dated May 7th of 2021;  
71 General Order 580.02: Use of Force, dated December 16th of 2021. Have you  
72 had enough time to review this material?  
73  
74 MCVEY Yes, sir.  
75  
76 RINEHART Prior to this interview, did you have enough time to meet with your  
77 representative?  
78  
79 MCVEY Yes, sir.  
80  
81 RINEHART Do you have any questions before we begin?  
82  
83 MCVEY I do not.  
84  
85 RINEHART Ofc. McVey, how long have you been a sworn peace officer?  
86  
87 MCVEY A little over three years now.  
88

89 RINEHART What academy did you graduate from?  
90  
91 MCVEY The Sacramento Police Academy.  
92  
93 RINEHART And which academy class?  
94  
95 MCVEY 19BR-1.  
96  
97 RINEHART Can you describe your assignments that you've held with the Sacramento Police  
98 Department?  
99  
100 MCVEY Patrol.  
101  
102 RINEHART Do you have any prior law enforcement experience?  
103  
104 MCVEY I do not.  
105  
106 RINEHART As a Sacramento Police Department officer, are you expected to be familiar with  
107 our department's general orders, manuals, policies, and training?  
108  
109 MCVEY Yes, I am.  
110  
111 RINEHART Are those readily available to officers through our automated manual system  
112 (AMS) and Acumen?  
113  
114 MCVEY Yes, sir.  
115  
116 RINEHART In the academy, were you taught the levels of force options and de-escalation  
117 techniques?  
118  
119 MCVEY Yes, sir.  
120  
121 RINEHART As part of our continued professional training, are SPD officers instructed on the  
122 various levels of force options and de-escalation techniques?  
123  
124 MCVEY Yes, sir.  
125  
126 RINEHART Can you describe, in your own words — strike that. Let me rephrase this. Can  
127 you describe how the term "objective reasonableness" applies to situations where  
128 force may be necessary?  
129  
130 MCVEY Objective reasonableness as it applies to force situations?  
131  
132 RINEHART Yes, where force may be necessary.

133  
134 MCVEY Yeah. Using the appropriate amount of force, if you believe crime is afoot, to  
135 apprehend the person that you believe has committed a crime.  
136  
137 RINEHART Can you describe the importance for officers to maintain professional conduct  
138 during their duties?  
139  
140 MCVEY Yes. It's very important.  
141  
142 RINEHART And what impacts does unprofessional conduct have on our community when  
143 events transpire?  
144  
145 MCVEY It can create a level of distrust between the community and law enforcement, not  
146 just between the officer and the community, but the department as well, and even  
147 further than that.  
148  
149 RINEHART Okay. What is your current patrol team, shift, district, and days off?  
150  
151 MCVEY I'm on Team 11. It's graveyards in Sector 2 from 9:00 p.m. to 7:00 a.m.  
152  
153 RINEHART Okay. And who is your current supervisor?  
154  
155 MCVEY Sgt. Nutley.  
156  
157 RINEHART Can you describe assignments — disregard. On February 8th of 2022, what shift  
158 were you working, and what was your identifier?  
159  
160 MCVEY I was working graveyards, and my identifier was 1-Alpha-26.  
161  
162 RINEHART What were your hours during your graveyard shift on February 8th of 2022?  
163  
164 MCVEY 2100 to 0700 hours.  
165  
166 RINEHART Okay. So, your shift would end on the 9th of February at 0700 hours?  
167  
168 MCVEY Yes, sir.  
169  
170 RINEHART Okay. On February 8th of 2022, when you started your shift, was there anything  
171 unique or different for you on a personal level?  
172  
173 MCVEY No, sir.  
174  
175 RINEHART And on the same date, was there anything unique or different for you from a work  
176 standpoint?



177  
178 MCVEY No, sir.  
179  
180 RINEHART Okay. Prior to this interview, I provided you with the POST Expanded Course  
181 Outline, Learning Domain 1: Leadership, Professionalism, and Ethics. Did you  
182 have an opportunity to review it?  
183  
184 MCVEY Yes, sir.  
185  
186 RINEHART Okay. At any point, if you need to refer to it, please do so to help refresh your  
187 recollection. Does this Expanded Course Outline for Learning Domain 1 appear  
188 to be an accurate reflection of the material you learned in the academy?  
189  
190 MCVEY Yes, sir.  
191  
192 RINEHART Were you tested on this material?  
193  
194 MCVEY Yes, I was.  
195  
196 RINEHART Did you pass the test?  
197  
198 MCVEY Yes, I did.  
199  
200 RINEHART As a police officer, what type of leadership are you expected to display during  
201 your duties?  
202  
203 MCVEY We're supposed to set an example and exhibit professionalism with everything  
204 we — everyone we contact and encounter.  
205  
206 RINEHART What is the difference between power and authority?  
207  
208 MCVEY What is the difference between power and authority? Well, authority is having  
209 the ability to use power. Power is something that you use in situations, and that  
210 doesn't necessarily mean you have the authority to do it, but it's just something  
211 you can utilize to control a situation, basically.  
212  
213 RINEHART Okay. Can you explain how positive leadership enhances community respect and  
214 trust?  
215  
216 MCVEY Can you repeat the question, please?  
217  
218 RINEHART Can you explain how positive leadership enhances community respect and trust?  
219

220 MCVEY By just leading by example, people see that. They're going to — that can change  
221 their perspective of law enforcement or the individual. They can also spread that  
222 and tell other people, "Hey, look, I had a really good encounter." That can help  
223 change the perspective or perception as well.  
224

225 RINEHART Okay. Prior to this interview, I provided you with the POST Expanded Course  
226 Outline, Learning Domain 3: Policing in the Community. Did you have an  
227 opportunity to review that?  
228

229 MCVEY Yes, I did.  
230

231 RINEHART Does this Expanded Course Outline for Learning Domain 3 appear to be an  
232 accurate reflection of the material you learned in the academy?  
233

234 MCVEY Yes, it does.  
235

236 RINEHART And were you tested on this material?  
237

238 MCVEY Yes, I was.  
239

240 RINEHART Did you pass the test?  
241

242 MCVEY Yes, I did.  
243

244 RINEHART Within Learning Domain 3 and when you were in the academy, did you learn the  
245 definition of "communication" as it relates to content, voice, tone, pace, pitch,  
246 modulation, and proxemics?  
247

248 MCVEY Yes, I did.  
249

250 RINEHART From your training and experience as an officer, how do those concepts of  
251 communication impact outcomes during your police contacts?  
252

253 MCVEY Oh, they can have a huge difference. If you start off with a negative, rough tone,  
254 things probably won't go well. If you start — if you meet the person at their level  
255 — that can even mean meeting them at their level. If you meet them where they  
256 are, that might not necessarily be the right choice. If you start lower than that and  
257 try to change the tone or pitch, it can have a way different outcome on things.  
258

259 RINEHART Okay. And within Learning Domain 3 — strike that. In the academy, field  
260 training, and through your continued professional training (CPT), have you  
261 learned de-escalation techniques?  
262

263 MCVEY Yes, I have.

264  
265 RINEHART How can the effective use of de-escalation techniques influence a person to  
266 change their behavior during a heightened encounter?  
267  
268 MCVEY I think it's going to be a similar response to the last question. It can — you should  
269 always try to start there if you can. You can't always start there, but if it's  
270 available to you, it's definitely the best place to start.  
271  
272 RINEHART And what do you mean that you can't always start there? Can you explain that?  
273  
274 MCVEY Sometimes you can't de-escalate. Sometimes there's not always a ladder or a step  
275 system that you're going to take. You want to try to utilize that, if you can, start  
276 from the lowest and work your way up. That's not always going to work out that  
277 way.  
278  
279 RINEHART Okay. Prior to this interview, I provided you with the POST Expanded Course  
280 Outline, Learning Domain 15: Laws of Arrest. Did you have an opportunity to  
281 review it?  
282  
283 MCVEY Yes, I did.  
284  
285 RINEHART Does this Expanded Course Outline for Learning Domain 15 appear to be an  
286 accurate reflection of the material you learned in the academy?  
287  
288 MCVEY Yes, it does.  
289  
290 RINEHART And were you tested on this material?  
291  
292 MCVEY Yes, I was.  
293  
294 RINEHART Did you pass the test?  
295  
296 MCVEY I did.  
297  
298 RINEHART Within Learning Domain 15, were you taught the officer responsibilities upheld  
299 by the Fourth Amendment as it relates to search and seizure?  
300  
301 MCVEY Yes, I was.  
302  
303 RINEHART Can you describe factors to consider when determining if reasonable suspicion  
304 exists?  
305  
306 MCVEY Absolutely. Totality of the circumstances would be a big one, meaning it's not  
307 necessarily — totality of the circumstances perceived by a reasonable officer or

308 a reasonable person. So, it's not just what's happening right now, but also what  
309 you know about the area and what you know about, maybe, the person that you're  
310 contacting, things like that.  
311

312 RINEHART When detaining a person, why must police officers ensure the level of force or  
313 restraint is appropriate?  
314

315 MCVEY Because you should only use the level of force necessary to detain them. You  
316 shouldn't take it any further than that.  
317

318 RINEHART Prior to this interview, I provided you with the POST Expanded Course Outline,  
319 Learning Domain 16: Search and Seizure. Did you have an opportunity to review  
320 it?  
321

322 MCVEY Yes, I did.  
323

324 RINEHART Does this Expanded Course Outline for Learning Domain 16 appear to be an  
325 accurate reflection of the material you learned in the academy?  
326

327 MCVEY Yes, sir.  
328

329 RINEHART Were you tested on this material?  
330

331 MCVEY I was.  
332

333 RINEHART Okay. Did you pass the test?  
334

335 MCVEY I did.  
336

337 RINEHART In the academy, were you instructed on the importance of instilling fairness,  
338 trustworthiness, and respect as it relates to duties performed by an officer during  
339 searches and seizures?  
340

341 MCVEY Yes, sir.  
342

343 RINEHART Prior to this interview, I provided you with the POST Expanded Course Outline,  
344 Learning Domain 20: Use of Force. Did you have an opportunity to review it?  
345

346 MCVEY I did.  
347

348 RINEHART Does this Expanded Course Outline for Learning Domain 20 appear to be an  
349 accurate reflection of the material you learned in the academy?  
350

351 MCVEY Yes, sir.

352  
353 RINEHART And were you tested on this material?  
354  
355 MCVEY I was.  
356  
357 RINEHART Did you pass the test?  
358  
359 MCVEY Yes, sir.  
360  
361 RINEHART Why are facts and circumstances that an officer is confronted with a factor when  
362 determining what is objectively reasonable?  
363  
364 MCVEY Can you repeat that one more time, please?  
365  
366 RINEHART Yes. So, as an officer, when you are learning of different facts and circumstances  
367 involving an investigation, how are those a factor when determining what is  
368 objectively reasonable?  
369  
370 MCVEY Because they play into how you might respond to the circumstance. It has nothing  
371 to do, necessarily, with hindsight. But if you know that — for example, if an area  
372 has high crime activity, there's felony assaults that happen there all of the time  
373 between individuals that don't know each other because there's constant  
374 gathering, things like that can play into how you might approach contacting  
375 somebody there.  
376  
377 RINEHART And from your experience of implementing de-escalation techniques, what are  
378 some strategies that have worked for you as an officer?  
379  
380 MCVEY Just being very down to earth and calm with people, not coming at them in a  
381 rough — with a rough tone; just treating them the way you would like to be  
382 treated; and just striking up a conversation with them like you're not even an  
383 officer, like you're just having a conversation with them.  
384  
385 RINEHART How long have you known Ofc. David Williams?  
386  
387 MCVEY For approximately a little over a year and a half, I would say.  
388  
389 RINEHART Can you describe your relationship with Ofc. David Williams?  
390  
391 MCVEY Yeah. We get along very well. We've interacted with each other outside of work,  
392 and we balance each other out very well.  
393  
394 RINEHART Okay. So, you'd say that you guys are coworkers and friends outside of work?  
395

396 MCVEY Yes, sir.  
397  
398 RINEHART Can you describe Ofc. Williams as an officer?  
399  
400 MCVEY Ofc. Williams does his job well. I didn't know him — like I said, I didn't know  
401 him before his time — before my time on the team with him. Like I said, we kind  
402 of balance each other out. We've both gotten into situations where the other steps  
403 in and takes over, and we kind of complement each other in that regard.  
404  
405 RINEHART Can you estimate how long you've worked with Ofc. Williams in a patrol  
406 capacity?  
407  
408 MCVEY Yeah, approximately a year and a half or a little more, maybe.  
409  
410 RINEHART And are you currently on the same patrol team?  
411  
412 MCVEY Yes, sir.  
413  
414 RINEHART Okay. Can you provide any examples where Ofc. Williams has mentored you as  
415 a patrol officer?  
416  
417 MCVEY The call we're on right now, for the reason I'm here right now.  
418  
419 RINEHART Any other calls that you've been on with Ofc. Williams where he's maybe  
420 mentored you?  
421  
422 MCVEY Absolutely.  
423  
424 RINEHART You mentioned a moment ago that you balance each other out, so I don't know if  
425 there — do you have any examples?  
426  
427 MCVEY Yeah. One particular time on a domestic violence call, he kind of coached me  
428 afterward. He kind of took over. I initiated contact, and he kind of took over.  
429 And afterwards, he said, "Hey, I would have done it this way. That's probably  
430 not the way you should do it." He said, "I understand why you did what you did,  
431 but you should try doing it this way next time."  
432  
433 RINEHART Okay. When was that DV, that domestic call?  
434  
435 MCVEY I honestly wouldn't be able to tell you. I could tell you the area. I could tell you  
436 the area it's in. It was in 2B, but I couldn't even tell you the street or the address.  
437  
438 ANTONETTI Do you recall if it was this year, 2022? Or was it the previous year, 2021?  
439

440 MCVEY I honestly don't remember. It could have been this year. We've been to the house  
441 a couple of times and had positive contacts there afterwards. But, yeah, I honestly  
442 don't remember.  
443

444 RINEHART Okay. Prior to your shift on February 8th of 2022, did you have any experiences  
445 with Ofc. Williams that would lead you to question his decision-making ability?  
446

447 MCVEY No.  
448

449 RINEHART Okay. We're going to get into it. On February 9th of 2022, at around 0416 hours,  
450 were you in the area of the Speed Wash, 1443 Arcade Boulevard?  
451

452 MCVEY Yes, sir.  
453

454 RINEHART In February of 2022, can you explain if there was any ongoing issues around the  
455 Speed Wash?  
456

457 MCVEY Yes, sir. Just earlier in the day, there was an arson investigation there. A subject  
458 had set the fence on fire. It would be to the north of the Speed Wash, the  
459 northeast. It could have been the west side, just behind it. But there's an alley,  
460 Ermina, that runs just north of the Speed Wash there that vehicles like to  
461 congregate. Vehicles also like to hang out in front of the location as well, but  
462 there's constant loitering there for drug-related activity. There's felonious assaults  
463 that happen there all of the time, even to this day. That was definitely something  
464 that was prevalent that day.  
465

466 RINEHART Was there any factors that led you to respond to the area of the Speed Wash on  
467 the morning of February 9th of 2022?  
468

469 MCVEY Yes, sir. So, in lieu of the arson call that had come out, our sergeant had requested  
470 my partner and I to have a high presence, high visibility in the area to deter any  
471 criminal activity, and to also maybe contact subjects that look like there's some  
472 reasonable activity going on — suspicious activity going on.  
473

474 RINEHART Okay. And you had mentioned your partner. Can you just explain who your  
475 partner was?  
476

477 MCVEY Ofc. Williams.  
478

479 RINEHART And were you partnered up that night during that shift?  
480

481 MCVEY We weren't partnered. We weren't in the same vehicle. He was just my beat  
482 partner, my regular beat partner.  
483

484 RINEHART And are you familiar with what his identifier was that day?  
485  
486 MCVEY It would have been 1-Alpha-24.  
487  
488 RINEHART Okay. And on February 9th of 2022 at around 0416 hours, did you contact a  
489 suspicious occupied vehicle?  
490  
491 MCVEY Yes, sir.  
492  
493 RINEHART Okay. And would that vehicle be in reference to police report 22-38292?  
494  
495 MCVEY Yes, sir.  
496  
497 RINEHART Can you walk me through this contact and what occurred during this stop?  
498  
499 MCVEY Yes, sir. So, like I said, my sergeant had requested my partner and I to have high  
500 visibility and to make contact with subjects who we believed were possibly  
501 dealing or just loitering on the property without the use of the Speed Wash. At  
502 the time, I was parked on the side of Arcade Boulevard, facing eastbound. There  
503 were a few vehicles which would have been to the north of me, parked in front of  
504 the Speed Wash. And I had my spotlight on, and I was trying to see if there were  
505 occupants inside of the vehicles and looking for Vehicle Code violations to  
506 maybe be able to conduct a stop based on reasonable suspicion. So, on one  
507 particular vehicle, it looked like the exhaust was running; however, I couldn't see  
508 occupants inside of it. So, I had my spotlight shining on it, and I was  
509 simultaneously kind of looking at it and running the plate. And as I was doing  
510 that, I heard a subject yelling at me to turn the spotlight off, and that prompted  
511 me to basically conduct — not a vehicle stop, but put out a 971 on the vehicle.  
512  
513 RINEHART And what does the radio code 971 mean to you?  
514  
515 MCVEY 971 is a suspicious occupied vehicle.  
516  
517 RINEHART Okay. And you just mentioned that you were running the plate. Can you explain  
518 what that means?  
519  
520 MCVEY So, I was running the plate on my computer to see who the registered owner was  
521 of the vehicle, the DMV hits on it, basically, to see who the registered owner is,  
522 see if it's current, expired, if the registration on it is suspended, and things like  
523 that.  
524  
525 RINEHART And that would be prior to the enforcement stop?  
526  
527 MCVEY Yes, sir.



528  
529 RINEHART And what did you learn from that records check?  
530  
531 MCVEY I learned that the vehicle was expired and the registration was suspended.  
532  
533 RINEHART And what Vehicle Code violation would that be?  
534  
535 MCVEY So, the Vehicle Code for that would be 4000(a)(1), and the vehicle — it should  
536 be noted, too, that the vehicle was also expired past six months, which is a  
537 towable offense.  
538  
539 RINEHART Are you familiar with the tow authority for that?  
540  
541 MCVEY It's supposed to be alongside the highway, or it should be — it has to be in  
542 operation or parked along the highway or any operating roadway, basically.  
543  
544 RINEHART And where was the vehicle parked?  
545  
546 MCVEY It was parked in front of the Speed Wash. I guess it was in the parking lot.  
547  
548 RINEHART Okay. Did you author an information report under SPD 22-38292?  
549  
550 MCVEY Yes, I did.  
551  
552 RINEHART Did you have an opportunity to review your report?  
553  
554 MCVEY Yes, I did.  
555  
556 RINEHART Do the facts detailed in SPD report 22-38292 appear to be accurate and true?  
557  
558 MCVEY Yes, sir.  
559  
560 RINEHART Is there any details or other information that should be edited, added, or changed  
561 as it relates to this incident?  
562  
563 MCVEY Other than maybe some of the verbal contacts that's just left out of the report.  
564 The basic facts of the report are in there.  
565  
566 RINEHART And is there any particular reason why it wasn't described in the report?  
567  
568 MCVEY What do you mean?  
569  
570 RINEHART You were just mentioning that verbal contacts should have been added in there.  
571

572 MCVEY Meaning just like if anything to be added, dialogue, yeah, between the subject I  
573 detained, but I didn't believe it was pertinent to the information report.  
574

575 RINEHART Okay. And during this enforcement contact, did you activate your overhead lights  
576 when you were behind the involved vehicle?  
577

578 MCVEY I believe I did. I know I activated my ICC and my body-worn camera. Usually,  
579 when we conduct a suspicious vehicle stop or a traffic stop, we do activate our  
580 red and blue lights to let it be known that they're not free to leave.  
581

582 RINEHART Okay. Per your observations under SPD 22-38292, is it true that you did not see  
583 any occupants inside the vehicle?  
584

585 MCVEY I did not.  
586

587 RINEHART And as you mentioned a moment ago, as you shined your light inside the vehicle  
588 that you had made contact with, you described that you had heard a male yelling  
589 to turn your spotlight off. Is that correct?  
590

591 MCVEY Yes, sir.  
592

593 RINEHART Can you explain where the sounds came from? From the male?  
594

595 MCVEY So, I was facing eastbound, so they were coming from my north. And when I  
596 looked over, the subject was standing outside of the vehicle that I was currently  
597 running.  
598

599 RINEHART Okay. And per your report, you explained that the male was making gestures at  
600 you prior to the enforcement stop. Can you explain what those gestures were?  
601

602 MCVEY He was yelling at me to turn the light off, "Why are you doing that?" And, again,  
603 I didn't see him come out of the car. He was just standing outside of the car. And  
604 he said something which obviously sent me in the direction that I went, basically,  
605 but I can't — I don't remember specifically what he said, other than it had  
606 something to do with getting the light out of his face.  
607

608 RINEHART Okay. So, were the gestures verbal?  
609

610 MCVEY Yes.  
611

612 RINEHART Or were you able to see some type of gesture?  
613

614 MCVEY No, they were verbal.  
615

616 RINEHART Okay. And is it possible that the male had come from the laundromat or  
617 surrounding areas?  
618

619 MCVEY It's possible.  
620

621 RINEHART And could the male have known the driver of the vehicle or decided to walk up?  
622

623 MCVEY It's possible, yes.  
624

625 RINEHART Okay. Based on the facts that you knew at the time, what was your legal cause  
626 to contact the male who you observed outside the passenger side door of an  
627 expired vehicle that was parked in the parking lot?  
628

629 MCVEY So, like I said, based on the totality of the circumstances, knowing that it's a high-  
630 crime area, drug loitering, felony assaults that happen there all of the time, I saw  
631 that — it appeared that the vehicle's exhaust was coming out of the back, so it  
632 appeared that the vehicle was occupied or at least running. And when I looked, I  
633 saw him standing outside of the passenger side. He was somewhat leaning up  
634 against the car. The car door wasn't open, but I didn't see him there before that.  
635 So, based on that, I believed that he was associated with the vehicle — at least  
636 associated with the vehicle. And based on the Vehicle Code violations, I decided  
637 to conduct a stop and further investigate.  
638

639 RINEHART Okay. At that time, when you decided to conduct an enforcement stop, was that  
640 subject detained?  
641

642 MCVEY I mean, that's the inference when you activate your overhead lights. When you  
643 conduct a stop or when you do a traffic stop, that's considered a detention.  
644

645 RINEHART Okay. As it relates to detaining subjects during enforcement contacts, passengers,  
646 what is your legal basis to detain them?  
647

648 MCVEY Well, I think there's kind of a gray area there, but typically, if a vehicle is stopped  
649 with passengers in it, they are considered technically detained. But if you try to  
650 get information from them and they don't wish to provide that for you, then you  
651 can't — you're kind of at a dead-end there. But in regards to this, the subject was  
652 outside of the vehicle. I saw the vehicle running. I believed he was at least  
653 associated with it. I didn't have a chance to see who the registered owner of the  
654 vehicle was when I got the vehicle hit on it, so I didn't see a male's name or a  
655 female's name. I saw a male standing outside of the car, so I wanted to further  
656 conduct the investigation.  
657

658 RINEHART Okay. So, when you conducted the records check on the vehicle and you learned  
659 that it was expired with a suspended registration, you did not observe the name  
660 of the registered owner -  
661  
662 MCVEY I did not.  
663  
664 RINEHART - at the time?  
665  
666 MCVEY No.  
667  
668 RINEHART Okay. What, if any, thoughts did you have about this subject, who you observed  
669 outside the passenger door, prior to deciding to conduct this enforcement stop?  
670  
671 MCVEY Sorry, can you repeat that one more time, please?  
672  
673 RINEHART Yes. What, if any, thoughts did you have about this subject, who was standing  
674 outside the passenger door, prior to deciding to conduct this enforcement stop?  
675  
676 MCVEY No thoughts, really. I mean, like I said, I was just running the plate. I didn't see  
677 anybody initially, so what prompted me to contact him was he was leaning up  
678 against the vehicle. I wasn't sure if it was associated with him or not. I believed  
679 it could have been. And that's — so, I didn't have any prior feelings or thoughts  
680 on the subject.  
681  
682 RINEHART For the record, the male passenger, per SPD 22-38292, was identified, per the  
683 report, as [REDACTED]. Did you know Mr. [REDACTED] prior to any contacts?  
684  
685 MCVEY No, sir.  
686  
687 RINEHART Did you have any knowledge of the driver or vehicle prior to this contact on  
688 February 9th of 2022?  
689  
690 MCVEY No, sir.  
691  
692 RINEHART Okay. Prior to this interview, I provided you with your Axon body-worn camera  
693 under 22-38292, dated 02/09/2022. At this time, we're going to play a segment  
694 of Ofc. McVey's Axon 3 body-worn camera video file, which is titled  
695 "X6030618Z." We will start this video from the beginning of the video file.  
696  
697 [BODY-CAMERA VIDEO PLAYING]  
698  
699 We will be stopping this segment of video at the 01:00 time mark. Ofc. McVey,  
700 can you describe what occurred during this segment of video you watched?  
701

702 MCVEY Yeah. So, as I mentioned earlier, I was running plates. And I'd also like to add,  
703 too, that I was running multiple plates at the same time. So, I was catching up  
704 there. So, as I was doing that, as you can see on my MDT from my body-worn  
705 camera there, it looks like I was checking out some information there. And then,  
706 you can't hear it on the audio of the body-worn camera, but something prompts  
707 me to get out of my car and conduct a stop, and that was this gentleman started  
708 talking to me.  
709

710 RINEHART Per your report, you indicated that you contacted the male subject because you  
711 thought he could be the registered owner. Is that correct?  
712

713 MCVEY Yes, sir.  
714

715 RINEHART At any point prior to this enforcement contact — strike that. During the initial  
716 contact, did you take any steps to verify if the male subject on the passenger side  
717 of the car, Mr. [REDACTED], if he was or was not the registered owner?  
718

719 MCVEY It kind of escalated once I got out of the car. So, that's where I detained him, and  
720 it took probably about 15 minutes to work it out.  
721

722 RINEHART Okay. Generally speaking, can you describe the radio broadcast and the nature  
723 of those details that you provided?  
724

725 MCVEY The radio broadcast? I put out to dispatch that I had a suspicious vehicle.  
726

727 RINEHART Okay. At this point in the video, did you observe a cover officer arrive?  
728

729 MCVEY Yes, I do.  
730

731 RINEHART And was that cover officer 1-Alpha-24, Ofc. Williams?  
732

733 MCVEY Yes.  
734

735 RINEHART Was Ofc. Williams aware of the circumstances prior to you approaching the  
736 vehicle and Mr. [REDACTED]?  
737

738 MCVEY He was not.  
739

740 RINEHART At this time, what led you to focus your attention on Mr. [REDACTED]?  
741

742 MCVEY So, again, I saw the vehicle exhaust on. You can see it on the footage here. And  
743 then I heard the voice, and I looked, and I saw him leaning up against the car. I  
744 didn't see the car door open, but he was leaning up against the side of it. So, I  
745 didn't know where he came from. Like we said earlier, it's possible he didn't come

746 from the car at all, but I had reasonable suspicion to believe that he was at least  
747 associated with it. There were traffic violations associated to that car, so I wanted  
748 to further investigate.  
749

750 RINEHART At the time you exited your patrol vehicle, while you were behind your  
751 doorframe, you stated "Stay right there." Do you feel that you were giving a  
752 lawful order to the male on the passenger side of the vehicle, Mr. [REDACTED]?  
753

754 MCVEY Yes, sir.  
755

756 RINEHART When an officer gives a command or direction such as "Stay right there," what  
757 legal requirements must exist?  
758

759 MCVEY You have to have reasonable suspicion.  
760

761 RINEHART Okay. At this point, did you have any concerns about whether or not Mr. [REDACTED]  
762 did or did not exit from the expired vehicle?  
763

764 MCVEY That was something that I had to determine. And based on reasonable suspicion,  
765 I believed I had the right to do that.  
766

767 RINEHART Okay. How did you perceive Mr. [REDACTED]'s demeanor during this point of the  
768 contact?  
769

770 MCVEY Oh, he was displeased and definitely agitated. He believed that I was  
771 intentionally shining my spotlight on him.  
772

773 RINEHART Okay. Was he conversational, at first, with you?  
774

775 MCVEY I mean, he was conversating with me. I wouldn't say it was cordial.  
776

777 RINEHART Okay. Do you recall Mr. [REDACTED] responding to your command by stating, "Excuse  
778 me?"  
779

780 MCVEY I'd have to watch the video again to see that. I don't remember what he said.  
781

782 RINEHART Okay. When Mr. [REDACTED] responded to you that he was not on probation or parole  
783 and then asked you please not to harass him because he did nothing wrong, did  
784 you feel that he was confrontational or demonstrating evasive behaviors at that  
785 point?  
786

787 MCVEY Well, that is a common thing that people will say, "I didn't do anything wrong.  
788 You don't have a right to contact me." People say that all of the time to us. I  
789 mean, that's not going to be a deterrent. Based on the totality of the circumstances

790 and reasonable suspicion, like I said, I thought he was associated with the vehicle  
791 and wanted to find out.  
792

793 RINEHART Okay. And at this time, did it appear to you as if Mr. [REDACTED] was attempting to  
794 flee?  
795

796 MCVEY I mean, usually, when you say things like that and trying to be evasive like that,  
797 it can be a precursor to that possibility.  
798

799 RINEHART And do you have any prior experiences where you've had encounters where  
800 somebody has been conversational and tried to flee?  
801

802 MCVEY Absolutely.  
803

804 RINEHART As it relates to detaining passengers from occupied vehicles, were you trained to  
805 pass or turn away from the occupied vehicle to detain a passenger?  
806

807 MCVEY No, sir.  
808

809 RINEHART What were you trained as it relates to that?  
810

811 MCVEY To keep high visibility and eyes for officer safety. You need to be able to respond  
812 to any threats that can come from that.  
813

814 RINEHART Okay. Could there have been a safer way to establish contact with Mr. [REDACTED]?  
815

816 MCVEY Absolutely.  
817

818 RINEHART Could you explain what that could have been?  
819

820 MCVEY Not taking my eyes off the vehicle and maybe not hyper-focusing on him as much  
821 or repositioning myself, repositioning him, in a way that I could focus on him and  
822 see who was in the vehicle.  
823

824 RINEHART Okay. In your experience, have you encountered similar circumstances such as  
825 this incident or this stop where someone had exited an occupied vehicle or was  
826 nearby an occupied vehicle?  
827

828 MCVEY Again, I didn't see him exit the vehicle, and I wasn't 100 percent sure that he — I  
829 believed he was possibly associated with it, so that's what I was going on. If it  
830 would have just been a passenger, if I would have known for a fact that he was  
831 just a passenger in the car with a Vehicle Code violation, that would have  
832 probably been the end of my contact with him.  
833

834 RINEHART Okay. And I'll rephrase the question. In your experience as an officer, have you  
835 encountered occupied vehicles where people either exited the vehicle or are  
836 outside the vehicle where you've had to make contact?  
837

838 MCVEY Yes.  
839

840 RINEHART What safety practices had you implemented on your prior contacts or  
841 experiences?  
842

843 MCVEY I mean, it just depends on the circumstances. It's different every single time. But,  
844 again, trying to have officer safety be the number one priority and factor.  
845

846 RINEHART Okay. Why were those safety measures — do you feel that those safety measures  
847 were not implemented during this incident on February 9th of 2022?  
848

849 MCVEY Yes, sir.  
850

851 RINEHART With having a partner on scene, did you feel you had adequate resources to safely  
852 address and investigate the Vehicle Code violation while engaging with Mr.  
853 [REDACTED]?  
854

855 MCVEY I, personally, felt comfortable with the situation. Like I said, I know we just  
856 talked about officer-safety issues, and I agree with that. But I believed — for  
857 what we had at the time, I believed it was substantial.  
858

859 RINEHART We're going to continue playing Ofc. McVey's body-worn camera file, which is  
860 the same video, and we'll start at the 01:00 mark.  
861

862 [BODY-CAMERA VIDEO PLAYING]  
863

864 Did reviewing the video help you refresh your memory of the incident?  
865

866 MCVEY Yes, sir.  
867

868 RINEHART Leading up to your approach of Mr. [REDACTED], can you describe the conversation  
869 that you had with him?  
870

871 MCVEY I asked him to stop, and then I approached him, and he asked why. Yeah, that's  
872 about it.  
873

874 RINEHART Do you feel that the conversation about you not taking the light off Mr. [REDACTED]'s  
875 face escalated or de-escalated the situation?  
876

877 MCVEY It escalated, absolutely.



878  
879 RINEHART What concerns did you have at this point of the incident?  
880  
881 MCVEY What concerns did I have in regards to...?  
882  
883 RINEHART What was your thought process as you were approaching Mr. [REDACTED]?  
884  
885 MCVEY My thought process was, like I said, I thought he was — I believed he was  
886 possibly associated with the vehicle. He was being confrontational with me. And  
887 at that point, I thought he was possibly trying to get away from the scene. So, my  
888 objective was to get him detained as quickly as possible at that point.  
889  
890 RINEHART And from your experience, why would someone be trying to get away from a  
891 vehicle or the scene?  
892  
893 MCVEY Because they either have a warrant, or they've committed a crime, or there's  
894 something in the vehicle they don't want to be associated with.  
895  
896 RINEHART Can you describe what occurred in this segment of your enforcement contact?  
897  
898 MCVEY This was just the detention upon contacting him.  
899  
900 RINEHART Okay. When you gave a direction for Mr. [REDACTED] to turn around and he  
901 questioned, "For what?" why did you say "Because I fucking said so"?  
902  
903 MCVEY At that point, he had gotten in my head, and I didn't demonstrate the best  
904 judgement there.  
905  
906 RINEHART Okay. And when you said he got in your head, what do you mean by that?  
907  
908 MCVEY I think, just based on his initial interaction with me as I was sitting in my vehicle  
909 without intentionally doing anything to anybody, just trying to do my job, I think  
910 what he said not only caught me off guard, but it got in my head, and I just —  
911 that just dictated the outcome of the contact with him.  
912  
913 RINEHART Okay. Can you describe what happened when you grabbed Mr. [REDACTED] and placed  
914 him against the truck?  
915  
916 MCVEY Yeah. So, one of my — when I'm detaining somebody, when people have a  
917 tendency to turn around, to me, it's a sign of confrontation. When you've said,  
918 "Hey, stop. Don't move. Turn around," and when they turn around on you, they  
919 can — to me, that's a sign of not complying and possibly trying to square up to  
920 be confrontational, like physically confrontational. So, I try to mitigate that by  
921 getting him detained in handcuffs as soon as possible.

922  
923 RINEHART Okay.  
924  
925 ANTONETTI Based on your training and experience, when someone is trying to turn on an  
926 officer, that the officer has them in a control hold, is that also a signal of them  
927 wanting to flee?  
928  
929 MCVEY Yeah.  
930  
931 ANTONETTI Have you had that experience in the past?  
932  
933 MCVEY Not when I've had to hands on somebody, like gone hands-on with somebody and  
934 got a control hold on them, but I know it does happen, and I've seen it happen.  
935 I've seen it happen in videos in training and just other officers. So, absolutely.  
936  
937 RINEHART Can you describe Mr. [REDACTED]'s level of resistance at this point?  
938  
939 MCVEY At this point, it's just, like I said, trying to turn around, and asking why he's being  
940 detained, and questioning everything I'm doing. The big thing at that point in  
941 time, up against the truck, was just the constant trying to turn around after I had  
942 already put hands on him or got him in a control hold.  
943  
944 RINEHART Did you feel that the level of force applied by you to detain Mr. [REDACTED] was  
945 appropriate?  
946  
947 MCVEY I do believe it was appropriate.  
948  
949 RINEHART Okay. And how so?  
950  
951 MCVEY My goal wasn't to inflict any harm or injury to him. My goal was to get him  
952 detained. And like I said, the only reason that I — the only times that I think  
953 raised my level of, I guess — the only time I raised my level of contact with him  
954 was when he attempted to turn around on me.  
955  
956 RINEHART Okay.  
957  
958 ANTONETTI What do you mean you raised your level of contact with him?  
959  
960 MCVEY Meaning, when he would turn around, I would try to readjust him so he was facing  
961 away from me. I wouldn't constitute that as a use of force or me trying to be  
962 violent or inappropriate with him. It was for my safety.  
963  
964 GABRIEL Would you say that your force was proportional to Mr. [REDACTED]'s force at the time?  
965

966 MCVEY Absolutely.

967

968 RINEHART Did you feel that the level of force that you applied to detain Mr. [REDACTED] was  
969 necessary and reasonable?

970

971 MCVEY Like I said, based on the totality of the circumstances and needing to further  
972 conduct my investigation, yes.

973

974 RINEHART When Mr. [REDACTED] asked, "What are you arresting me for?" why did you state,  
975 "You are being detained because you are being a shithead"?

976

977 MCVEY It was unprofessional. Like I said, he got in my head, and I made a mistake.

978

979 RINEHART Okay. What did you mean by that comment made to Mr. [REDACTED]?

980

981 MCVEY It's interesting because replaying it, I had thought that he made a comment about  
982 me contacting him because of his race, and I think he says it later on in the video,  
983 but my whole — and, again, I'm not trying to excuse what I said. What I said  
984 was inappropriate, but I was trying to portray "I'm not contacting you because of  
985 what you look like. I'm contacting you" — and I didn't do a very good job of  
986 explaining it either. I just — like I said, he had gotten in my head, and I said  
987 some things I shouldn't have said. I could have done a lot better job explaining  
988 why, what my reason for detention was and my reason for contacting him was.

989

990 RINEHART What does discourtesy mean to you?

991

992 MCVEY Not being professional.

993

994 RINEHART Okay. Do you feel like your response to Mr. [REDACTED] during this detention was  
995 discourteous?

996

997 MCVEY Yes.

998

999 RINEHART Have you been trained to refer to members of the public in that way?

1000

1001 MCVEY No, I have not.

1002

1003 RINEHART Mr. [REDACTED] stated "Y'all is wrong. I did not do nothing to you, sir." And you  
1004 stated "Go with the program." Can you explain what you mean by "Go with the  
1005 program"?

1006

1007 MCVEY Meaning I had given him several commands leading up to that point, and he  
1008 wasn't necessarily listening. Like I said, I believed he was associated with that  
1009 vehicle and I needed to further investigate. And he was squaring up on me,

1010 continually being verbally confrontational with me, and that's why I said, "Go  
1011 with the program."  
1012

1013 RINEHART When Mr. [REDACTED] was being handcuffed, he acknowledged that he came out of  
1014 the expired car, but indicated that he did nothing wrong because it was not his  
1015 car. What are your thoughts in regard to detaining a passenger of a vehicle?  
1016

1017 MCVEY Again, I did not see him come out of the car, so I still had a reason — and I didn't  
1018 know that there was anybody else in the vehicle. And, again, I know that's where  
1019 officer-safety concerns come into play. But at that point, people can say whatever  
1020 they want to try to avoid or try to disassociate themselves with the crime or with  
1021 the situation, but I did not know, at the time, whether or not he was the driver, if  
1022 it was his car, or if he was just a passenger.  
1023

1024 RINEHART When Mr. [REDACTED] asked for someone to record this police contact, you told him  
1025 that you were recording. Is that correct?  
1026

1027 MCVEY Yes.  
1028

1029 RINEHART And did you show him your body-worn camera that was on your police vest?  
1030

1031 MCVEY Yeah. I kind of turned him around to me a little bit and said, "Look, this is  
1032 recording."  
1033

1034 RINEHART How was your demeanor when you told Mr. [REDACTED] that you were recording the  
1035 interaction?  
1036

1037 MCVEY It was stern.  
1038

1039 RINEHART At the 01:45 time mark of the body-worn camera file, it showed you turn Mr.  
1040 [REDACTED] to face the truck. And we can refer back to it if you'd like. Do you recall  
1041 that part, where you had turned him back to face towards the truck?  
1042

1043 MCVEY To face away from me?  
1044

1045 RINEHART Yes.  
1046

1047 MCVEY Yeah.  
1048

1049 RINEHART Can you explain how the technique and force used was reasonable and necessary  
1050 at that time?  
1051

1052 MCVEY Again, he had, several times, tried to turn around after I had — after both my  
1053 partner and I had grabbed control holds on him, and, to me, that's a sign of being

1054 resistive. So, I kept trying to face him away from me. And the truck just  
1055 happened to be there. I wasn't intentionally trying to use the truck as a tool. It  
1056 was just there in the situation.  
1057

1058 RINEHART Can you describe what force options were utilized when you turned him towards  
1059 the truck?  
1060

1061 MCVEY What force options?  
1062

1063 RINEHART Yes.  
1064

1065 MCVEY I mean, at that point, we didn't need to do anything more than control holds and  
1066 getting him into handcuffs.  
1067

1068 RINEHART With Mr. [REDACTED] being handcuffed at this point, was he being combative,  
1069 resistive, or attempting to flee?  
1070

1071 MCVEY As I started to walk him towards the car, it felt like he was not necessarily trying  
1072 to run away, but he kept trying to turn around again. When we first started  
1073 walking, it appeared that he was trying to stop that process from happening.  
1074

1075 RINEHART And in your experience, when a situation like that happens, what does that require  
1076 an officer to do?  
1077

1078 MCVEY I mean, again, it's all circumstantial. It depends on the circumstances, but, for  
1079 me, it was to readjust him and to continue walking. I didn't feel like I needed any  
1080 more assistance with that.  
1081

1082 RINEHART At that point, as you were describing, do you feel like you had control of Mr.  
1083 [REDACTED]?  
1084

1085 MCVEY Yes.  
1086

1087 RINEHART Okay. And to take it back, when you had directed Mr. [REDACTED] to face towards the  
1088 truck, he replied by stating, "Okay. But why? Why are you acting like I'm a  
1089 criminal. I did not do nothing wrong to nobody." Can you describe any concerns  
1090 you had at this point regarding the contact and detention?  
1091

1092 MCVEY Again, I still needed to further investigate, so I believed I was within my right of  
1093 reasonable suspicion to detain him.  
1094

1095 RINEHART Okay. We're going to continue playing Ofc. McVey's body-worn camera, which  
1096 is the same video file. We'll start it at the — actually, we'll continue momentarily

1097 here. While Mr. McVey [sic] is detained, do you conduct a Terry pat-down  
1098 search on his person?  
1099  
1100 MCVEY Yes, I did.  
1101  
1102 RINEHART And what led you to conduct a Terry pat-down search on Mr. [REDACTED]?  
1103  
1104 MCVEY Just to make sure that he didn't have anything on him that could harm me. I mean,  
1105 I think at that point he was already in handcuffs. Before we put somebody in the  
1106 back of a car, the very least I'm going to do is make sure they don't have anything  
1107 they can access while they're sitting in the back of my car.  
1108  
1109 RINEHART Okay. And if you recall, how was Mr. [REDACTED] dressed that evening during this  
1110 contact?  
1111  
1112 MCVEY He was wearing a T-shirt and jeans.  
1113  
1114 RINEHART Okay. Did you believe that Mr. [REDACTED] could possess a weapon?  
1115  
1116 MCVEY I believed it was possible. And like I said, I was going to place him in the back  
1117 of my patrol vehicle, and I wanted to make sure he didn't have access to anything  
1118 that he could hurt himself or me with.  
1119  
1120 RINEHART Okay. After you told him he was going to sit in the back of your patrol car and  
1121 he questioned why, why did you state "Because I fucking said so"?  
1122  
1123 MCVEY It was unprofessional. Like I said, he was in my — he had gotten in my head,  
1124 and I made some bad decisions with communication skills.  
1125  
1126 RINEHART Do you feel that the usage of profanity by you with Mr. [REDACTED] was appropriate  
1127 during this contact?  
1128  
1129 MCVEY No, I don't.  
1130  
1131 RINEHART Yeah, we'll take a break. At this time, we're going to take a break. The time is  
1132 2044 hours.  
1133  
1134 The time is 2101 hours. We're back on the record. At this time, we're going to  
1135 continue playing Ofc. McVey's body-worn camera video file, which is the same  
1136 video. We will start at the 02:39 mark.  
1137  
1138 [BODY-CAMERA VIDEO PLAYING]  
1139  
1140 ANTONETTI For the record, we stopped it at 04:44.

1141  
1142 RINEHART You had mentioned to Ofc. Williams as you were walking up towards the vehicle,  
1143 "This isn't the vehicle. This is a 971," or something to that extent. Does that  
1144 sound accurate?  
1145  
1146 MCVEY Yes, sir.  
1147  
1148 RINEHART What vehicle were you referring to?  
1149  
1150 MCVEY I'm not 100 percent certain, but I believe it was referring to the Impala that Ofc.  
1151 Nutley had observed earlier, through driving through the area, which he believed  
1152 looked suspicious.  
1153  
1154 RINEHART Okay. Can you describe the contact and — correction. Take it back. For the  
1155 record, the female seated in the driver's seat during this incident, per the report,  
1156 was identified as [REDACTED]. Can you describe the contact and the demeanor and  
1157 the conversation that you had with Ms. [REDACTED]?  
1158  
1159 MCVEY So, at this point, I already have Mr. [REDACTED], I believe his name is -  
1160  
1161 RINEHART Yes.  
1162  
1163 MCVEY - detained in the car. So, now, I'm going to go see if there's anybody else in the  
1164 car. And, again, I didn't see him come out of the car. So, I approach, see a female  
1165 sitting in the driver's seat. Okay. So, that's where we're at now. So, I'm  
1166 explaining to her why I'm conducting the stop. And then I made mention,  
1167 something of, "Well, he got out of the car and is acting the way he was." Well, I  
1168 never saw him come out of the car, so I don't know why I said that, but I was  
1169 explaining to her why we're conducting a stop. Basically, the vehicle is expired.  
1170 The registration is suspended. That's why we're conducting the stop.  
1171  
1172 RINEHART Do you remember, at this point of the conversation with Ms. [REDACTED], the  
1173 conversation you had with Mr. [REDACTED] as to him being a passenger or not in the  
1174 car?  
1175  
1176 MCVEY I just remember him saying that it wasn't his car. And I think he did at some point  
1177 say that he was a passenger in the car and not the driver and, therefore, he didn't  
1178 need to be detained, but, again, I hadn't established that yet.  
1179  
1180 RINEHART Okay. When you identified the driver as [REDACTED], did you learn that she did  
1181 not have a driver's license?  
1182  
1183 MCVEY I did.  
1184

1185 RINEHART Okay. At any point prior to this enforcement stop did you observe the vehicle in  
1186 motion, or being driven by Ms. [REDACTED]?  
1187

1188 MCVEY No. Just it appeared to be running because I could see the exhaust coming from  
1189 the tailpipe.  
1190

1191 RINEHART Okay. Can you explain the steps that you took to try and identify Mr. [REDACTED]  
1192 when you spoke with Ms. [REDACTED]?  
1193

1194 MCVEY So, he hadn't given us his name, so I went to go — if she's saying he was in the  
1195 car and he was saying he was in the car, my belief is that she knows who he is.  
1196 So, I'm trying to — and he's detained, so I need to identify him. So, I'm trying to  
1197 figure out who he is. And right away, she's kind of fumbling over her words and  
1198 getting very nervous. So, to me, that's an indicator that she doesn't want to tell  
1199 me who he is because maybe he has a warrant or something like that. So, it's just  
1200 an indicator to me that maybe they don't want to divulge who that person is.  
1201

1202 RINEHART And in the conversation you had with Ms. [REDACTED], you stated — correction. You  
1203 stated something to the extent of if she didn't tell you his name, that you were  
1204 going to tow her shit. Is that accurate?  
1205

1206 MCVEY Yes, sir.  
1207

1208 RINEHART When you were talking about his name, were you referring to Mr. [REDACTED]?  
1209

1210 MCVEY Yes, I was.  
1211

1212 RINEHART Why did you choose that phrase "tow your shit"?  
1213

1214 MCVEY It was — again, I was wrapped in the moment and it was unprofessional. It could  
1215 have been handled better.  
1216

1217 RINEHART Was Ms. [REDACTED] in your head in the moment, or was she causing you to speak to  
1218 her in that way?  
1219

1220 MCVEY No. It was more of I was already frustrated and upset with my interactions with  
1221 Mr. [REDACTED], and now I felt like she was trying to be — it wasn't anything she said,  
1222 specifically, that agitated me more. It was just I felt like she was trying to deflect  
1223 or hide information from me.  
1224

1225 RINEHART At that time when you told Ms. [REDACTED] that you could tow her shit, what was your  
1226 legal authority to tow the vehicle, to your understanding?  
1227



1228 MCVEY Based on the fact that it was — the registration was suspended. The vehicle was  
1229 running. She was sitting in the driver's seat.  
1230  
1231 RINEHART And during that contact for this incident, was the vehicle legally parked?  
1232  
1233 MCVEY I believe so.  
1234  
1235 RINEHART How could the community caretaking standard apply in this situation?  
1236  
1237 MCVEY The community caretaking standard?  
1238  
1239 RINEHART Yes.  
1240  
1241 MCVEY I might need some recollection on what that is.  
1242  
1243 RINEHART Okay. Are you familiar with the community caretaking standard as it relates to  
1244 inventory tows or towing of vehicles?  
1245  
1246 MCVEY I might need some recollection on that.  
1247  
1248 RINEHART Okay. When police officers give citizens an ultimatum, such as "If you don't give  
1249 me the name of something, something else is going to happen," how can that be  
1250 problematic?  
1251  
1252 MCVEY It was inappropriate, and you could be forcing somebody to do something that  
1253 they might not have to do.  
1254  
1255 RINEHART Are those types of interactions as a police officer considered professional or  
1256 unprofessional?  
1257  
1258 MCVEY Unprofessional.  
1259  
1260 RINEHART Do you feel that you were demanding Ms. [REDACTED] with a threat of towing her car  
1261 if she did not give you his name?  
1262  
1263 MCVEY Yes.  
1264  
1265 RINEHART Is it possible that she did not know Mr. [REDACTED]'s name?  
1266  
1267 MCVEY It is possible.  
1268  
1269 RINEHART Have you towed vehicles in the past because someone didn't provide the name of  
1270 a passenger?  
1271

1272 MCVEY No, I have not.  
1273  
1274 RINEHART We're going to continue playing Ofc. McVey's body-worn camera file, which is  
1275 the same video. We will start at the 05:20 time mark.  
1276  
1277 [BODY-CAMERA VIDEO PLAYING]  
1278  
1279 Ofc. McVey, can you tell me about the conversation you had with Mr. [REDACTED]  
1280 during this segment of the video?  
1281  
1282 MCVEY This is me still attempting to identify him because I didn't get that information  
1283 from the female in the driver's seat of the car. And, yeah, I mean, that's what the  
1284 initial conversation was.  
1285  
1286 RINEHART At about the 05:24 mark, Mr. [REDACTED] was seated in the backseat of your patrol  
1287 vehicle, handcuffed. Mr. [REDACTED] asked you the following question: "Why did  
1288 you guys manhandle me like that?" And you replied, "Because you didn't listen  
1289 to me. That is why." What did you mean by that response?  
1290  
1291 MCVEY So, I wasn't responding to him necessarily — or agreeing with him that I  
1292 manhandled him. I was just explaining why I did what I did. I was turning him  
1293 away from me and detained him. Again, I didn't do a very good job explaining  
1294 what I was doing. The things I said were discourteous and unprofessional. I  
1295 mean, that's really all I can say in regards to that.  
1296  
1297 RINEHART Why did you raise your tone during this conversation with Mr. [REDACTED] and use  
1298 profanity?  
1299  
1300 MCVEY Again, he was in my head, and I just never recovered from it at that point. I just  
1301 continued down the path.  
1302  
1303 RINEHART What other practices could you have implemented in a situation such as this,  
1304 when you're conversating with a person in the back seat of the car, if it's not going  
1305 well?  
1306  
1307 MCVEY I could have stepped away from it and let my partner take over and try to whip  
1308 up a dialogue with him, build a better — build a rapport with him, somebody who  
1309 he hasn't had a negative interaction with. So, that could have been an approach.  
1310 Or just taken the initiative myself to take a deep breath and try to approach it  
1311 differently.  
1312  
1313 RINEHART Okay. What is the difference in speaking to someone calmly while saying  
1314 "Because I'm a police officer," versus raising your voice and saying, "Because I  
1315 am a fucking police officer"?

1316  
1317 MCVEY It was inappropriate.  
1318  
1319 RINEHART Why did you tell Mr. [REDACTED] that the driver, Ms. [REDACTED]'s car — the person in the  
1320 driver's seat, Ms. [REDACTED], was getting towed because of him?  
1321  
1322 MCVEY Again, it was just a result of where I was, where my frustration and anger was  
1323 with the situation at the time. It was unprofessional and discourteous.  
1324  
1325 RINEHART How can you tow a person's car as a result of an interaction with the person who  
1326 was not the driver?  
1327  
1328 MCVEY The result of the tow wouldn't have been because of that. It would have been  
1329 because of — I can't. You can't tow a car because of that. That's not a legal  
1330 justification to tow a vehicle.  
1331  
1332 RINEHART Okay. But the justification to decide to tow a vehicle — justification to tow a  
1333 vehicle is discretionary at times. Is that fair to say?  
1334  
1335 MCVEY It can be.  
1336  
1337 RINEHART Okay.  
1338  
1339 MCVEY Yeah. You can't just tow a car because you want to tow a car. If you have  
1340 violations to tow a car, you have spirit of the law to not tow that.  
1341  
1342 RINEHART In your prior experiences to this incident, have you towed a car — legally towed  
1343 a car due to the demeanor or interaction you've had with a person in a negative  
1344 way?  
1345  
1346 MCVEY I probably have, yeah. I'm pretty sure I have. I can't give you any specific  
1347 examples, but I'm fairly confident that I've done that.  
1348  
1349 RINEHART Okay. We're going to continue playing Ofc. McVey's body-worn camera.  
1350 Correction. Can you go to about the 10:30 mark, and I'll see where it's at on the  
1351 bottom? Let's go to the 10:00, then. For the record, we'll be starting the same  
1352 video file for Ofc. McVey's body-worn camera starting at the 09:59 time mark.  
1353  
1354 [BODY-CAMERA VIDEO PLAYING]  
1355  
1356 For the record, we'll be stopping the video file at the 11:45 mark. Can you  
1357 describe what occurred at this point of the call?  
1358

1359 MCVEY So, he requested to speak with a supervisor. You didn't play it, but just before  
1360 that — I don't know what he said, but he said something that made me ask him if  
1361 he needed medical attention or something like that. He ultimately said, "I just  
1362 want your supervisor out here." So, I called my sergeant. Yeah.  
1363

1364 RINEHART Okay. And prior to this video file that we just viewed, when you had asked him  
1365 if he needed medical, was that due to a complaint of the handcuffs being tight?  
1366

1367 MCVEY I'm not 100 percent sure. I couldn't hear what he was saying from the back. I just  
1368 remember watching this video. I asked him if he needed medical attention. I  
1369 think I clarified, but he ultimately just wanted a sergeant out there.  
1370

1371 RINEHART Okay. So, he didn't need medical?  
1372

1373 MCVEY No.  
1374

1375 RINEHART Okay. At the 11:15 time mark of this video of your body-worn camera, you  
1376 advised Mr. [REDACTED] that your sergeant was on his way. Mr. [REDACTED] asked you if  
1377 he has to sit in the back seat with the handcuffs on for nothing. You replied, "For  
1378 now, yeah." What was your reasoning, at that point of the call, to keep Mr. [REDACTED]  
1379 detained in handcuffs in the back seat of your patrol vehicle?  
1380

1381 MCVEY So, just based on this time, and based on the level of interaction with him, and  
1382 him not complying with commands and stuff like that, I felt it better to keep him  
1383 back there to avoid any further confrontation with him.  
1384

1385 RINEHART Can you walk — up to this point in the call, can you walk me up to the — can  
1386 you walk me through the steps that you've taken in determining whether or not  
1387 Mr. [REDACTED] has committed a crime or needed to be further detained?  
1388

1389 MCVEY So, at this point, it was determined that he wasn't the driver of the vehicle. I think  
1390 at this point in time I just kept him back there because I didn't want anything to  
1391 escalate.  
1392

1393 RINEHART Okay. At this point, do you believe that a records check on Mr. [REDACTED] had been  
1394 conducted and completed?  
1395

1396 MCVEY Yes, it had.  
1397

1398 RINEHART And was anything determined from that records check?  
1399

1400 MCVEY He had no status. He had some previous arrest history, but no status.  
1401

1402 ANTONETTI At this point in the call, is Mr. [REDACTED] still detained?



1403  
1404 MCVEY He's still detained, yes.  
1405  
1406 RINEHART So, aside from Mr. [REDACTED] being confrontational, was there any extenuating  
1407 circumstances which you felt you needed to continue to keep him detained?  
1408  
1409 MCVEY I guess at this point, aside from, like I said, not wanting any further confrontation  
1410 with him, I guess he didn't have to be in the back of the car at that point in time.  
1411 Like I said, I did it mainly for officer safety. At that point in time, I determined  
1412 that, I mean, from what I had, that there was no crime. He wasn't on probation,  
1413 so I couldn't go anywhere else with that. So, yeah, I probably could have let him  
1414 out of the vehicle.  
1415  
1416 ANTONETTI What were the officer-safety issues that you were thinking through in your head  
1417 that — you just said that you had some officer-safety issues.  
1418  
1419 MCVEY Again, just when I was going hands-on with him, he was being confrontational  
1420 and turning around and stuff like that. I didn't want anything like that to happen  
1421 again. So, again, there were other options I could have taken. I could have let  
1422 my partner come and take over and walk away from the situation to let things  
1423 calm down. I just — at the time, in my mind, with where my mindset was and  
1424 how amped up I was, I just felt like it was for the best to keep him in the back of  
1425 the car. Whether that was right or wrong is a different story. That's just where I  
1426 was in my mindset at the time.  
1427  
1428 ANTONETTI Thank you.  
1429  
1430 MCVEY I didn't believe I was acting — I didn't believe I was unlawfully detaining  
1431 somebody. My mind was like, "I need to keep him in the car because I don't want  
1432 anything else to go wrong." Whether that was right or wrong is different from an  
1433 outsider's perspective.  
1434  
1435 RINEHART Looking back at it now, based on the investigation and where you were in the  
1436 steps of the investigation, do you feel that once you had completed your records  
1437 check, conducted a pat-down search, and determined he wasn't the driver, keeping  
1438 him handcuffed in the back seat of your patrol vehicle, was that — could that  
1439 have been perceived as an unlawful detention?  
1440  
1441 MCVEY I can see how it could be perceived that way, yes.  
1442  
1443 RINEHART Or improper seizure of a person? Okay. We're going to continue playing Ofc.  
1444 McVey's body-worn camera file, which is the same video file, and we will start  
1445 it at the 15:19 time mark.  
1446

1447 [BODY-CAMERA VIDEO PLAYING]  
1448  
1449 ANTONETTI For the record, we stopped it at 16:15.  
1450  
1451 RINEHART Can you describe the conversation you initially had with Sgt. Nutley when he had  
1452 arrived on scene?  
1453  
1454 MCVEY So, he arrives, and he's just asking what do we have, basically, "Why are we  
1455 where we're at right now?" And then I explained what I saw or perceived, and  
1456 then he's asking why.  
1457  
1458 RINEHART Per your report, you indicated that you did not see Mr. [REDACTED] exit the vehicle.  
1459 When you updated Sgt. Nutley, what did you mean when you told him that Mr.  
1460 [REDACTED] popped out of the passenger side?  
1461  
1462 MCVEY I think I mentioned this earlier, too. I believe I said this a couple of times, and I  
1463 didn't see him come out of the car. I think it was just — in the moment, it's what  
1464 I said. I said it a couple of times. I don't know why I said that, honestly, because  
1465 I honestly didn't see him come out of the car.  
1466  
1467 RINEHART Okay. So, your description of popping out of the car, does that mean — can you  
1468 explain how that — what your mindset -  
1469  
1470 MCVEY I guess it was just my belief that he was associated with the vehicle or that he had  
1471 possibly come out of the car.  
1472  
1473 RINEHART Okay. What did you mean when you explained to Sgt. Nutley that he started  
1474 getting "all rowdy"?  
1475  
1476 MCVEY I think just he wasn't complying. He kept trying to turn around when I went to  
1477 detain him, and he was getting confrontational.  
1478  
1479 RINEHART Okay. Sgt. Nutley asked you, "What is our reason for detaining Mr. [REDACTED]?"  
1480 Then, he states, "Because he was walking away?" And you replied, "Walking  
1481 away." Does that sound correct?  
1482  
1483 MCVEY Yeah, that's what the audio says. Again, I think, just going back to our earlier  
1484 conversation, just based on my interaction with him and my reasonable suspicion  
1485 at the time, I thought it was possible that he was going to attempt to leave, and  
1486 that's why I did what I did.  
1487  
1488 RINEHART Okay. Ofc. McVey, at what point during your contact did you perceive Mr.  
1489 [REDACTED] to be walking away?  
1490

1491 MCVEY I don't — like I said, I thought it was a possibility. He didn't necessarily make it  
1492 that far. I was trying to prevent him to, so that's why I detained him.  
1493

1494 RINEHART Okay.  
1495

1496 ANTONETTI When you say it was a possibility, do you mean like his movements, his actions?  
1497

1498 MCVEY Yeah. Just the signs he was giving me, based on my training and experience, I  
1499 believed he was trying to disassociate himself with the vehicle or get away from  
1500 the scene.  
1501

1502 RINEHART Okay. At the 00:43 mark of your body-worn camera, you opened your door and  
1503 gave Mr. [REDACTED] the command of "Stay there." When did you observe Mr. [REDACTED]  
1504 to be walking away?  
1505

1506 MCVEY I didn't necessarily. I was just — at that point, I had a detention and I was just  
1507 making it known, "Hey, you're detained. Don't leave."  
1508

1509 RINEHART Okay. Do you feel that you can reasonably detain a person solely because they  
1510 are walking away?  
1511

1512 MCVEY No. Based on the totality of the circumstances and my reasonable suspicion that  
1513 he was possibly involved with that car, that's why I did what I did. But just  
1514 somebody walking away, absent anything else, no.  
1515

1516 RINEHART Okay.  
1517

1518 ANTONETTI How long can you legally detain somebody?  
1519

1520 MCVEY As reasonably long as necessary to determine whether or not a crime has  
1521 occurred.  
1522

1523 RINEHART At what point did you determine whether or not a crime had occurred during this  
1524 incident?  
1525

1526 MCVEY After I had put him in the back of my car and gone back and — well, detained  
1527 him in the back of my car, contacted the female, went back to the car. He finally  
1528 gave me his name. I conducted a records check of him and realized that he wasn't  
1529 on probation or parole, which is right before I contacted my sergeant.  
1530

1531 RINEHART And at some point during this incident was the driver — was a records check  
1532 conducted on the driver?  
1533

1534 MCVEY Yes. I believe Ofc. Williams conducted that. I don't remember. I may have  
1535 conducted it myself. I don't remember 100 percent, but it was conducted.  
1536

1537 RINEHART So, do you believe that your investigation had concluded prior to Sgt. Nutley  
1538 arriving, or was it after?  
1539

1540 MCVEY I would say prior. Again, my reason for detention was what I mentioned earlier.  
1541 I was — at the time, I believed it was the safest opportunity, even though at that  
1542 point he probably could have left if he wanted to because no crime had occurred.  
1543

1544 ANTONETTI Earlier, you mentioned a DV incident where you and Ofc. Williams were  
1545 together. I believe you said it was in 2B, that incident that I'm talking about. You  
1546 had mentioned that Ofc. Williams stepped in and mentored you and took over  
1547 part of the call for service. Were there any similarities between this 971  
1548 suspicious vehicle call and the DV call that stand out to you regarding your  
1549 demeanor?  
1550

1551 MCVEY No, I wouldn't — it was nothing like that. It was just more of — it was a domestic  
1552 violence call, and it was like one of the third-party — a third party. So, the subject  
1553 opened the door. And because of the nature of the call, I didn't enter the location,  
1554 but I kind of put my foot in the door, and the male half didn't like that. I said,  
1555 "Hey, we just need to figure out who you are and make sure everything's okay."  
1556 And I was reaching for status, so I asked him if he was on probation or parole,  
1557 and that upset him. So, then, Ofc. Williams took it over, but it was nothing like  
1558 this.  
1559

1560 ANTONETTI Okay. Did the DV incident for the male half that you were talking to — did he  
1561 get into your head like Mr. [REDACTED] did?  
1562

1563 MCVEY No.  
1564

1565 ANTONETTI Oh, I'm so sorry.  
1566

1567 RINEHART Take a break?  
1568

1569 GABRIEL Yeah.  
1570

1571 RINEHART Okay. The time is 2130 hours.  
1572

1573 And it's 2131 hours, and we are back on the record.  
1574

1575 ANTONETTI Would you like me to ask the question again?  
1576

1577 MCVEY Yes, please.



1578  
1579 ANTONETTI Okay. Did the DV incident for the male half, did he get into your head like you  
1580 said Mr. [REDACTED] did?  
1581  
1582 MCVEY No. It was nothing like that. Again, I was just trying to establish maybe some  
1583 PC to enter the house, and it was investigating a crime. There was no  
1584 unprofessionalism in regards to this.  
1585  
1586 RINEHART Okay.  
1587  
1588 ANTONETTI Thank you.  
1589  
1590 RINEHART So, to clarify, earlier, when you had described this call that you had gone on with  
1591 Ofc. Williams, were you describing situations where you've worked with Ofc.  
1592 Williams where you have both worked back and forth together?  
1593  
1594 MCVEY Yeah, absolutely.  
1595  
1596 RINEHART Okay. Ofc. McVey, prior to the incident on February 9th of 2022, have you had  
1597 any other prior contacts that you recall where you interacted with the public and  
1598 shown acts of discourtesy or unprofessional conduct that you recall?  
1599  
1600 MCVEY Nothing like this.  
1601  
1602 RINEHART Anything where statements were made using profanity in an unprofessional  
1603 manner?  
1604  
1605 MCVEY I've used profanity on calls for service. I can't give you any specific examples,  
1606 but I have, yeah.  
1607  
1608 RINEHART Okay.  
1609  
1610 ANTONETTI But in times in police work is it okay to use profanity at certain times?  
1611  
1612 MCVEY At certain times, I believe so, yeah. It's a — I don't want to say — like a de-  
1613 escalation tactic or aid to prevent things from — yeah, I believe so.  
1614  
1615 RINEHART Okay.  
1616  
1617 GABRIEL Can I follow up on that really quick?  
1618  
1619 ANTONETTI Yes.  
1620

1621 GABRIEL Are there situations where, again, the totality of the circumstances, when you're  
1622 dealing with a certain particular individual where certain language has more of  
1623 an effect than others?  
1624

1625 MCVEY Absolutely, yeah.  
1626

1627 GABRIEL Okay. And is that certain times where you've used, maybe, profanity to try to -  
1628

1629 MCVEY Oh, absolutely, yeah.  
1630

1631 GABRIEL - convey a particular message because it's effective?  
1632

1633 MCVEY Absolutely.  
1634

1635 RINEHART If you were to conduct similar enforcement as you did on February 9th of 2022,  
1636 and you were to have a contact again that was similar in nature, would you do  
1637 anything differently?  
1638

1639 MCVEY This is not how I handle myself. This is — to me, this was — I was very  
1640 disappointed in how I handled myself. This is not how I handle myself as a police  
1641 officer, and it's not something that I plan on doing ever again.  
1642

1643 RINEHART Okay. Is there anything that you would do differently?  
1644

1645 MCVEY Yeah. I would have initiated it in a whole different way. I would have said — I  
1646 would have started off by saying, "Hey, I'm not trying to shine my light on you.  
1647 I'm trying to see if there's anybody in the car." I would have approached it  
1648 completely differently.  
1649

1650 RINEHART Can you walk me through how you would have approached it?  
1651

1652 MCVEY Like I said, when he started yelling, "Hey, stop shining that light on me," it's like,  
1653 "Hey, I'm not shining the light on you. I'm trying to read the license plate, because  
1654 I can't read it, so I can see the registered owner of the car and see the status of the  
1655 car," and just better explain myself in that regard. And then, upon further  
1656 conducting my investigation, if he wasn't happy with that, not swearing at him  
1657 and saying the things I said to him using the profanity I used. In regards to the  
1658 detention, I probably wouldn't have changed too much of that. I don't feel like I  
1659 did anything out of normal there. And then, yeah, interaction on the car as well.  
1660 I was inappropriate with him at times. So, I think mainly it was just the dialogue  
1661 with him that I would have changed.  
1662

1663 RINEHART Okay. When you say the interaction at the car, are you describing the interaction  
1664 with the female driver, Ms. [REDACTED]?

1665  
1666 MCVEY That as well, but just, also, saying "Hey, you're getting your friend's car towed as  
1667 a result of you," I wouldn't have — that wasn't appropriate. I shouldn't have said  
1668 that. Saying "I'm a F-ing police officer," those are things that I don't say on a  
1669 day-to-day basis. That's not how I do my job, and I'm ashamed of how I acted in  
1670 that situation, and that's — yeah, I can't really say anything more about that.  
1671  
1672 RINEHART Okay. In regards to the tactics on this call and how you interacted with — where  
1673 you were initially, having a partner arrive on scene, observing a male outside of  
1674 a car, potentially other occupants in a car, would you have handled that situation  
1675 any differently as it relates to officer safety? And if so, could you describe it?  
1676  
1677 MCVEY Yeah, absolutely. Like I said, I would have — I should have tried to reposition  
1678 him or at least reposition myself to where I had eyes on both the vehicle, just in  
1679 case anybody came out of it, and still had eyes on him as well.  
1680  
1681 RINEHART Do you feel if some level of de-escalation or a different approach with the  
1682 communication was exercised during the initial contact, do you feel that the  
1683 subject potentially could have come to you or Ofc. Williams's location versus you  
1684 approaching?  
1685  
1686 MCVEY Yeah, absolutely.  
1687  
1688 RINEHART If you were to approach a subject next to a car, similar to this stop, in the future  
1689 with a partner, how would you — if any, would you do anything differently?  
1690  
1691 MCVEY Yeah. I mean, I'd like to be more certain that that person was, in fact, associated  
1692 with the car. I mean, yeah, just the way I handled it all around. Yeah. I mean, I  
1693 definitely would be more cautious about how I approached that and whether or  
1694 not it's worth it to make a stop on it or continue with what I'm doing.  
1695  
1696 RINEHART Okay. And specifically, in regards to — if you were in a situation where you had  
1697 to detain a subject which you believed to be involved with a vehicle, would you  
1698 do anything differently as it relates to your positioning between the subject and  
1699 the vehicle?  
1700  
1701 MCVEY Yeah. I would — so, this wasn't ideal, just based on where it was. Usually, we  
1702 get behind the car and it's on the side of the street or something like that. So, I  
1703 think that affected the tactics a little bit, but, yes, I should have never turned my  
1704 back to the car not knowing whether or not there was anybody in it. So, I should  
1705 have had eyes on the vehicle. And I was also dealing with a vehicle behind me.  
1706 So, I mean, yeah, I should have repositioned myself and been more aware of my  
1707 surroundings.  
1708

1709 RINEHART Based on your training and experience, and the experience you've had to date, is  
1710 there anything you would have done differently as it relates to the communication  
1711 in an incident similar to this with a partner who is on scene?  
1712

1713 MCVEY Can you say that one more time, please?  
1714

1715 RINEHART Yes. When you have a — if you were to investigate an incident similar to  
1716 February 9th, where you had to detain a subject and there's a vehicle involved,  
1717 where you have a partner who is on scene with you, would you have tried to  
1718 exercise any different lines of communication between you and your partner?  
1719

1720 MCVEY Yeah. I think it's tough. I think this happened so fast that my objective was to  
1721 detain him at the time, and that's when Ofc. Williams came over. So, he didn't  
1722 know what I had, necessarily. He just knew that I was trying to detain somebody.  
1723 So, it's kind of hard for me to answer that question. It could have been handled  
1724 differently, yes. Yeah.  
1725

1726 RINEHART Since this incident, what have you done to improve your communication skills as  
1727 a police officer?  
1728

1729 MCVEY So, the very next day, I — I don't remember if it was after — I don't know if I  
1730 took the night off from watching the video or if I watched it — I think I must  
1731 have watched it, actually, before end of watch of this shift because right after roll  
1732 call the very next day, I went to Sgt. Nutley and told him I wasn't proud of how I  
1733 conducted myself and had a conversation with him. And he thought it would be  
1734 good for me to ride with a very experienced officer who has lots of experience in  
1735 making consensual contacts or just proactive contacts. So, I rode several shifts  
1736 with another officer and just observed him and watched how he did things, and I  
1737 learned a lot from that.  
1738

1739 RINEHART Okay. As it relates to questioning citizens whether they're on probation or parole,  
1740 what challenges exist, or what responses can occur as it relates to the interaction?  
1741

1742 MCVEY Oh, they can tell you whatever they want. They can — I mean, they're supposed  
1743 to tell you, advise you whether they're on probation or parole, but that doesn't  
1744 mean they're going to. But we have — yeah.  
1745

1746 RINEHART Have you taken — has there been any other measures or practices by you, as an  
1747 officer, since this incident to improve your officer safety or tactics as it relates to  
1748 this call?  
1749

1750 MCVEY I mean, that part of it wasn't really mentioned or addressed until I got the email  
1751 from you, but I definitely am aware of it now. I wasn't really aware of it until it

1752 was mentioned, but it makes sense. I totally get it. It's something I'll definitely  
1753 be cognizant of.  
1754

1755 RINEHART Before we take a break, is there any other information that you'd like to add before  
1756 we move into policy — about this incident that you feel would be important for  
1757 us to know?  
1758

1759 MCVEY No.  
1760

1761 GABRIEL No.  
1762

1763 RINEHART Okay. All right. At this time, it's 2141 hours. We're taking a break.  
1764

1765 It's 2149 hours. We're back on the record. Ofc. McVey, if you could, please refer  
1766 to General Order 210.04: General and Professional Conduct, dated May 7th of  
1767 2021. Have you had enough time to review this general order and understand it?  
1768

1769 MCVEY Yes, I have.  
1770

1771 RINEHART Okay. As it relates to the incident on February 9th of 2022, SPD 22-38292, do  
1772 you feel like you violated this policy?  
1773

1774 MCVEY Yes, I do.  
1775

1776 RINEHART Can you explain how you feel you violated this policy and what subsections of  
1777 the policy you violated?  
1778

1779 MCVEY Subsection (g), discourteous and derogatory comments, harassing behavior,  
1780 refrain from the use of profanity. Those are things that I did during that  
1781 encounter.  
1782

1783 RINEHART Any other subsections of this policy do you feel that you have violated? I'll  
1784 clarify. For the record, if you could, refer to page 1 of the policy, under  
1785 "Procedure: Professional Conduct," section A(1), "Employees on or off duty  
1786 shall (a)" — I'll read it into the record. It states "Be governed by ordinary and  
1787 reasonable rules of good conduct and behavior." During your actions of this  
1788 incident on February 9th of 2022, do you feel that you demonstrated ordinary and  
1789 reasonable rules of good conduct and behavior?  
1790

1791 MCVEY In regards to (a), conduct and behavior? No.  
1792

1793 RINEHART Do you feel like you violated this section of -  
1794

1795 MCVEY I'm sorry, yes, I do believe I — yes, I do feel like I violated this section.

1796  
1797 RINEHART Okay. And why is that?  
1798  
1799 MCVEY Because I did not demonstrate good conduct or behavior in regards to the use of  
1800 my profanity and just my overall dialogue.  
1801  
1802 RINEHART Okay. And if you could, refer to the same policy, under "Procedure," section  
1803 A(1)(b). It states "Not commit any act whether negligent, intentional, criminal,  
1804 or otherwise that could bring discredit upon the department or the City." Do you  
1805 feel you violated this section of policy?  
1806  
1807 MCVEY I believe my actions could bring discredit to the department, so yes.  
1808  
1809 RINEHART Under "Procedure," section (2)(c), if you could, refer to that. Let me know when  
1810 you've had enough time to review it.  
1811  
1812 MCVEY Okay.  
1813  
1814 RINEHART For the record, under the same policy, section A(2)(c) states "Serve the public by  
1815 direction, counsel, and example that does not interfere with the discharge of their  
1816 police responsibilities. They shall respect and protect the rights of individuals  
1817 and perform their services with honesty and integrity." As it relates to this  
1818 incident, do you feel that you violated this section of policy?  
1819  
1820 MCVEY Can I have a minute with counsel?  
1821  
1822 RINEHART Yes. The time is 2153 hours, and we'll be taking a break.  
1823  
1824 It's 2200 hours. We're back on the record. Ofc. McVey, we were referring to the  
1825 210.04 general order under "Procedure," section A(2). Do you feel that you  
1826 violated subsection (3) of this policy? I'm sorry, correction, subsection (c) of this  
1827 policy.  
1828  
1829 MCVEY Based on the way that it's worded and just based on the totality of the  
1830 circumstances, I don't believe that I was acting dishonestly or without integrity.  
1831 I believe, at the time, I was acting in good faith, so I'm going to say no to that  
1832 one.  
1833  
1834 RINEHART Okay. Under the same policy, under "Procedure," section A(2)(d), do you feel  
1835 that you violated this section of policy?  
1836  
1837 MCVEY No. My interpretation is it's talking about respect for others throughout the  
1838 department. I don't feel that I was being disrespectful to others through the  
1839 department.

1840  
1841 RINEHART Okay. And if you could, refer to the policy on page 1, the paragraph there. I'll  
1842 give you a moment to review it.  
1843  
1844 MCVEY Okay.  
1845  
1846 RINEHART I'll read it for the record. It states "It shall be the policy of the Sacramento Police  
1847 Department to ensure exemplary conduct of department employees, both on and  
1848 off duty, and in keeping with the standards of the City Charter, Civil Service  
1849 Rules and Regulations, and established labor agreements." As it relates to this  
1850 incident, do you feel that you demonstrated exemplary conduct as a department  
1851 employee?  
1852  
1853 MCVEY No.  
1854  
1855 RINEHART Why is that?  
1856  
1857 MCVEY Because I was discourteous, used profanity, and I handled the situation  
1858 inappropriately, in my opinion.  
1859  
1860 RINEHART Okay. On page 1 of this policy, under "Procedure," section (2)(f), do you feel  
1861 that you violated this section of policy as it relates to this call?  
1862  
1863 MCVEY To me, I feel it's all-encompassing. I feel like I was discourteous. I definitely  
1864 used derogatory comments, and I was unprofessional. So, I guess you could say  
1865 yes.  
1866  
1867 RINEHART Okay. If you can, refer to General Order 580.02: Use of Force, dated December  
1868 16th of 2021. Have you had enough time to review this general order and  
1869 understand it?  
1870  
1871 MCVEY I need to take a minute to look at it.  
1872  
1873 RINEHART Have you had enough time to review this general order and understand it?  
1874  
1875 MCVEY Yes, I have.  
1876  
1877 RINEHART Do you feel you violated this policy as it relates to this incident on February 9th  
1878 of 2022?  
1879  
1880 MCVEY I do not.  
1881  
1882 RINEHART Ofc. McVey, if you could, refer to page 7 of 14, section F(7). Let me know when  
1883 you've had enough time.

1884  
1885 MCVEY Yes, sir.  
1886  
1887 RINEHART And I will read it for the record: "When feasible, peace officers shall attempt to  
1888 de-escalate situations." During SPD 22-38292, can you describe any moments  
1889 during this call where you feel you could have demonstrated efforts of de-  
1890 escalation with Mr. [REDACTED]?  
1891  
1892 MCVEY I could have used de-escalation tactics, yes.  
1893  
1894 RINEHART Do you feel that you violated this section of policy?  
1895  
1896 MCVEY I do.  
1897  
1898 RINEHART Okay. Why is that?  
1899  
1900 MCVEY Because I could have approached the conversation differently upon my initial  
1901 contact. My initial response to this policy, whether or not I was in violation,  
1902 referred to my detention and use of force in that regard.  
1903  
1904 RINEHART Okay. If you could, refer to page 5 of 14, section — do you mind if I take a look  
1905 at that binder for a moment? Correction. For the record, if you could, refer to  
1906 page 7 of 14, section G, "Prohibited Uses of Force." I'll give you a moment to  
1907 review it.  
1908  
1909 MCVEY Are you referring to G(1)(c)?  
1910  
1911 RINEHART Yes, subsection (1)(c). Let me know when you've had enough time to review  
1912 that.  
1913  
1914 MCVEY Okay.  
1915  
1916 RINEHART Subsection G(1)(c) reads "Peace officers shall not use force against subjects who  
1917 are not subject to arrest or detention, except to protect the officer or another  
1918 person." As it relates to SPD 22-38292, do you feel like you violated this section  
1919 of policy?  
1920  
1921 MCVEY No, based on — going back to our earlier conversation, which I believe I honored  
1922 — sorry, answered honestly, I feel like at the time, based on the totality of the  
1923 circumstances while conducting my investigation, I had reasonable suspicion that  
1924 subject [REDACTED] was possibly associated with the car that had expired plates and  
1925 suspended registration. Based on that, I detained him and placed him in the back  
1926 of my patrol vehicle. So, based on that, I do not believe I violated the policy.  
1927



1928 RINEHART Okay. Is there any other information relative to this investigation that you feel  
1929 that is pertinent or you'd like to add?  
1930  
1931 MCVEY No, sir.  
1932  
1933 ANTONETTI Is there anything else relating to this matter which we have not covered that needs  
1934 to be added, clarified, or changed? If so, I am ordering you to provide that  
1935 information now.  
1936  
1937 MCVEY No, ma'am.  
1938  
1939 ANTONETTI After you leave this interview, should you remember anything that is different  
1940 from or in addition to the information that you've given today, I am ordering you  
1941 to contact Sgt. Rinehart immediately. I am also ordering you not to discuss this  
1942 matter with any other department employee. Do you understand these orders?  
1943  
1944 MCVEY Yes, ma'am.  
1945  
1946 ANTONETTI We will conclude the interview at 2209 hours.  
1947  
1948 **End of Recording**  
1949  
1950 **Transcribed by: DocuScript, LLC/mw**



**SACRAMENTO  
POLICE DEPARTMENT  
CAD Call HARDCOPY  
CP# SA 2022-38292**

## Table of Contents

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<b>Related Event CP# SA 2022-38292 .....</b>	
<b>Summary .....</b>	<b>1</b>
<b>Incident Location .....</b>	<b>1</b>
<b>Complainant Information .....</b>	<b>1</b>
<b>Clearance Information .....</b>	<b>1</b>
<b>Dispatch Details .....</b>	<b>1</b>
<b>Chronological Events .....</b>	<b>2</b>
<b>Unit/Officer Details .....</b>	<b>3</b>
<b>Related Narrative(s) .....</b>	<b>6</b>
<b>1. JOHNSTON, MCKENZIE 6058 (4715), PLAIN TEXT - 1A26 Rsp: IV 4 [REDACTED] .....</b>	<b>6</b>
<b>2. MCVEY, JOEL L 0293 (4720), - 978 [REDACTED] .....</b>	<b>7</b>
<b>3. MCVEY, JOEL L 0293 (4720), - RMS [REDACTED] .....</b>	<b>9</b>
<b>4. MCVEY, JOEL L 0293 (4720), - 978 [REDACTED] .....</b>	<b>11</b>
<b>5. MCVEY, JOEL L 0293 (4720), - RMS [REDACTED] .....</b>	<b>13</b>

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# SACRAMENTO POLICE DEPARTMENT

CAD Call HARDCOPY

CP# SA 2022-38292

## SUMMARY

<b>Call Number</b>	CP# SA 2022-38292	<b>Date/In Time</b>	FEB-09-2022 04:16:31
<b>Status</b>	C - CLEARED	<b>Priority</b>	4
<b>Queue Type</b>	R	<b>How Received</b>	VOICE(RADIO)
<b>Initial Call Type</b>	SUSPICIOUS VEHICLE-OCCUPIED	<b>Final Call Type</b>	SUSPICIOUS VEHICLE-OCCUPIED
<b>Call Taker</b>	4715 - JOHNSTON, MCKENZIE 6058	<b>Call Taker Desk</b>	SR12
<b>Initial Remarks</b>	[REDACTED]/TOYT		

## CALL TIMES

**Received** FEB-09-2022 04:16:31  
**Queued** FEB-09-2022 04:16:31  
**Dispatched** FEB-09-2022 04:16:31  
**Enroute** FEB-09-2022 04:16:31  
**On Scene** FEB-09-2022 04:16:31  
**Cleared** FEB-09-2022 05:38:35

## TOTALS

<b>Units</b>	3	<b>Entities</b>	0
<b>Images</b>	0	<b>Documents</b>	5
<b>Remarks</b>	4		

## INCIDENT LOCATION

**Address** 1443 ARCADE BLVD  
**Place** SPEED WASH  
**District 2 Beat 2B Grid** 0545

## COMPLAINANT INFORMATION

**Place** SPEED WASH

## CLEARANCE INFORMATION

<b>Final Case Type</b>	SUSPICIOUS VEHICLE-OCCUPIED	
<b>Report Expected</b>	YES	
<b>How Cleared</b>	POLICE MATTER RESOLVED AT SCENE	<b>On Bolo</b> N
<b>Cleared By</b>	4384 - WILLIAMS, DAVID 0981	<b>Clearance Desk ID</b> 1A24
<b>Reporting Officer 1</b>	4720 - MCVEY, JOEL L 0293	
<b>Clearance Remarks</b>	I RTF	

## DISPATCH INFORMATION

<b>Prime Unit</b>	1A26	<b>Type</b>	PT
<b>Officer 1</b>	4720 - MCVEY, JOEL L 0293		
<b>Dispatched</b>	FEB-09-2022 04:16:31	<b>Enroute</b>	FEB-09-2022 04:54:24



# SACRAMENTO POLICE DEPARTMENT

## CAD Call HARDCOPY

CP# SA 2022-38292

**At Scene** FEB-09-2022 04:56:10  
**Inservice** FEB-09-2022 05:29:59  
**Dispatch ID** 4715 - JOHNSTON, MCKENNZIE  
6058

**Backup Unit** 1A24  
**Officer 1** 4384 - WILLIAMS, DAVID 0981  
**Dispatched** FEB-09-2022 04:23:03  
**At Scene** FEB-09-2022 04:23:03  
**Inservice** FEB-09-2022 05:38:35  
**Dispatch ID** 4715 - JOHNSTON, MCKENNZIE  
6058

**Type** PT

**Enroute** FEB-09-2022 04:55:08

**Backup Unit** 1SM2  
**Officer 1** 732 - NUTLEY, DANIEL 3105  
**Dispatched** FEB-09-2022 04:28:15  
**At Scene** FEB-09-2022 04:29:47  
**Inservice** FEB-09-2022 04:54:32  
**Dispatch ID** 4715 - JOHNSTON, MCKENNZIE  
6058

**Type** PS

**Enroute** FEB-09-2022 04:28:15

### REMARKS

**Desk ID** 1A26 **Jurisdiction** SA  
**Last Updated Date** 2022-02-09 04:22:10  
**Last Updated By** 4720 - MCVEY, JOEL L 0293 **Last Updated Jur** SA  
**Remarks** [REDACTED], 31, M, B, 5'09, 150 LBS, BRO, GRY, [REDACTED]  
[REDACTED]

**Desk ID** 1A24 **Jurisdiction** SA  
**Last Updated Date** 2022-02-09 04:29:32  
**Last Updated By** 4384 - WILLIAMS, DAVID 0981 **Last Updated Jur** SA  
**Remarks** [REDACTED], 33, F, W, 5'03, 110 LBS, BRO, BLU, [REDACTED]  
[REDACTED]

**Desk ID** 1A24 **Jurisdiction** SA  
**Last Updated Date** 2022-02-09 04:30:05  
**Last Updated By** 4384 - WILLIAMS, DAVID 0981 **Last Updated Jur** SA  
**Remarks** [REDACTED], 31, M, B, 5'09, 150 LBS, BRO, GRY, [REDACTED]  
[REDACTED]

**Desk ID** 1A24 **Jurisdiction** SA  
**Last Updated Date** 2022-02-09 04:44:37  
**Last Updated By** 4384 - WILLIAMS, DAVID 0981 **Last Updated Jur** SA  
**Remarks** [REDACTED] PHONE # [REDACTED]

### CHRONOLOGICAL EVENTS

SE FEB-09-2022 04:16:31



# SACRAMENTO POLICE DEPARTMENT

## CAD Call HARDCOPY

CP# SA 2022-38292

QRY VEH: 1A26 [REDACTED] CA 2022

4720 1A26 OS

**Call Remark** FEB-09-2022 04:22:10 1A26 4720 - MCVEY, JOEL L 0293

[REDACTED], [REDACTED], [REDACTED], 31, M, B, 5'09, 150 LBS, BRO, GRY, [REDACTED]  
[REDACTED]

**RMS Query** FEB-09-2022 04:22:38

RMS Q PERS-NAME: [REDACTED] G1 [REDACTED] DOB [REDACTED] SE  
4720 1A26 OS

**External Query** FEB-09-2022 04:22:38

EXT Q PERS-NAME: [REDACTED] G1 [REDACTED] DOB [REDACTED] SE  
4720 1A26 OS

**External Query** FEB-09-2022 04:28:25

EXT Q PERS-NAME: [REDACTED] G1 [REDACTED] DOB [REDACTED] SEX:  
4720 1A26 OS

**RMS Query** FEB-09-2022 04:28:25

RMS Q PERS-NAME: [REDACTED] G1 [REDACTED] DOB [REDACTED] SEX:  
4720 1A26 OS

**Call Remark** FEB-09-2022 04:29:32 1A24 4384 - WILLIAMS, DAVID 0981

[REDACTED], [REDACTED], [REDACTED], 33, F, W, 5'03, 110 LBS, BRO, BLU, [REDACTED]  
[REDACTED], [REDACTED]  
[REDACTED]

**Call Remark** FEB-09-2022 04:30:05 1A24 4384 - WILLIAMS, DAVID 0981

[REDACTED], [REDACTED], [REDACTED], 31, M, B, 5'09, 150 LBS, BRO, GRY, [REDACTED]  
[REDACTED]

**Call Remark** FEB-09-2022 04:44:37 1A24 4384 - WILLIAMS, DAVID 0981

[REDACTED] PHONE # [REDACTED]

**Status Change** FEB-09-2022 04:54:32

732 1SM2 IS

**Status Change** FEB-09-2022 05:29:59

4720 1A26 IS

**Status Change** FEB-09-2022 05:38:35

4384 1A24 IS

**Call Cleared** FEB-09-2022 05:38:35

CLEARED CASE SA38292 FOUNDED-Y REPORT-Y CLEARED BY  
4384 1A24 IS

### UNIT/OFFICER DETAILS

**Details** FEB-09-2022 04:16:31 4715 - JOHNSTON, MCKENZIE 6058

1A26 4720 PT

1443 ARCADE BLVD - @ [REDACTED] /TOYT



# SACRAMENTO POLICE DEPARTMENT

## CAD Call HARDCOPY

CP# SA 2022-38292

**Details** FEB-09-2022 04:16:31 4715 - JOHNSTON, MCKENNZIE 6058  
1A26 4720 PT  
QRY VEH: 1A26 [REDACTED] CA 2022

**Details** FEB-09-2022 04:22:38 4720 - MCVEY, JOEL L 0293  
1A26 4720 PT  
RMS Q PERS-NAME: [REDACTED] G1 [REDACTED] DOB [REDACTED] SE

**Details** FEB-09-2022 04:22:38 4720 - MCVEY, JOEL L 0293  
1A26 4720 PT  
EXT Q PERS-NAME: [REDACTED] G1 [REDACTED] DOB [REDACTED] SE

**Details** FEB-09-2022 04:23:03 4715 - JOHNSTON, MCKENNZIE 6058  
1A24 4384 PT  
1443 ARCADE BLVD

**Details** FEB-09-2022 04:28:15 4715 - JOHNSTON, MCKENNZIE 6058  
1SM2 732 PS  
1443 ARCADE BLVD

**Details** FEB-09-2022 04:28:25 4720 - MCVEY, JOEL L 0293  
1A26 4720 PT  
EXT Q PERS-NAME: [REDACTED] G1 [REDACTED] DOB [REDACTED] SEX:

**Details** FEB-09-2022 04:28:25 4720 - MCVEY, JOEL L 0293  
1A26 4720 PT  
RMS Q PERS-NAME: [REDACTED] G1 [REDACTED] DOB [REDACTED] SEX:

**Details** FEB-09-2022 04:29:47 732 - NUTLEY, DANIEL 3105  
1SM2 732 PS

**Details** FEB-09-2022 04:54:24 4720 - MCVEY, JOEL L 0293  
1A26 4720 PT  
KINNEY

**Details** FEB-09-2022 04:54:32 732 - NUTLEY, DANIEL 3105  
1SM2 732 PS

**Details** FEB-09-2022 04:55:08 4384 - WILLIAMS, DAVID 0981  
1A24 4384 PT  
KINNEY

**Details** FEB-09-2022 04:56:10 4720 - MCVEY, JOEL L 0293  
1A26 4720 PT

**Details** FEB-09-2022 05:29:59 4720 - MCVEY, JOEL L 0293  
1A26 4720 PT

**Details** FEB-09-2022 05:29:59 4720 - MCVEY, JOEL L 0293  
1A26 4720 PT  
UPDATED CASE SA38292 FOUNDED-Y REPORT-Y CLEARED BY

**Details** FEB-09-2022 05:38:35 4384 - WILLIAMS, DAVID 0981  
1A24 4384 PT



# SACRAMENTO POLICE DEPARTMENT

## CAD Call HARDCOPY

CP# SA 2022-38292

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**Details** FEB-09-2022 05:38:35 4384 - WILLIAMS, DAVID 0981  
1A24 4384 PT  
CLEARED CASE SA38292 FOUNDED-Y REPORT-Y CLEARED BY





# SACRAMENTO POLICE DEPARTMENT

CAD Call HARDCOPY

CP# SA 2022-38292

## Narrative Text

Type PLAIN TEXT

Subject 1A26 Rsp: IV 4 [REDACTED]

Author 4715 - JOHNSTON, MCKENNZIE 6058

Related Date Feb-09-2022 4:16

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

END





# SACRAMENTO POLICE DEPARTMENT

CAD Call HARDCOPY

CP# SA 2022-38292

██████

END





SACRAMENTO POLICE DEPARTMENT

CAD Call HARDCOPY

CP# SA 2022-38292

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# SACRAMENTO POLICE DEPARTMENT

CAD Call HARDCOPY

CP# SA 2022-38292

## Narrative Text

Type

Subject 978 [REDACTED]

Author 4720 - MCVEY, JOEL L 0293

Related Date Feb-09-2022 4:28

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]



# SACRAMENTO POLICE DEPARTMENT

CAD Call HARDCOPY

CP# SA 2022-38292

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

END







# SACRAMENTO POLICE DEPARTMENT

CAD Call HARDCOPY

CP# SA 2022-38292

\*\*\* END OF HARDCOPY \*\*\*



# SACRAMENTO POLICE DEPARTMENT

## GENERAL OFFENSE HARDCOPY

GO# SA 2022-38292 INFORMATION REPORT  
ONLY

7000-78 MISCELLANEOUS I RPT (ZMISC)

### General Offense Information

Operational status: **INFORMATION REPORT ONLY**

Reported on: **Feb-09-2022 (Wed.) 416**

Occurred on: **Feb-09-2022 (Wed.) 416**

Approved on: **Feb-10-2022 (Thu.)** by: **732 - NUTLEY, DANIEL 3105**

Report submitted by: **4720 - MCVEY, JOEL L 0293**

Org unit: **OOO PATROL DIST 2 LATE (TEAM 11)**

Address: **1443 ARCADE BLVD**

Place: **SPEED WASH**

Municipality: **SACRAMENTO** County: **SACRAMENTO COUNTY**

District: **2** Beat: **2B** Grid: **0545**

Gang involvement: **NO GANG INVOLVEMENT**

Family violence: **No**

### Offenses (Completed/Attempted)

Offense: # **1** **7000-78 MISCELLANEOUS I RPT (ZMISC) - COMPLETED**

Location: **STREETS / HWY / ROAD / ALLEY**

Offender suspected of using: **N/A**

Bias: **NONE (NO BIAS)**



# SACRAMENTO POLICE DEPARTMENT

## GENERAL OFFENSE HARDCOPY

GO# SA 2022-38292 INFORMATION REPORT  
ONLY

7000-78 MISCELLANEOUS I RPT (ZMISC)

### Related Event(s)

CP 38292

### Related Person(s)

#### 1. SUBJECT # 1 -

##### (Case Specific Information)

Sex: **Male**

Race: **AFRICAN AMERICAN/BLACK**

Date of birth:

Address:

Municipality:

##### Particulars

Place of birth: **California**

Occupation:

Employer:

Citizenship: **AMERICAN**

Marital status: **SINGLE**

Ethnicity: **AFRICAN AMERICAN(Race:B)**

Language(s) spoken: **ENGLISH**

Height: **5'09** Weight: **140** lbs.

Build: **MEDIUM** Complexion: **MEDIUM**

Eye color: **GRAY**

Hair color: **BROWN**

Hair style: **BRAIDED, DREADLOCKS, COLLAR LENGTH, UNKEPT/SHAGGY**

Facial hair color: **BLACK**

Facial hair style: **UNSHAVEN/STUBBLE**

Additional remarks:

##### Master Name Index Reference

Name:

Sex: **Male**

Race: **AFRICAN AMERICAN/BLACK**

Date of birth:

Ethnicity: **AFRICAN AMERICAN(Race:B)**

Address:

Municipality:

##### Phone numbers

MAIN HOME PHONE:

##### Alias(es)/AKA

Name:

Address:

Sex:

DOB:



# SACRAMENTO POLICE DEPARTMENT

## GENERAL OFFENSE HARDCOPY

GO# SA 2022-38292 INFORMATION REPORT  
ONLY

7000-78 MISCELLANEOUS I RPT (ZMISC)

### Linkage factors

Resident status : CITY OF SACRAMENTO RESIDENT

Age range : 30-49 YEARS

### 2. SUBJECT # 2 - [REDACTED]

#### (Case Specific Information)

Sex: Female

Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Date of birth: [REDACTED]

Address: [REDACTED] Apartment: [REDACTED]

Municipality: [REDACTED]

### Particulars

Ethnicity: WHITE(Race:W)

Height: 5'03 Weight: 125 lbs.

Eye color: BLUE

Hair color: BLOND/STRAWBERRY

Additional remarks: [REDACTED]

### Master Name Index Reference

Name: [REDACTED]

Sex: Female

Race: CAUCASIAN/WHITE/HISPANIC/EAST INDIAN/GUAMANIAN

Date of birth: [REDACTED]

Ethnicity: WHITE(Race:W)

Address: [REDACTED] Apartment: [REDACTED]

Municipality: [REDACTED]

#### Phone numbers

MAIN HOME PHONE: [REDACTED]

CELL PHONE: [REDACTED]

### Linkage factors

Resident status : CITY OF SACRAMENTO RESIDENT

Age range : 30-49 YEARS

## Related Vehicle(s)

### 1. INVOLVED # 1 - [REDACTED], [REDACTED] VIN# [REDACTED]

#### (Case Specific Information)

License number: [REDACTED]

State of issue: California

VIN #: [REDACTED]

Vehicle type: AUTO



# SACRAMENTO POLICE DEPARTMENT

## GENERAL OFFENSE HARDCOPY

GO# SA 2022-38292 INFORMATION REPORT  
ONLY

7000-78 MISCELLANEOUS I RPT (ZMISC)

### Master Vehicle Index Reference

License number: [REDACTED]

State of issue: [REDACTED]

#### Owner Information

Owner type: **PERSON**

Owner role: **INVOLVED**



# SACRAMENTO POLICE DEPARTMENT

## GENERAL OFFENSE HARDCOPY

GO# SA 2022-38292 INFORMATION REPORT  
ONLY

7000-78 MISCELLANEOUS I RPT (ZMISC)

### Narrative Text

Type 04 OBSERVATIONS

Subject OBSERVATIONS

Author 4720 - MCVEY, JOEL L 0293

Related Date Feb-09-2022 22:21

On 02/09/2022, at approx 0416 hours, I, Officer McVey #293, was on routine patrol, in the area of 1443 Arcade Blvd (Speed Wash). Based on my training and experience, individuals often loiter at 1443 Arcade Blvd, for drug related purposes, and other related criminal activity. Additionally, on 02/08/2022, at approx 2355 hrs, officers responded to the area, regarding an arson call, regarding subjects in the area who set a fence on fire, just north of the Speed Wash. Officers were requested to show high visibility in the area, by LSM2 (Sgt. Nutley) and take enforcement action, when necessary. I was in a fully marked SPD patrol vehicle, wearing my SPD uniform. As I was looking for suspicious activity, I ran a records check on a gray, Toyota ( ) which came back with suspended registration (effective 01/15/2021). I was unable to determine if anyone was inside of the vehicle, so I shined my spotlight through the rear windshield of the vehicle. Shortly after, I heard a male yelling at me to turn my spot light off. I observed a male adult standing outside of the front passenger door of the vehicle ( ) making gestures towards me. I repositioned my vehicle, behind the Toyota ( ) and activated my overhead lights to conduct an enforcement stop of the vehicle ( ), based on it being occupied, with suspended registration. I did not see the male exit the vehicle, and even though he was standing outside of the front passenger side of the vehicle I activated my body-worn and in-car cameras and observed the following in summary:

The male subject again asked me to turn my spot lights off. I advised that I did not have to do that. The male subject started to walk away from the vehicle. Based on not knowing if the male subject was the registered owner of the vehicle, I asked him to stop, so I could identify him. The male subject asked me why I was asking him to stop. I approached the male subject and asked the male subject to turn around. Officer Williams #981 arrived on scene and assisted me in detaining the male subject in hand cuffs. I asked the male subject for his name, and he would not identify himself.

Based on the male subject being uncooperative, I detained him in the back seat of my patrol vehicle.

I went back to the vehicle ( ) to see if anyone else was inside. I made contact with a FWA, in the front drivers seat, who verbally identified herself as Subject- (verified via photo in WEBKPF, ).

A records check of S- revealed that she had a suspended/revoked ( ). I advised S- that her vehicle registration was suspended, and that it could be towed. I also advised S- of her suspended/revoked license, and to have someone with a valid drivers license come and pick up the vehicle ( ) after our contact.

I went back to my patrol vehicle and asked the male subject detained in the back seat of my vehicle for his name. The male subject verbally identified himself as Subject- (identity verified via photo in WEBKPF, ). S- requested a supervisor respond to the scene. I contacted LSM2 (Sgt. Nutley) who responded to the scene to speak with S-.

After S- was removed from my vehicle by LSM2, I cleared the scene.



## **SACRAMENTO POLICE DEPARTMENT**

### **GENERAL OFFENSE HARDCOPY**

**GO# SA 2022-38292 INFORMATION REPORT  
ONLY**

**7000-78 MISCELLANEOUS I RPT (ZMISC)**

### **Clearance Information**

Agency: **SACRAMENTO PD**

Cleared status: **SUSPENDED - OTHER - NOT APPLICABLE**

Cleared on: **Feb-13-2022 (Sun.)**

Cleared by Officer 1: **3436 - MORALES, ORLANDO 3071**

Org Unit: **NCU12 - OOI INV SERVICES - NEIGHBORHOOD CRIMES UNIT SECTOR**

Approved by: **3436 - MORALES, ORLANDO 3071**

Org Unit: **NCU12 - OOI INV SERVICES - NEIGHBORHOOD CRIMES UNIT SECTOR**

Complainant/Victim notified: **No**



# **SACRAMENTO POLICE DEPARTMENT**

## **GENERAL OFFENSE HARDCOPY**

**GO# SA 2022-38292 INFORMATION REPORT  
ONLY**

**7000-78 MISCELLANEOUS I RPT (ZMISC)**

**\*\*\* END OF HARDCOPY \*\*\***



**Report Number: IAD2022-039**

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 that constitutes the personal data or information of an officer or their family members (Cal. Pen. Code §§ 832.7(b)(5) and (b)(6)(A));

Records or information, the disclosure of which would compromise the anonymity of whistleblowers, complainants, victims or witnesses (Cal. Pen. Code § 832.7(b)(6)(B));

Records or information, the disclosure of which would constitute an unwarranted invasion of personal privacy (Cal. Gov. Code § 7927.700; see also *City of San Jose v. Superior Court* (1999) 74 Cal.App.4<sup>th</sup> 1008);

Records or information, the disclosure of which is exempted or prohibited pursuant to federal or state law (Cal. Gov. Code § 7927.705; see also Cal. Const. art. 1 § 1; Cal. Pen. Code § 832.7(a); Cal. Evid. Code § 1040);

Records or information, the disclosure of which would pose a significant danger to the physical safety of the peace officer, custodial officer, or another person (Cal. Pen. Code § 832.7(b)(6)(D));

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)(7));

Records or information wherein the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure (Cal. Gov. Code § 7922.000);

Records or information, the disclosure of which would reveal or compromise official law enforcement security and investigative procedures (Cal. Gov. Code §§ 7923.600(a) & 7923.615(a)); and

Records or information, the disclosure of which is exempted or prohibited pursuant to federal or state law (Cal. Gov. Code § 7927.705; see also Cal. Const. art. 1 Sec. 1; Cal. Pen. Code § 15150 et seq.; and Cal. Pen. Code §§ 11105 and 13300).

Sacramento Police Department  
Professional Standards Unit  
916-808-3790  
[spdpsu@pd.cityofsacramento.org](mailto:spdpsu@pd.cityofsacramento.org)