Sacramento Police Department
Internal Affairs Division

Investigative Log

IAD2019-095

Investigator: Sgt. Ryan Bullard #3135

3/18/19, Monday:

At approx. 1508 hrs, I was advised via phone by IAD Sgt. Shiraishi (#3093) that I was going to be assigned to conduct an administrative review of SPD Case 18-82449 – Officer Involved Shooting of Stephon Clark (IAD2019-095). Per Sgt. Shiraishi (A/IAD Lt. at this time), OOC Captain Joy directed him in assigning this administrative review to me.

3/20/19, Wednesday:

At approx. 0900 hrs, I opened IAD2019-095 for this review and attached Officers Terrence Mercadal and Jared Robinet as the involved officers as well as attached Stephon Alonzo Clark as the involved citizen/victim.

0938 hrs, downloaded/attached .pdf of redacted SPD GO 18-82449 from: www.cityofsacramento.org/Police/Transparency/Officer-Involved-Shootings/Incidents/March-18-2018 .

1000 hrs, downloaded/attached .pdf files of Coroner's report (Coroner-Report-2018_0427) as well as Gregory D. Reiber, M.D. Forensic Pathology case review (Reiber-Review-2018_0422-V2) from https://www.cityofsacramento.org/-/media/Corporate/Files/Police/Transparency/Officer-Involved-Shootings/Coroner-Report-2018_0427.pdf?la=en and https://www.cityofsacramento.org/-/media/Corporate/Files/Police/Transparency/Officer-Involved-Shootings/Reiber-Review-2018_0422-V2.pdf?la=en respectively.

1010 hrs, downloaded/attached .pdf files of SPD Press Releases pertaining to Clark case; 3/19/18 initial, 3/19/18 update, 3/21/18, 3/27/18, 4/16/18, 10/25/18, 3/2/19, 3/5/19, and 3/5/19 US Attorney and FBI Announcement from https://www.cityofsacramento.org/Police/Transparency/Officer-Involved-Shootings/Incidents/March-18-2018 and their respective links on site. Attached Investigative-Benchmarks.pdf from above site. Attached "Preliminary-Review—OIS-03182018.pdf" from above site.

1020 hrs, downloaded/attached the following .pdf files from https://clark.sacda.org/ (accessible through above https://www.cityofsacramento.org/Police/Transparency/Officer-Involved-Shootings/Incidents/March-18-2018 link: BlakeConsulting2019_Clark_Report_Release, Clark_final_version, OIS_Clark, and OIS_Clark_Summar_of_Legal Review.

1030 hrs, downloaded/attached Attorney General announcement (3/5/19) as well as Attorney General's report of Stephon Clark OIS via https://oag.ca.gov/news/press-releases/attorney-general-becerra-releases-report-independent-investigation-death-stephon .

1045 hrs, downloaded/attached redacted CAD Calls 18-82535, 18-83722, 18-83761, 18-92825, 18-169015, and 18-170365 from their respective links at https://www.cityofsacramento.org/Police/Transparency/Officer-Involved-Shootings/Incidents/March-18-2018 .

3/21/19, Thursday:

1410 hrs, I downloaded/attached redacted SPD CAD# 18-82449 from https://www.cityofsacramento.org/Police/Transparency/Officer-Involved-Shootings/Incidents/March-18-2018 link.

1645 hrs, I began a review of SPD Report 18-82449 (retrieved from SPD Versadex on 3/20/19 767 pages total / unredacted). The following references/page numbers are from the redacted version attached to this case and may differ than the un-attached, un-redacted report; General Offense cover page (1), SSD Star observations (pg. 2-4), round count forms for both Officers Mercadal and Robinet (pg. 5-6), a money tally sheet (pg. 7), a denied insurance request (pg. 8), Sacramento County Coroner property check-list (pg. 9), DA-7 request forms (pg. 10-19), tow/stored forms for three vehicles (pg. 22-24), SPD denial of report request (pg. 23-24), authorization for release of evidence-impounded vehicles (pg. 25-28), CSI diagrams of crime scene (pg. 29-56), CODIS match forms re: Stephon Clark (pg. 57-58), DA-7 request forms (pg. 59-60, DOJ DNA hit form (pg. 61), notifications and authorizations for release of evidence impounded vehicles (pg. 62-65), entity pages (pg. 66-82), Sgt. Landberg observations (pg. 83-84), Det. Butler supplement (pg. 85-87), SPD evidence processing requests (pg. 88-100), Det. Shim supplement (pg. 101), hold evidence supplement by SPD Property Clerk Kincaid (pg. 102), Ofc. Tatenko observations (pg. 103), Det. Griggs follow-up assignment page (pg. 104), Stephon Clark cell phone summary (pg. 105-122), page 123 blank, SPD Homicide Unit Incident Summary (pg. 124-149).

3/24/19, Sunday:

0835 hrs, I continued my review of SPD Report 18-82449: Witness statement (pg. 150-151), Witness statement (pg. 152-160), Witness statement (pg. 161-166), Witness statement (pg. 167-195), Witness statement (pg. 196-201), Witness statement (pg. 202-209), Witness statement (pg. 210), Witness statement (pg. 211), Ofc. Robinet statement (pg. 212-236), Ofc. Lundgren follow-up statement (pg. 237-241), Ofc. Hills follow-up statement (pg. 242-253), Ofc. Howard follow-up statement (pg. 254-258).

3/26/19, Tuesday:

0750 hrs, I continued my review of SPD Report 18-82449: Ofc. Pitts follow-up statement (pg. 259-265), Ofc. Mercadal statement (pg. 266-283), Witness statement (pg. 284-297), Witness statement (pg. 298-299), Witness statement (pg. 300-305).

0840 hrs, IAD Lt. Harrington advised me in person that per Deputy Chief Peletta, allegations of "Neglect of Duty" and "Improper Tactics" were to be added to Officers Mercadal and Robinet in IAPro for this administrative review. In addition to reviewing the SPD report in this case (18-82449), Lt. Harrington requested I review the Sacramento County District Attorney's report, Department of Justice's report, and the FBI's report (still pending/not received at the time). I was also requested to investigate as to whether Officers Mercadal and Robinet were advised of any information of the suspect being a "male black" as to his ethnicity during their initial response/arrival to call 18-82449 on 3/18/18 just prior to the shooting. I was also requested to

investigate officers' muting of their body-worn cameras on the call as well as review the case as it applies to the department's policy of after-force care.

0945 hrs, I continued my review of SPD Report 18-82449: Witness statement (pg. 306-308), Witness statement (pg. 309-310), Witness statement (pg. 311-312), Ofc. Tayler statement (pg. 313-314).

1000 hrs, attached General Order 525.07 – Body Worn Camera (revision date 4/26/17) into IAPro for this review. It should be noted that the above policy was the current SPD body worn camera policy up to and including this incident on 3/18/18. Per the above policy at the time, there is no mention of "muting" the body worn camera nor when an officer may or may not "mute". General Order 525.07 has since been updated as of 1/16/19 where it defines "muting". Per the policy at that time (4/26/17), in Section D: DEACTIVATION OF THE BODY-WORN CAMERA;

Subsection 1 reads; *Except as listed below, once activated, officers shall not deactivate their body-worn cameras until the investigative or enforcement activity involving a member of the public has reasonably concluded. If enforcement or investigative activity with a member of the public resumes, the officer shall re-activate the body-worn camera and continue recording.*

Subsection 2 reads;
Employees may deactivate the body-worn camera at any time, based on their discretion, in the following circumstances:
a. When the employee is discussing tactical or confidential information with other law enforcement personnel, during briefings, or during conversations with confidential informants.
b. When there is a necessity to conserve battery life, an employee on a perimeter or assigned to a static post where they are not in contact with citizens or actively part of the investigation may deactivate the body-worn camera to conserve battery life. The body-worn camera should be reactivated when these circumstances no longer apply.
c. When it is necessary to discuss issues or concerns with an employee, supervisor, doctor, nurse, or paramedic in private.
d. When a witness or victim refuses to provide a statement if recorded and the encounter is non-confrontational.
e. When, in the employee's judgement, a recording would interfere with their ability to conduct an investigation or when recording is inappropriate because of the victim or witness's physical condition, emotional state, age, or other sensitive circumstances (e.g., a victim of rape, incest, or other form of sexual assault).

Subsection 3 reads;
Details regarding the reason for deactivation should be recorded and documented when appropriate.

1005 hrs, I continued my review of SPD Report 18-82449: Ofc. Tatenko statement (pg. 315-316), Ofc. Prahl statement (pg. 317-318), Ofc. Trujillo statement (pg. 319-321), Ofc. Powell follow-up

(pg. 322-323), Ofc. Trujillo observations (pg. 324-325), Ofc. Tayler observations (pg. 326-327), Ofc. Lundgren observations (pg. 328), Sgt. Werner observations (pg. 329-330), Det. Coughran supplement (pg. 331-332), Det. Koppinger supplement (pg. 333-344), Sgt. Shiraishi supplement (pg. 345-359), Det. Hunkapiller observations (pg. 360-363), Det. Trimpey supplement (pg. 364-370), Det. Alonso preliminary autopsy findings supplement (pg. 371-373), Det. Severi observations (pg. 374-375), Det. Ayers supplement (pg. 376-378), Det. Putman observations (pg. 379), Det. Krutz observations (pg. 380-383), Sgt. Start observations (pg. 384-385), Sgt. Kinney observations (pg. 386-387), Det. Trimpey follow-up (pg. 388), Det. Culp observations (pg. 389-390), Det. Griggs "Ofc. Robinet BWC Transcript" (pg. 391-399), Det. Griggs supplement (pg. 400-414), Det. Griggs "911 Call-Audio Transcript" (pg. 415-421), Det. Cruz supplement (pg. 422-430), Det. Griggs "Radio Traffic Transcript" (pg. 431-446), Det. Cruz "Ofc. Mercadal-BWC Transcript" (pg. 447-455), Det. Griggs CSI processing requests (pg. 456-467), Ofc. Haden observations (pg. 468), Ofc. Clatterbuck observations (pg. 469), Det. Giy observations (pg. 470-471), Sgt. Morris observations (pg. 472-473), Witness statement (pg. 474-475), Ofc. Lazaro observations (pg. 476), Ofc. Wanger observations (pg. 477-478), Ofc. Prahl observations (pg. 479), Ofc. Howard observations (pg. 480-481), Witness statement (pg. 482), Witness statement (pg. 483), Ofc. Lundgren observations (pg. 484), Det. Trefethen observations (pg. 485-486), Ofc. Henderson observations (pg. 487), Ofc. Thomas observations (pg. 488), Witness statement (pg. 489), Witness statement (pg. 490), Witness statement (pg. 491), Witness statement (pg. 492), Witness statement (pg. 493), Ofc. Brau observations (pg. 494), Ofc. Brandt observations (pg. 495), Ofc. Brierley supplement (pg. 496), Ofc. Cunningham observations (pg. 497), Sgt. Thompson observations (pg. 498), Ofc. Hasegawa observations (pg. 499), Ofc. Hills observations (pg. 500), Ofc. Wright observations (pg. 501), Ofc. Powell observations (pg. 502-503), Ofc. Barretto observations (pg. 504), CSI Behrens report (pg. 505-507), CSI Bueno scene processing (pg. 508-509), CSI Dubon scene processing (pg. 510-512).

3/27/19, Wednesday:

0815 hrs, I continued my review of SPD Report 18-82449: Ofc. Toomey observations (pg. 513-514), Ofc. Spring observations (pg. 515), Ofc. Calabrese observations (pg. 516-517), Ofc. Hernandez observations (pg. 518), Subject statement (pg. 519), Subject statement (pg. 520), Ofc. Kellermann observations (pg. 521), Ofc. Stevens observations (pg. 522), Ofc. Armstrong observations (pg. 523), Ofc. Littlefield observations (pg. 524), Ofc. Paiz observations (pg. 525), [redacted]. statement (pg. 526-527), Ofc. Novak observations (pg. 528), Ofc. Khang observations (pg. 529), Ofc. Lilley observations (pg. 530-531), Ofc. Hepler observations (pg. 532), Ofc. Simpson observations (pg. 533), Ofc. Swaleh supplement (pg. 534), CSI Rossi "Vehicle Processing Request" (pg. 535-539), CSI Rossi "Vehicle Processing Request" (pg. 540-544), Ofc. Lindner CSI observations (pg. 545-546), CSI Gunther "Scene Processing" (pg. 547-551), CSI Lovitto "Forensic Supervisor – Scene Report" (pg. 552-554), CSI Louie "Autopsy Photographs" (pg. 555-556), CSI Izaguirre "Vehicle Processing" (pg. 557-560), CSI Schiele "Latent Comparison Report – PR 989164-1" (pg. 561-562), CSI Schiele "Latent Comparison Report PR 989083-1" (pg. 563), CSI Schiele "Latent Comparison Report PR 989081-1" (pg. 564), CSI Schiele "ALPS Comparison Report" (pg. 565), CSI Schiele "ID- ALPS Entry" (pg. 566), CSI Langhus "ALPS Verification Report" (pg. 567), CSI Primrose "Processing Report" (pg. 568-569), Student Trainee Valerie B. "DVR DL 7561 29th St" (pg. 570-571), CSI Izaguirre "18-82449 Major Case Prints" (pg. 572), CSI

Boyd "Evidence Processing" (pg. 573-574), CSI Langhus "Latent Comparison Report – PR# 989067 – 1 / 2" (pg. 575-576), CSI Langhus "Latent Comparison Report – PR# 989397 – 1 / 2" (pg. 577), CSI Langhus "Latent Comparison Report – PR# 989071 – 1 / 2" (pg. 578), CSI Langhus "ID – ALPS Entry" (pg. 579), CSI Langhus "ID – ALPS Entry" (pg. 580), Sgt. Lee observations (pg. 581), Ofc. Phillips observations (pg. 582), Sgt. Park observations (pg. 583-584), Ofc. Brandt observations (pg. 585), Ofc. Figueroa observations (pg. 586), Sgt. Harbison observations (pg. 587-588), Sgt. Bell observations (pg. 589-590), Sgt. Morales observations (pg. 591-592), Ofc. Thomas observations (pg. 593), CSI Schiele "CSI Scene Report" (pg. 594-595), CSI Rostocil "Photos & Evidence Collection" (pg. 596-597), Michael Baker "DVR Download Attempt" (pg. 598-599), Ofc. Henderson observations (pg. 600), "Clearance Information" page (pg. 601), Property Report re: PR# 989127 (pg. 602), Property Report re: PR# 988914 (pg. 602-603), Property Report re: PR# 988834 (pg. 604-606), Property Report re: PR# 988836 (pg. 607-609), Property Report re: PR# 988854 (pg. 610), Property Report re: PR# 989927 (pg. 611-618), Property Report re: PR# 988907 (pg. 619), Property Report re: PR# 1012088 (pg. 620-622), Property Report re: PR# 991052 (pg. 623-625), Property Report re: PR# 991150 (pg. 626), Property Report re: PR# 989081 (pg. 627), Property Report re: PR# 988840 (pg. 628), Property Report re: PR# 988913 (pg. 629), Property Report re: PR# 989083 (pg. 630), Property Report re: PR# 989340 (pg. 631), Property Report re: PR# 990469 (pg. 632-635), Property Report re: PR# 992928 (pg. 636-637), Property Report re: PR# 1001978 (pg. 638-639), Property Report re: PR# 989132 (pg. 640-641), Property Report re: PR# 989136 (pg. 642-643), Property Report re: PR# 989397 (pg. 644), Property Report re: PR# 989277 (pg. 645), Property Report re: PR# 988981 (pg. 646-657), Property Report re: PR# 989164 (pg. 658), Property Report re: PR# 1004681 (pg. 659), Property Report re: PR# 988911 (pg. 660-661), Property Report re: PR# 989265 (pg. 662), Property Report re: PR# 989079 (pg. 663-664), Property Report re: PR# 989080 (pg. 665-667), Property Report re: PR# 998386 (pg. 668), Property Report re: PR# 989067 (pg. 669), Property Report re: PR# 989071 (pg. 670), Property Report re: PR# 988839 (pg. 671), "End of Hardcopy" (pg. 672).

INITIAL SUSPECT DESCRIPTION / INFORMATION

In reviewing Det. Griggs' "911 Call-Audio Transcript" (pg. 415-421), the following conversation between [redacted] (Witness from statement pages 161-166 and 526-527 of SPD Report 18-82449) and SPD Dispatch is had regarding the suspect description:

Page 416:
SPD Dispatcher: *What is he? Black, white, Hispanic, Asian?*
[redacted]: *Uh he had a hoody on I couldn't tell ma'am.*
SPD Dispatcher: *Uh what color hoody?*
[redacted]: *It's black. It's a black hoody and it looks like there's some kinda pants on but they have had they have like white stripes or white dots on them or something like that. You know what I mean?*

Page 418:
SPD Dispatcher: *Okay. Could you tell me about how tall he was? What kind of body style he had?*

[redacted]: *Probably about six foot tall, maybe six-three maybe at the most. You know and he's thin he's thin build.*
SPD Dispatcher: *A black hoody, any pattern or stripes or anything on the hoody?*
[redacted]: *I didn't see anything on the hoody but he the pants have like design on them of some sort, you know what I mean. They're not pants like jeans they're like maybe parachute pants type things I guess I don't know what to call them.*
SPD Dispatcher: *What kind of design like stripes or polka dots or do you remember?*
[redacted] *Yeah it's just some kind of design no I didn't I didn't see too too too well cause I wasn't..he kinda pissed me off, I got more angry than anything else. I didn't know what pattern it was if it was*
SPD Dispatcher: *Yeah.*
[redacted]: *White dots or white stripes*

I reviewed the audio file for the 9-1-1 call by [redacted] which generated call #18-82449 and compared it to Det. Griggs' "911 Call-Audio Transcript". The transcript appeared consistent w/the 9-1-1 audio.

In reviewing SPD CAD Call #18-82449, the call was entered at 21:10:29, dispatched at 21:13:22, w/first unit (STAR) on scene at 21:18:21. Ofc. Robinet (1C54) was "en route" at 21:31:03 and marked "on scene" at 21:34:09. Ofc. Mercadal (1C57) was "en route" at 21:30:59 and marked "on scene" at 21:31:44. Per the CAD call, the following text is included regarding suspect description provided by caller [redacted] prior to officers' arrival:

Mar-18-2018 21:10:29 - MAE SUBJ BROKE CAR WINDOWS AND IS NOW HIDING IN BYARD..... MALE SUBJ IN A BLK HOODIE, C HAS EYES ON HIM

21:13 Sun Mar 18 (S): TOO DARK TO GET BETTER DESC,C CHASED SUBJ INTO THIS BYARD AFTER SEEING HIM BREAK THE CAR WINDOWS.... UNK WPNS AND UNK WHAT HE USED TO BREAK THE WINDOWS

21:16 Sun Mar 18 (S): SUBJ WAS MALE SUBJ 6' THIN,BLK HOODIE,DRK PNTS WITH SOME SORT OF DESIGN ON THEM

Per SPD CAD Call #18-82449, STAR (SSD Air Unit) was dispatched on the call at 21:14:12 and began giving updates regarding their visual check of the area at 21:18 hrs. No additional/duplicate SPD CAD calls initiated by citizens regarding the initial 921P call (18-82449) were entered/related. The information given from [redacted] during his initial 9-1-1 call appears consistent w/the information on SPD CAD Call #18-82449.

In reviewing Det. Griggs' "Radio Traffic Transcript" (pg. 431-446), the following information regarding suspect description is voiced via radio (SPD Channel 4) relating to 18-82449 just prior to the shooting:

Page 431
21:12:38

Dispatcher: *Correction, 9-2-1 at [redacted] 29th Street, 5A. With a male subject that broke some car windows, he's now hiding in the backyard of this address. It's a male in a black hoodie, our complainant has visual of him still. It's a 9-2-1 pending in 5A.*

Page 432
21:14:23
Dispatcher: *Unknown weapons, no further description other than male with a black hoody.*

21:17:15
Dispatcher: *And units on the 9-2-1 the subject is a male 6-foot, thin build, black hoody, dark pants.*

Page 434
21:25:24
STAR: *I do. Uh 2 yards to the south of you though I got a guy in a backyard that was looking into uh the window. He's picking up a, looks like a tool bar or some sort of thing. Might be trying to break the window right now, standby. Uh, 2 yards south of you.*

21:26:12
STAR: *All I can tell is he's got a hoody on. He's uh, running towards the front yard of 29th street, [redacted] 29th street.*

At approximately 1315 hrs, I listened to the dispatch audio files for the above radio traffic which appeared to be consistent and accurate to the above radio traffic transcript.

In reviewing [redacted]'s statement taken by Ofc. Novak (pg. 526-527) on 3/18/18, 2140 hrs regarding suspect description (pg. 527): "*The guy standing next to my car window and who ran was a male, I'm not sure what race he was because his hood was pulled tight around his face. He was wearing a black hoodie with red lettering on the back, black pants with a white stripe or lettering down the side. I'm not sure on anything else*".

In reviewing [redacted]'s statement taken by Det. Ayers (pg. 161-166) on 3/19/18, 0058 hrs regarding suspect description (pg. 162): "*If I had to describe the guy that I saw standing by my vehicle, I would say that he might be a black guy? I couldn't really see his face. I saw that the guy was wearing a black hoodie that was up on his head, possibly had red writing on the back of the hooded sweatshirt and he was wearing black pants that had white on it*".

In reviewing [redacted]'s statement taken by Ofc. Lazaro (pg. 474-475) on 3/18/18, 2140 hrs regarding suspect description (pg. 474): "*I saw this guy walk up from this street (Ellwood Ave) towards that gold colored car. I couldn't tell what race the guy was because he had a black hoodie on*".

In reviewing [redacted]'s statement taken by Det. Coughran (pg. 196-201) on 3/19/18, 0109 hrs regarding suspect description (pg. 197): "*The guy who was breaking windows was wearing a plain black hooded sweatshirt. He had the hood pulled up over his head. I thought he was Mexican because he had medium toned skin. But I really didn't see his face at all so I wouldn't be able to*

recognize him. I don't remember his pants or shoes. He was about 5'8" tall and skinny. I didn't see him with anything. No objects. No backpack".

In reviewing Ofc. Robinet's statement to Det. Griggs on 3/19/18, on page 218, Ofc. Robinet stated the following about the suspect description as per the call/dispatch; "*About somebody breaking into cars and he followed the - the person. It provided a description of a skinny tall - I think they said somewhere around 6'1" - 6' male black wearing black clothing with what he thought was like a design on the pants*" and "*That was pretty much the information we had. They provided the address of the* [redacted] *26 - or 29th street sorry. As the location of the call where the complainant saw the individual go into the back yard*". On page 223 of Ofc. Robinet's statement, when describing the suspect in the back yard of [redacted] 29th St just prior to the shooting, "*Because the backyard was really dark. It was hard to see - make out anything clear. All I saw was a subject in dark clothing standing in that position with his hands punched out with something in his hands*". On page 229 of Ofc. Robinet's statement, when asked what he could see regarding the suspect and the lighting leading up to the shooting; "*I could see what our light was on which at that point was a pretty much the suspect. I saw mostly his mid-section. Like I'd say from his mid-stomach down to like his knees*".

In reviewing Ofc. Mercadal's statement to Det. Cruz on 3/19/18, on page 271, Ofc. Mercadal stated the following regarding the suspect description provided to officers per the "text of the call"; "*Yes, per the text of the call there was an active 921 in progress apparently a su-subject had been breaking car windows on 29th Street. I don't recall the exact address for it breaking into car windows but apparently this person had broken multiple car windows. He was confronted by the complainant or neighbors who chased him into a backyard on 29th Street which they believe he was still hiding in one of those backyards. And they described a male black wearing a black hooded sweatshirt, dark pants and they couldn't describe what tool or object he used to break the windows*". On page 274 of Ofc. Mercadal's statement, he stated the following regarding his initial encounter with the suspect; "*There was a dark colored SUV or Suburban that was all the way to the west of, like, the furthest one on the side of the house. And I saw a male black adult with a black hoodie sweatshirt pulled up over his head standing behind that vehicle. I gave him loud verbal commands to let me see his hands because I could not see where his hands were. After saying that he turned around and began running westbound and then turned south into the backyard out of my line of sight*" and "*When I come around the corner - the corner of the house - I - I left cover and I look and I see that same subject with his hoodie and sweatshirt pulled up and his arms pointed out extended like this*". On page 280 of Ofc. Mercadal's statement, when asked about whether the suspect exhibited symptoms of "perceived as possibly the subject suffering from mental health issues", he stated; "*I was unable to determine any of that. It was extremely dark. When I initially gave him a command to show - show me his hands he attempted to run and fled from me. I never heard him say a word or anything nor did I even get a good look at his face to see, you know, his mental status or if he was under the influence or anything. Everything moved really fast*". On page 282, Ofc. Mercadal stated; "*...STAR advised, "He's trying to get into another car," and that's when STAR gave the direction of what house he was at. The north side of the house there were some cars that were in the kind driveway, alleyway I believe up to the north end of the house. And I remember looking and then looking deep back into the backyard west and seeing him behind a car - just the top half of his body*".

At approximately 1335 hrs, I reviewed Ofc. Robinet's BWC from 18-82449 (starting date/time stamp 2018-03-19 T04:18:39Z". Approximately 19 seconds into the video (no audio yet), Ofc. Robinet appears to make contact w/a male subject holding a cell phone and standing on 29th St (presumably Witness [redacted]). After 30 seconds of video, audio begins as per standard issued SPD body-worn cameras. Theoretically, approximately 10 seconds of a conversation between Ofc. Robinet and [redacted] cannot be heard because of this on Ofc. Robinet's camera. I referred to Det. Griggs' "Ofc. Robinet – BWC Transcript" (pg. 391-399) during the video review. Upon comparing the BWC video to the above transcript, the transcript appeared consistent and accurate to the video. No physical descriptors of the suspect on this video are heard as being voiced by [redacted] nor any other citizens prior to the shooting. NOTE: Radio traffic cannot be heard on video as both officers had ear-pieces.

At approximately 2100 hrs, I reviewed the Sacramento County Coroner's report of Stephon Clark.

3/28/19, Thursday:

At approximately 0630 hrs, I reviewed Ofc. Mercadal's BWC from 18-82449 (starting date/time stamp 2018-03-19 T04:18:56Z". Approximately 6 seconds into the video, Officer Robinet is seen making contact w/a male subject standing in the street (presumably Witness [redacted]) as Officer Mercadal approaches them on foot. After 30 seconds of video, audio begins as per standard issued SPD body-worn cameras. Theoretically, approximately 24 seconds of a conversation between Ofc. Robinet and [redacted] cannot be heard because of this on Ofc. Mercadal's camera. I referred to Det. Cruz's "Ofc. Mercadal – BWC Transcript" (pg. 447-455) during the video review. Upon comparing the BWC video to the above transcript, the transcript appeared consistent and accurate to the video. No physical descriptors of the suspect on this video are heard as being voiced by [redacted] nor any other citizens prior to the shooting.

At approximately 0930 hrs, I reviewed the Department of Justice's report of this case – BI-SA2018-00012 - Section 1: Special Agent Supervisor (SAS) Dewar (2 pages), Section 2: Special Agent (SA) Brass (103 pages), Section 3: SAS Dewar (21 pages) Section 4: SA Cardwell (5 pages), and Section 5: SA Brass (2 pages) as well as it's attachments. On page 26 and 27 of 103, it is noted of Ofc. Robinet's and Mercadal's statements in describing a "male black" suspect per the call info as they were responding however that there was no info on SPD CAD 18-82449 nor radio traffic indicating that info as to the suspect's ethnicity. The investigator did address the lack of audio on both officers' body-worn cameras during their initial interaction and conversation w[redacted]

At approximately 1300 hrs, I attached General Order 522.02 – Emergency Care for Individuals Under Police Care or Control (revision date 5/16/17). This policy was the current SPD policy at the time of the Clark shooting on 3/18/18. This policy has since been updated as of 5/18/18.

SHOOTING/AFTER-FORCE MEDICAL CARE

I reviewed Body Worn Camera video from this incident for Sacramento Police Officers Robinet (#0520), Mercadal (#0752), Trujillo (#0846), Tayler (#0741), Lundgren (#970), and Sgt. Morris (#3120). I examined and compared the time it took from when shots were fired by officers to the

point officers approached and physically made contact w/Stephon Clark to begin rendering first aid as well as tactical considerations (See Body Worn Camera Review – Shooting/After Force Care document for details/notes).

4/2/19, Tuesday:

0730 hrs, I reviewed the Blake Consulting & Training report of the Clark shooting which was obtained from https://clark.sacda.org/ on 3/20/19 for this review.

4/5/19, Friday:

As the Sacramento Police Department did not have a "Foot Pursuit" policy per se on 3/18/18 as it does now (GO 580.13 - rev. 7/26/18), it was not applied in this review.

At approximately 1054 hrs, I emailed Emmett Bradshaw (City of Sacramento Human Resources), asking for Target Solutions assignment/completion records for Sgt. John Morris, Ofc. Mercadal, Ofc. Robinet, Ofc. Trujillo, and Ofc. Tayler (email attached).

1246 hrs, I emailed Dave Althausen (POST) requesting training records for Sgt. John Morris, Ofc. Mercadal, Ofc. Robinet, Ofc. Trujillo, and Ofc. Tayler (email attached).

Attached the following SPD General Orders: 580.03 – Discharge of firearm (rev. 1/19/18), 580.12 – Less lethal weapons systems (rev. 10/9/12).

4/9/19, Tuesday:

Attached email response from Emmett Bradshaw (4/8/19) regarding Target Solutions training records for Sgt. John Morris, Ofc. Mercadal, Ofc. Robinet, Ofc. Trujillo, and Ofc. Tayler however I later updated my request to include Ofc. Lundgren (see 4/10/19).

Approximately 1930 hrs, I reviewed the following documents/files: Reiber-Review-2018_0422-V2, DA's Office – Clark_final_version, DA's Office – OIS_Clark, DA's Office – OIS_Clark_Summary_of_Legal_Review, and Attorney General – Stephon Clark criminal investigation report.

4/10/19, Wednesday:

Emailed Emmett Bradshaw requesting Target Solutions training records for Ofc. Brandon Lundgren (#970) as well (email attached). I also emailed Dave Althausen (POST) requesting training records for Ofc. Lundgren (email attached).

4/11/19, Thursday:

0651 hrs, I received an email from Emmett Bradshaw of the above requested Target Solutions training records (email / spreadsheet attached "Target Solutions Completions_Morris_Mercadal_Robinet_Tayler_Deleon_Lundgren_04_11_2019").

4/17/19, Wednesday:

1132 hrs, I received an email from Dave Althausen (POST) w/training profiles for Sgt. Morris, Ofc. Trujillo, Ofc. Tayler, Ofc. Mercadal, and Ofc. Robinet (email and training profiles reviewed and attached).

4/23/19, Tuesday:

0716 hrs, I received an additional email from Dave Althausen w/Ofc. Lundgren's training profile (email and training profile reviewed and attached).

0935 hrs, Det. Alonso (#505) and I arrived at the Sacramento Police Academy (2409 Dean St) where I requested Police Academy training files/records from Police Clerk Olivia Torres for Sgt. Morris, Ofc. Robinet, Ofc. Mercadal, Ofc. Trujillo, Ofc. Tayler, and Ofc. Lundgren to be scanned/sent to me.

1257 hrs, Olivia Torres provided the "CPT First Aid Outline.docx" via email to me which is the course outline taught to officers (email and CPT First Aid Outline reviewed and attached). Ofc. Keri Wilson later emailed me the same outline (email attached).

1540 hrs, received an email from Jennifer Van (POST) including a course outline for the "Tactical Lifesaver" course (email / course outline reviewed and attached).

1730 hrs, SPD Ofc. Glynn (SPD Training coordinator) emailed me regarding the Tactical Lifesaver course (email attached).

4/24/19, Wednesday:

1000 hrs, Ofc. Glynn left an approx. 90 page booklet regarding "International School of Tactical Medicine Law Enforcement Tactical Life Saver Course" at my desk at IAD. I later inquired w/Ofc. Glynn via email about getting an electronic/scanned version.

1013 hrs, two SPD student trainees dropped off a USB flash drive at IAD for me from the SPD Academy.

1017 hrs, I received an email from Olivia Torres who advised that a USB flash drive (described above) w/the above requested Academy files for the above officers would be dropped off at IAD today however they could not locate Sgt. Morris' nor Ofc. Lundgren's academy files (Lundgren went to "Yuba's academy" / email attached). I reviewed Officers Robinet's, Mercadal's, Trujillo's, and Tayler's academy files. I attached the above Officers' certificates/range qualifications ("Certificates"). NOTE: range qualification dates for Ofc. Mercadal and Ofc. Robinet prior to

3/18/18 are as follows: 12/5/17 (Sig Sauer P226 .40 caliber Ser# U794964) and 12/4/17 (Glock 19 9mm Ser# [redacted]) respectively.

Attached General Order 580.02 – Use of Force (revision date 5/16/17).

1326 hrs, received an email from Ofc. Wilson (SPD Training Division) who provided the power point for SPD's First Aid outline via share drive (reviewed/attached "First Aid CPR CPT2018").

1426 hrs, Ofc. Glynn emailed me regarding the status getting an electronic copy from "Dr. Heiskell" of the Tactical Lifesaver course (email attached).

4/25/19, Thursday:

0817 hrs, I notified Ofc. Tayler via email of a scheduled interview w/him on 5/2/19, 1430 hrs (email attached).

0823 hrs, I notified Ofc. Trujillo via email of a scheduled interview w/her on 5/3/19, 1000 hrs (email attached).

0825 hrs, I notified Sgt. Morris via email of a scheduled interview w/him on 5/7/19, 1430 hrs (email attached).

0826 hrs, I notified Ofc. Lundgren via email of a scheduled interview w/him on 5/9/19, 1430 hrs (email attached).

Attached General Order 522.01 – Handling Mentally Ill Persons (revision date 3/16/18).

1040 hrs, received an email from Dr. Lawrence Heiskell w/an attachment of the "Tactical Life Saver Course" outline (Tactical Life Saver Course ECO.doc / email attached).

1405 hrs, I emailed Heiskell back, inquiring about an electronic copy version of the 90 page Tactical Lifesaver Course hard-copy manual (email attached).

4/26/19, Friday:

1535 hrs, submitted DAR (Dispatch Activity Request) to SPD Comm Center for single audio file of all pertinent radio traffic relating to 18-82449 (email / DAR attached).

4/29/19, Monday:

1352 hrs, I received an email from Jennifer Van (POST) containing course outlines relating to Crisis Intervention Training as it applies to the above officers' POST records (email / outlines attached "CIT course outline").

4/30/19, Tuesday:

0712 hrs, I received an email from SPD Comm Center containing the above requested audio file for radio traffic on 3/18/18 (email and audio file – DAR 19-1070 – rpt 18-82449 - #1 radio SR4 attached).

1230 hrs, I reviewed the above radio traffic audio file and compared to the "Radio Traffic Transcript" as prepared by SPD Homicide Det. Griggs in SPD Report 18-82449.

5/2/19, Thursday:

1430 hrs, Ofc. Tayler and his representative SPD Ofc. Mick Boyd (SPOA) arrived at IAD for an administrative interview. At 1454 hrs, Sgt. Schumacher and I interviewed Ofc. Tayler (See Ofc. Tayler statement and attached audio recording).

1640 hrs, I received a phone call from SPD Ofc. Mick Boyd who informed me that Ofc. Trujillo (whom he would be representing) needed to re-schedule her interview (5/3/19) due to feeling ill.

5/3/19, Friday:

0823 hrs, I sent an email to Ofc. Trujillo re-scheduling her interview to 5/9/19, 1000 hrs (email attached).

5/7/19, Tuesday:

1430 hrs, Sgt. John Morris and his representative SPD Ofc. Mick BOYD (SPOA) arrived at IAD for an administrative interview. At 1452 hrs, Sgt. Schumacher and I interviewed Sgt. Morris (See Sgt. Morris statement and attached audio recording).

5/9/19, Thursday:

1000 hrs, Ofc. Trujillo and her representative SPD Ofc. Mick BOYD (SPOA) arrived at IAD for an administrative interview. At 1035 hrs, Det. Alonso and I interviewed Trujillo (See Trujillo statement / audio recording).

1430 hrs, Ofc. Lundgren and his representative SPD Ofc. Mick BOYD (SPOA) arrived at IAD for an administrative interview. At 1500 hrs, Det. Alonso and I interviewed Lundgren (See Lundgren statement / audio recording).

1442 and 1445 hrs (respectively), I noticed Officers Robinet and Mercadal via email for scheduled interviews on 5/16/19 at 0800 and 1300 hrs (emails attached).

1644 hrs, IAD Lt. Harrington advised me via email of Officer Robinet's and Mercadal's attorneys that would be representing them at their interviews (email attached).

5/13/19, Monday:

1130 hrs, I reviewed STAR's video of this incident (18-82449) as well as Ofc. Robinet's and Mercadal's video-recorded statements to homicide on 3/19/19 and compared them to their written statements in the above report (videos later attached to IAPro case).

5/14/19, Tuesday:

1200 hrs, at the request of IAD Lt. Harrington, I met w/SPD Captain Monk at IAD and provided unredacted versions of the crime report to SPD Case #18-82449, the CAD call, videos of Ofc. Robinet's and Mercadal's interviews w/homicide as well as their body worn camera footage from the incident.

I attached the following officers' body worn camera videos to IAPro case: Ofc. Robinet, Ofc. Mercadal, Sgt. Morris, Ofc. Tayler, Ofc. Trujillo, and Ofc. Lundgren.
I attached STAR's video of the incident ("STAR video").

5/16/19, Thursday:

0800 hrs, Ofc. Robinet and his legal representative, Josh Olander arrived at IAD for an administrative interview.

0910 hrs, after reviewing provided materials by me, Olander advised me that he did not feel material regarding use of force (General Orders 580.02 and 580.03), mental health material such as General Order 522.01 and CIT course outlines were relevant nor should be brought up in this interview citing that Ofc. Robinet was not noticed properly for allegations of Excessive Force nor Firearm Discharge. No interview had taken place to this point. I advised Olander that I would consult w/IAD Lt. Harrington about his concerns. After discussing w/Lt. Harrington via phone it was agreed that Ofc. Robinet and Ofc. Mercadal would be re-noticed for an interview at a later date. I informed Olander of this that Ofc. Robinet and Ofc. Mercadal would be re-noticed. Olander advised that he would notify Ofc. Mercadal's legal representative, Zeb Davis of this.

After discussing w/Lt. Harrington and DC Peletta, I was directed by Lt. Harrington to add allegations of Firearm Discharge and Excessive Force to Ofc. Robinet and Ofc. Mercadal in this case.

1350 hrs, I notified Ofc. Robinet via email for an interview on 5/21/19, 0800 hrs w/the additional above allegations (email attached).

1359 hrs, I notified Ofc. Mercadal via email for an interview on 5/21/19, 1400 hrs w/the additional above allegations (email attached).

5/17/19, Friday:

1405 hrs, attached Sgt. Morris statement 5/7/19.

5/21/19, Tuesday:

0625 hrs, attached Ofc. Tayler's and Ofc. Trujillo's statements.

0800 hrs, Ofc. Robinet and his representative, Josh Olander arrived at IAD for an administrative interview.

0853 hrs, Sgt. Schumacher and I conducted an administrative interview w/Ofc. Robinet (see attached audio-recording / statement).

1400 hrs, Ofc. Mercadal and his legal representative, Zeb Davis arrived at IAD for an administrative interview.

1424 hrs, Det. Joe Brown and I conducted an administrative interview w/Ofc. Mercadal (see attached audio-recording / statement).

5/22/19, Wednesday:

1400 hrs, I attached a scan of page 29 from the "International School of Tactical Medicine Law Enforcement Tactical Life Saver Course" booklet (see Law Enforcement Tactical Life Saver Course page 29).

5/23/19, Thursday:

1530 hrs, attached Ofc. Robinet's statement.

5/24/19, Friday:

0820 hrs, attached Stephon Clark's WebKPF page.

1225 hrs, attached Ofc. Lundgren's statement.

1740 hrs, attached Ofc. Mercadal's statement.

6/5/19, Wednesday:

1330 hrs, I met w/SPD Sustainment Team Officers Nelson and Light at 5770 Freeport Blvd (HOJ) and inquired as to any power-point/training documents relating to the training of SPD officers w/the AXON body worn camera system and it's functionality. After being directed by officers as to it's shared drive location as well a list of training dates which SPD officers completed the training, I attached both documents (I later obtained/attached the above power point and training schedule; "Sacramento PD Body 2", "NORTH BODY WORN CAMERA TRAINING SCHEDULE", "300 RICHARDS BODY WORN CAMERA TRAINING SCHEDULE" and "SOUTH BODY WORN CAMERA TRAINING SCHEDULE". Ofc. Light advised the above power point was used for training SPD officers from March 2017 through October 2017. Ofc. Light advised that officers were

trained at the time that muting could be used for private conversations between each other however it does not specify that in the above power-point.

NOTE Ofc. Light advised that confirmations for BWC training for Officers Tayler and Trujillo had not been updated.

NOTE Mute functionality is addressed on pages 18, 19, and 45 of the above power-point.

I submitted this investigation for review.

Ryan Bullard

From: Ryan Bullard
Sent: Friday, April 05, 2019 12:45
To: 'Dave.Althausen@post.ca.gov'
Subject: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Hello,

I am currently assigned to the Sacramento Police Department's Internal Affairs Division. I am investigating and incident that requires the identification of five SPD employees' training records.

In accordance with the California Public Records Act, as defined by Government Code 6250 et seq., I respectfully request the following information for:

Sergeant John Morris - dob: [redacted] POST ID# C03-W07
Officer Terrence Mercadal - dob: [redacted] POST ID# C54-V60
Officer Jared Robinet - dob: [redacted] POST ID# C46-U90
Officer Christina Trujillo - dob: [redacted] POST ID# C10-G10
Officer Nicholas Tayler - dob: [redacted] POST ID# C44-V86

To include, but not limited to, information contained in a "POST profile" of recorded certificates, training courses, and corresponding completion dates, hours, agency, school, and course name.

Please contact me with any questions. Thank you.

Sgt. Ryan Bullard #3135
Sacramento Police Department
Internal Affairs Division
916-808-2297
5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: Ryan Bullard
Sent: Friday, April 05, 2019 12:47
To: 'Emmett Bradshaw'
Subject: RE: Target solutions check

Some time next week should be fine. Thank you.

From: Emmett Bradshaw <EBradshaw@cityofsacramento.org>
Sent: Friday, April 05, 2019 12:16
To: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Cc: Rosalia Cabrera <RCabrera@pd.cityofsacramento.org>
Subject: Re: Target solutions check

Thanks Sgt. Bullard,

Absolutely. I will obtain that for you, including all fields/possible datapoints. I'm out of the office today- but if needed, I can get it to you right away. How soon do you need this/what's your turnaround time look like?

Best,

Emmett Bradshaw
Environmental Health & Safety Specialist
CITY OF SACRAMENTO
HUMAN RESOURCES - RISK MANAGEMENT
DESK - 916.808.5452
MOBILE - [redacted]
EBRADSHAW@CITYOFSACRAMENTO.ORG

Sent from my iPhone

On Apr 5, 2019, at 10:54 AM, Ryan Bullard <RBullard@pd.cityofsacramento.org> wrote:

> Sir,
>
> I appreciate you're helping in looking some of this up earlier but it looks like I'm going to have to expand my search on it; I will need all Target Solutions assignment completion history for the following officers; Sgt. John Morris #3120, Ofc. Terrence Mercadal #0752, Ofc. Jared Robinet #0520, Ofc. Christina Trujillo #0846, and Ofc. Nicholas Tayler #0741. Thank you and let me know if you have any questions.
>
> ---
>
> **From:** Emmett Bradshaw <EBradshaw@cityofsacramento.org>
> **Sent:** Tuesday, March 26, 2019 19:25
> **To:** Rosalia Cabrera <RCabrera@pd.cityofsacramento.org>
> **Cc:** Ryan Bullard <RBullard@pd.cityofsacramento.org>; Aaron Wallace <AWallace@pd.cityofsacramento.org>
> **Subject:** Re: Target solutions check
>
> Good evening Officer Cabrera,

I wanted to reach back out to you in regard to the report and to make sure you had all the information you need. The "Date Submitted" field is not included in completions reports by default, but in adding it, it shows that the training information was submitted into TargetSolutions on 8/3/2018. Please see the attached and let me know if you have any questions.

Best,
Emmett

From: Emmett Bradshaw
Sent: Tuesday, March 26, 2019 12:09 PM
To: Rosalia Cabrera
Cc: Ryan Bullard; Aaron Wallace
Subject: Re: Target solutions check

Hi Officer Cabrera,

Please see the attached and let me know if you have any questions.

Best,

Emmett

From: Rosalia Cabrera <RCabrera@pd.cityofsacramento.org>
Sent: Tuesday, March 26, 2019 10:59 AM
To: Emmett Bradshaw
Cc: Ryan Bullard; Aaron Wallace
Subject: Target solutions check

Good morning Emmett,

Can you please run check on Officers Terrence Mercadal and Officer Jared Robinet in Target Solutions? I am looking to see they completed an assignment in 2017, specifically G.O. 525.07.

Thank you,

Officer Rose Cabrera #723

Professional Standards Unit

Sacramento Police Department

5760 Freeport Blvd

Sacramento, CA 95822

Office: 916-808-3792

Main: 916-808-3790

Ryan Bullard

From: Emmett Bradshaw <EBradshaw@cityofsacramento.org>
Sent: Monday, April 08, 2019 15:31
To: Ryan Bullard
Subject: RE: Target solutions check
Attachments: Completions_Morris_Mercadal_Robinet_Tayler_Deleon_04_08_2019.xlsx

Good afternoon Sgt. Bullard,

Data attached. I couldn't find a Christina Trujillo in the data, but I found a Christina Deleon with the same badge number and included it in case it's the same individual. Please let me know if you have any questions.

Best,

Emmett Bradshaw
ENVIRONMENTAL HEALTH & SAFETY SPECIALIST
CITY OF SACRAMENTO
HUMAN RESOURCES – RISK MANAGEMENT
O: 916.808.5452
M [redacted]
EBRADSHAW@CITYOFSACRAMENTO.ORG

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Thanks Sgt. Bullard,

Absolutely. I will obtain that for you, including all fields/possible datapoints. I'm out of the office today- but if needed, I can get it to you right away. How soon do you need this/what's your turnaround time look like?

Best,

Emmett Bradshaw
Environmental Health & Safety Specialist
CITY OF SACRAMENTO
HUMAN RESOURCES - RISK MANAGEMENT
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MOBILE - [redacted]
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Thank you,

Officer Rose Cabrera #723

Professional Standards Unit

Sacramento Police Department

5760 Freeport Blvd

Sacramento, CA 95822

Office: 916-808-3792

Main: 916-808-3790

Ryan Bullard

From: Althausen, Dave@POST <Dave.Althausen@post.ca.gov>
Sent: Wednesday, April 10, 2019 17:50
To: Ryan Bullard
Cc: Caporale, Phil@POST
Subject: Re: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Copy, thanks!

Get Outlook for iOS

From: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Sent: Wednesday, April 10, 2019 5:26:28 PM
To: Althausen, Dave@POST
Subject: Re: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Monday is fine. Thank you.

On Apr 10, 2019, at 17:25, Althausen, Dave@POST <Dave.Althausen@post.ca.gov> wrote:

> SGT. Bullard-
>
> POST has received your CPRA request. Is this time-sensitive or can we respond with the records on Monday?
>
> Regards,
> Dave
>
> ---
>
> **From:** Ryan Bullard <RBullard@pd.cityofsacramento.org>
> **Sent:** Wednesday, April 10, 2019 14:12
> **To:** Althausen, Dave@POST
> **Subject:** FW: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler
>
> Additionally, I will need the same records for a sixth officer; Sacramento Police Officer Brandon Lundgren – dob: [redacted] POST ID# C51-G61. Thank you.
>
> ---
>
> **From:** Ryan Bullard
> **Sent:** Friday, April 05, 2019 12:46
> **To:** 'Dave.Althausen@post.ca.gov' <Dave.Althausen@post.ca.gov>
> **Subject:** CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler
>
> Hello,
>
> I am currently assigned to the Sacramento Police Department's Internal Affairs Division. I am investigating and incident that requires the identification of five SPD employees' training records.
>
> In accordance with the California Public Records Act, as defined by Government Code 6250 et seq., I respectfully request the following information for:

Sergeant John Morris - dob: [redacted] POST ID# C03-W07
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Officer Christina Trujillo - dob: [redacted] POST ID# C10-G10
Officer Nicholas Tayler - dob: [redacted] POST ID# C44-V86

To include, but not limited to, information contained in a "POST profile" of recorded certificates, training courses, and corresponding completion dates, hours, agency, school, and course name.

Please contact me with any questions. Thank you.

Sgt. Ryan Bullard #3135
Sacramento Police Department
Internal Affairs Division
916-808-2297
5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: Ryan Bullard
Sent: Wednesday, April 10, 2019 19:47
To: Emmett Bradshaw
Subject: Re: Target solutions check

That would be cleaner, yes. Thank you.

On Apr 10, 2019, at 19:15, Emmett Bradshaw <EBradshaw@cityofsacramento.org> wrote:

> No problem Sgt. Bullard,
>
> I'll have it for you prior to 0800 tomorrow. Would you like all aforementioned staff in the same report or prefer Ofc. Lundgren in a separate report?
>
> Best,
>
> **Emmett Bradshaw**
> Environmental Health & Safety Specialist
> CITY OF SACRAMENTO
> HUMAN RESOURCES - RISK MANAGEMENT
> DESK - 916.808.5452
> MOBILE - [redacted]
> EBRADSHAW@CITYOFSACRAMENTO.ORG
>
> ---
> Sent from my iPhone
>
> On Apr 10, 2019, at 2:07 PM, Ryan Bullard <RBullard@pd.cityofsacramento.org> wrote:
>
> > Thank you and I found out that I will need one more officer for these records; Ofc. Brandon Lundgren (#0970).
> >
> > **From:** Emmett Bradshaw <EBradshaw@cityofsacramento.org>
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> > Data attached. I couldn't find a Christina Trujillo in the data, but I found a Christina Deleon with the same badge number and included it in case it's the same individual. Please let me know if you have any questions.
> >
> > Best,
> >
> > **Emmett Bradshaw**
> > ENVIRONMENTAL HEALTH & SAFETY SPECIALIST
> > CITY OF SACRAMENTO
> > HUMAN RESOURCES – RISK MANAGEMENT

O: 916.808.5452
M: [redacted]
EBRADSHAW@CITYOFSACRAMENTO.ORG

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Sent: Friday, April 05, 2019 12:16
To: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Cc: Rosalia Cabrera <RCabrera@pd.cityofsacramento.org>
Subject: Re: Target solutions check

Thanks Sgt. Bullard,

Absolutely. I will obtain that for you, including all fields/possible datapoints. I'm out of the office today- but if needed, I can get it to you right away. How soon do you need this/what's your turnaround time look like?

Best,

Emmett Bradshaw
Environmental Health & Safety Specialist
CITY OF SACRAMENTO
HUMAN RESOURCES - RISK MANAGEMENT
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MOBILE - [redacted]
EBRADSHAW@CITYOFSACRAMENTO.ORG

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> **Subject:** Re: Target solutions check

Good evening Officer Cabrera,

I wanted to reach back out to you in regard to the report and to make sure you had all the information you need. The "Date Submitted" field is not included in completions reports by default, but in adding it, it shows that the training information was submitted into TargetSolutions on 8/3/2018. Please see the attached and let me know if you have any questions.

Best,
Emmett

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To: Rosalia Cabrera
Cc: Ryan Bullard; Aaron Wallace
Subject: Re: Target solutions check

Hi Officer Cabrera,

Please see the attached and let me know if you have any questions.

Best,

Emmett

From: Rosalia Cabrera <RCabrera@pd.cityofsacramento.org>
Sent: Tuesday, March 26, 2019 10:59 AM
To: Emmett Bradshaw
Cc: Ryan Bullard; Aaron Wallace
Subject: Target solutions check

Good morning Emmett,

Can you please run check on Officers Terrence Mercadal and Officer Jared Robinet in Target Solutions? I am looking to see they completed an assignment in 2017, specifically G.O. 525.07.

Thank you,

Officer Rose Cabrera #723

Professional Standards Unit

Sacramento Police Department

5760 Freeport Blvd

Sacramento, CA 95822

Office: 916-808-3792

Main: 916-808-3790

Ryan Bullard

From: Althausen, Dave@POST <Dave.Althausen@post.ca.gov>
Sent: Wednesday, April 17, 2019 11:32
To: Ryan Bullard
Cc: Caporale, Phil@POST
Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler
Attachments: POST_Profile_Trujillo_Christina_C10-G10.pdf; POST_Profile_Morris_John_C03-W07.pdf; POST_Profile_Mercadal_Terrence_C54-V60.pdf; POST_Profile_Tayler_Nicholas_C44-V86.pdf; POST_Profile_Robinet_Jared_C46-U90.pdf

Importance: High

Ryan –

As requested. Please let me know if you need anything in addition.

Regards,
Dave

From: Althausen, Dave@POST
Sent: Wednesday, April 17, 2019 9:56 AM
To: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Cc: Caporale, Phil@POST <Philip.Caporale@post.ca.gov>
Subject: Re: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Ryan- I'll get these to you ASAP, I was out I'll the last two days.

Regards,

Dave

Get Outlook for iOS

From: Althausen, Dave@POST

Sent: Wednesday, April 10, 2019 5:25:41 PM

To: Ryan Bullard

Cc: Caporale, Phil@POST

Subject: Re: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

SGT. Bullard-

POST has received your CPRA request. Is this time-sensitive or can we respond with the records on Monday?

Regards,

Dave

From: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Sent: Wednesday, April 10, 2019 14:12

To: Althausen, Dave@POST

Subject: FW: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Additionally, I will need the same records for a sixth officer; Sacramento Police Officer Brandon Lundgren – dob: [redacted] POST ID# C51-G61. Thank you.

From: Ryan Bullard

Sent: Friday, April 05, 2019 12:46

To: 'Dave.Althausen@post.ca.gov' <Dave.Althausen@post.ca.gov>

Subject: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Hello,

I am currently assigned to the Sacramento Police Department's Internal Affairs Division. I am investigating and incident that requires the identification of five SPD employees' training records.

In accordance with the California Public Records Act, as defined by Government Code 6250 et seq., I respectfully request the following information for:

Sergeant John Morris - dob: [redacted] POST ID# C03-W07
Officer Terrence Mercadal - dob: [redacted] POST ID# C54-V60
Officer Jared Robinet - dob: [redacted] POST ID# C46-U90
Officer Christina Trujillo - dob: [redacted] POST ID# C10-G10
Officer Nicholas Tayler - dob: [redacted] POST ID# C44-V86

To include, but not limited to, information contained in a "POST profile" of recorded certificates, training courses, and corresponding completion dates, hours, agency, school, and course name.

Please contact me with any questions. Thank you.

Sgt. Ryan Bullard #3135

Sacramento Police Department

Internal Affairs Division

916-808-2297

5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: Althausen, Dave@POST <Dave.Althausen@post.ca.gov>
Sent: Tuesday, April 23, 2019 07:16
To: Ryan Bullard
Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler
Attachments: POST_Profile_BrandonLundgren_C51-G61.pdf

My bad Ryan –

Missed that one. It is attached!

Best,
Dave

From: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Sent: Tuesday, April 23, 2019 7:11 AM
To: Althausen, Dave@POST <Dave.Althausen@post.ca.gov>
Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Thanks Dave, I don't see Ofc. Lundgren's file on here?

From: Althausen, Dave@POST <Dave.Althausen@post.ca.gov>
Sent: Wednesday, April 17, 2019 11:32
To: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Cc: Caporale, Phil@POST <Philip.Caporale@post.ca.gov>
Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler
Importance: High

Ryan –

As requested. Please let me know if you need anything in addition.

Regards,
Dave

From: Althausen, Dave@POST
Sent: Wednesday, April 17, 2019 9:56 AM
To: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Cc: Caporale, Phil@POST <Philip.Caporale@post.ca.gov>
Subject: Re: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Ryan- I'll get these to you ASAP, I was out I'll the last two days.

Regards,

Dave

Get Outlook for iOS

From: Althausen, Dave@POST

Sent: Wednesday, April 10, 2019 5:25:41 PM

To: Ryan Bullard

Cc: Caporale, Phil@POST

Subject: Re: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

SGT. Bullard-

POST has received your CPRA request. Is this time-sensitive or can we respond with the records on Monday?

Regards,
Dave

From: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Sent: Wednesday, April 10, 2019 14:12

To: Althausen, Dave@POST

Subject: FW: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Additionally, I will need the same records for a sixth officer; Sacramento Police Officer Brandon Lundgren – dob: [redacted]
POST ID# C51-G61. Thank you.

From: Ryan Bullard

Sent: Friday, April 05, 2019 12:46

To: 'Dave.Althausen@post.ca.gov' <Dave.Althausen@post.ca.gov>

Subject: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Hello,

I am currently assigned to the Sacramento Police Department's Internal Affairs Division. I am investigating and incident that requires the identification of five SPD employees' training records.

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Sergeant John Morris - dob: [redacted] POST ID# C03-W07

Officer Terrence Mercadal - dob: [redacted] POST ID# C54-V60

Officer Jared Robinet - dob: [redacted] POST ID# C46-U90

Officer Christina Trujillo - dob: [redacted] POST ID# C10-G10

Officer Nicholas Tayler - dob: [redacted] POST ID# C44-V86

To include, but not limited to, information contained in a "POST profile" of recorded certificates, training courses, and corresponding completion dates, hours, agency, school, and course name.

Please contact me with any questions. Thank you.

Sgt. Ryan Bullard #3135

Sacramento Police Department

Internal Affairs Division

916-808-2297

5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: Olivia Torres
Sent: Tuesday, April 23, 2019 12:57
To: Ryan Bullard
Subject: FW: CPT First Aid ECO
Attachments: CPT First Aid Outline.docx

Sgt.,

Here is the outline for the first aid class. We don't teach the tactical life saver so I don't think we would have that outline. I will confirm with Keri.

Thank you,

Olivia Torres | Sacramento Police Academy | 916-566-2418

From: Ashley Schiele <AMSchiele@pd.cityofsacramento.org>
Sent: Tuesday, April 23, 2019 11:46 AM
To: Olivia Torres <otorres@pd.cityofsacramento.org>
Subject: CPT First Aid ECO

Here's the most recent CPT first aid outline

Ashley

Ryan Bullard

From: Van, Jennifer@POST <Jennifer.Van@post.ca.gov>
Sent: Tuesday, April 23, 2019 15:40
To: Ryan Bullard
Cc: Althausen, Dave@POST; Toomey, Dan@POST
Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler
Attachments: outline_21783.rtf

Hello Sgt. Bullard,

Attached is the course outline for the "Tactical Lifesaver" course that the officers listed below have on their training profile.

Jennifer Van
Associate Governmental Program Analyst
Training Program Services Bureau
Commission on Peace Officer Standards and Training (POST)
860 Stillwater Rd., Suite. 100
West Sacramento, CA 95605
Office: (916) 227-4853
Email: jennifer.van@post.ca.gov
Website: www.post.ca.gov

From: Althausen, Dave@POST
Sent: Tuesday, April 23, 2019 2:58 PM
To: Van, Jennifer@POST <Jennifer.Van@post.ca.gov>
Subject: Fwd: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Jen - can you please pull and email this course to Ryan for me?

From: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Sent: Tuesday, April 23, 2019 14:29

To: Althausen, Dave@POST

Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Dave, regarding the "Tactical Lifesaver" Course that several of these officers have on their training profile, do you have any of that course material/curriculum or know who to refer me to that would have it? Thanks.

From: Althausen, Dave@POST <Dave.Althausen@post.ca.gov>

Sent: Tuesday, April 23, 2019 07:16

To: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

My bad Ryan –

Missed that one. It is attached!

Best,
Dave

From: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Sent: Tuesday, April 23, 2019 7:11 AM

To: Althausen, Dave@POST <Dave.Althausen@post.ca.gov>

Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Thanks Dave, I don't see Ofc. Lundgren's file on here?

From: Althausen, Dave@POST <Dave.Althausen@post.ca.gov>

Sent: Wednesday, April 17, 2019 11:32

To: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Cc: Caporale, Phil@POST <Philip.Caporale@post.ca.gov>

Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Importance: High

Ryan –

As requested. Please let me know if you need anything in addition.

Regards,
Dave

From: Althausen, Dave@POST

Sent: Wednesday, April 17, 2019 9:56 AM

To: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Cc: Caporale, Phil@POST <Philip.Caporale@post.ca.gov>

Subject: Re: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Ryan- I'll get these to you ASAP, I was out I'll the last two days.

Regards,
Dave

GetOutlook for iOS

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To: Ryan Bullard

Cc: Caporale, Phil@POST

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Dave

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Additionally, I will need the same records for a sixth officer; Sacramento Police Officer Brandon Lundgren – dob: [redacted]

POST ID# C51-G61. Thank you.

From: Ryan Bullard

Sent: Friday, April 05, 2019 12:46

To: 'Dave.Althausen@post.ca.gov' <Dave.Althausen@post.ca.gov>

Subject: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

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Officer Terrence Mercadal - dob: [redacted] POST ID# C54-V60
Officer Jared Robinet - dob: [redacted] POST ID# C46-U90
Officer Christina Trujillo - dob: [redacted] POST ID# C10-G10
Officer Nicholas Tayler - dob: [redacted] POST ID# C44-V86

To include, but not limited to, information contained in a "POST profile" of recorded certificates, training courses, and corresponding completion dates, hours, agency, school, and course name.

Please contact me with any questions. Thank you.

Sgt. Ryan Bullard #3135
Sacramento Police Department
Internal Affairs Division
916-808-2297
5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: Keri Wilson
Sent: Tuesday, April 23, 2019 16:24
To: Ryan Bullard
Subject: 2018 CPT First Aid Outline
Attachments: 2018 First Aid Outline.docx

Let me know if you need anything else.

Keri

Corporal Keri Wilson #413
Sacramento Police Department
Training Division – In Service
kwilson@pd.cityofsacramento.org
(916) 808-2418 Office
(916) 808-2149 Fax
[redacted] Cell

Ryan Bullard

From: Ryan Bullard
Sent: Wednesday, April 24, 2019 10:03
To: Beth Glynn
Subject: RE: Tactical Life Saver Course for June

Got the hardcopy thank you. Is there an electronic or scanned version of this material?

From: Beth Glynn
Sent: Tuesday, April 23, 2019 17:30
To: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Subject: Re: Tactical Life Saver Course for June

Hi Ryan,

I can get you a hard copy or I can get ahold of the instructor for an electronic copy. I can also just give you his contact information so you can get what you need from him. Let me know what you would like.

Sent from my iPhone

On Apr 23, 2019, at 2:31 PM, Ryan Bullard <RBullard@pd.cityofsacramento.org> wrote:

> Beth,
>
> Can you advise who I would go to get the course material/curriculum for this class? It's regarding an internal investigation that I'm conducting. Thanks.
>
> ---
>
> **From:** Beth Glynn
> **Sent:** Monday, April 08, 2019 07:01
> **To:** SPD Sworn <Sworn@pd.cityofsacramento.org>
> **Subject:** Tactical Life Saver Course for June
>
> Officer Beth Glynn
> Sacramento Police Department
> Training Coordinator for the Sacramento UASI
> 916-808-1538
> bglynn@pd.cityofsacramento.org

Ryan Bullard

From: Olivia Torres
Sent: Wednesday, April 24, 2019 10:17
To: Ryan Bullard
Subject: Records

Sgt,

A USB is being dropped off to your admin staff at IA right now. The files were too large to send via email.

The only things that are not on there are Morris's Academy file and Lundgren's Academy file. I have not been able to find one for Morris and Lundgren went to Yuba's academy.

Let me know if you need anything else.

Thank you,

Olivia Torres | Sacramento Police Academy | 916-566-2418

Ryan Bullard

From: Keri Wilson
Sent: Wednesday, April 24, 2019 13:56
To: Ryan Bullard
Subject: RE: 2018 CPT First Aid Outline

They are too big to email. I put a copy in the X: drive under your name. Please just delete that file when you are done. It's a copy of what we have in our shared drive for CPT.

You have in your folder:

- the First Aid PPT
- Naloxone PPT
- I also put the Naloxone Utilization report (this may have changed. Pam runs this program and I left in April for [redacted] in 2018)
- First Aid Test Answer Key
-Practical (Hands on) checklist.

Keri

From: Ryan Bullard
Sent: Wednesday, April 24, 2019 12:57
To: Keri Wilson <KWilson@pd.cityofsacramento.org>
Subject: RE: 2018 CPT First Aid Outline

Do you have a power point for this Keri?

From: Keri Wilson
Sent: Tuesday, April 23, 2019 16:24
To: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Subject: 2018 CPT First Aid Outline

Let me know if you need anything else.

Keri

Corporal Keri Wilson #413
Sacramento Police Department
Training Division – In Service
kwilson@pd.cityofsacramento.org
(916) 808-2418 Office
(916) 808-2149 Fax
[redacted] Cell

Ryan Bullard

From: Ryan Bullard
Sent: Wednesday, April 24, 2019 14:33
To: Beth Glynn
Subject: RE: Tactical Life Saver Course for June

Sure, thanks.
916-808-2297 or email.

From: Beth Glynn
Sent: Wednesday, April 24, 2019 14:26
To: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Subject: Re: Tactical Life Saver Course for June

I sent Dr Heiskell an email to see if he can send me an electronic copy. He might send me back something asking additional questions. If he does, can I refer him to you so that he gets any questions answered directly from you?

Sent from my iPhone

On Apr 24, 2019, at 12:55 PM, Ryan Bullard <RBullard@pd.cityofsacramento.org> wrote:

> That would be great if you could, thanks.
>
> ---
>
> **From:** Beth Glynn
> **Sent:** Wednesday, April 24, 2019 11:01
> **To:** Ryan Bullard <RBullard@pd.cityofsacramento.org>
> **Subject:** Re: Tactical Life Saver Course for June
>
> I would have to contact the instructor. Let me know what you would like
>
> Sent from my iPhone
>
> On Apr 24, 2019, at 10:02 AM, Ryan Bullard <RBullard@pd.cityofsacramento.org> wrote:
>
> > Got the hardcopy thank you. Is there an electronic or scanned version of this material?
> >
> > ---
> >
> > **From:** Beth Glynn
> > **Sent:** Tuesday, April 23, 2019 17:30
> > **To:** Ryan Bullard <RBullard@pd.cityofsacramento.org>
> > **Subject:** Re: Tactical Life Saver Course for June
> >
> > Hi Ryan,
> >
> > I can get you a hard copy or I can get ahold of the instructor for an electronic copy. I can also just give you his contact information so you can get what you need from him. Let me know what you would like.

Sent from my iPhone

On Apr 23, 2019, at 2:31 PM, Ryan Bullard <RBullard@pd.cityofsacramento.org> wrote:

> Beth,
>
> Can you advise who I would go to get the course material/curriculum for this class? It's regarding an internal investigation that I'm conducting. Thanks.
>
> ---
>
> **From:** Beth Glynn
> **Sent:** Monday, April 08, 2019 07:01
> **To:** SPD Sworn <Sworn@pd.cityofsacramento.org>
> **Subject:** Tactical Life Saver Course for June
>
> Officer Beth Glynn
> Sacramento Police Department
> Training Coordinator for the Sacramento UASI
> 916-808-1538
> bglynn@pd.cityofsacramento.org

From: Ryan Bullard
Sent: Thursday, April 25, 2019 8:22 AM
To: Christina Trujillo
Cc: Tim Davis Sr.
Subject: IA Interview

Good morning Christina,

You have been identified as a witness in an Internal Affairs case that I am investigating. The allegation is pertaining to G.O. 18-82449 for Neglect of Duty and Improper Tactics. I need to interview you regarding these allegations. I am going to set the interview for Friday, May 3rd, 2019 at 1000 hours, in the Internal Affairs Office. This should be during your normal work hours so please advise your supervisor. I am CC'ing the SPOA, but you will have to contact them to confirm their participation if you wish. I am ordering you not to discuss this matter with any other Department employee. Once you receive this email please respond to confirm receipt.

Please contact me if you have any questions.

Sgt. Ryan Bullard #3135
Sacramento Police Department
Internal Affairs Division
916-808-2297
5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: Nicholas Tayler
Sent: Thursday, April 25, 2019 08:23
To: Ryan Bullard
Subject: Re: IA Interview

I copy, see you then.

On Apr 25, 2019, at 8:17 AM, Ryan Bullard <RBullard@pd.cityofsacramento.org> wrote:

> Good morning Nicholas,
>
> You have been identified as a witness in an Internal Affairs case that I am investigating. The allegation is pertaining to G.O. 18-82449 for Neglect of Duty and Improper Tactics. I need to interview you regarding these allegations. I am going to set the interview for Thursday, May 2nd, 2019 at 1430 hours, in the Internal Affairs Office. This should be during your normal work hours so please advise your supervisor. I am CC'ing the SPOA, but you will have to contact them to confirm their participation if you wish. I am ordering you not to discuss this matter with any other Department employee. Once you receive this email please respond to confirm receipt.
>
> Please contact me if you have any questions.
>
> Sgt. Ryan Bullard #3135
> Sacramento Police Department
> Internal Affairs Division
> 916-808-2297
> 5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: John Morris
Sent: Thursday, April 25, 2019 09:47
To: Ryan Bullard
Subject: Re: IA Interview

Hi,

I copy the notice.

Thank You,

John

Sent from my iPhone

On Apr 25, 2019, at 8:24 AM, Ryan Bullard <RBullard@pd.cityofsacramento.org> wrote:

> Good morning John,
>
> You have been identified as a witness in an Internal Affairs case that I am investigating. The allegation is pertaining to G.O. 18-82449 for Neglect of Duty and Improper Tactics. I need to interview you regarding these allegations. I am going to set the interview for Tuesday, May 7th, 2019 at 1430 hours, in the Internal Affairs Office. This should be during your normal work hours so please advise your supervisor. I am CC'ing the SPOA, but you will have to contact them to confirm their participation if you wish. I am ordering you not to discuss this matter with any other Department employee. Once you receive this email please respond to confirm receipt.
>
> Please contact me if you have any questions.
>
> Sgt. Ryan Bullard #3135
> Sacramento Police Department
> Internal Affairs Division
> 916-808-2297
> 5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: Lawrence Heiskell <tacmedmail@[redacted].com>
Sent: Thursday, April 25, 2019 10:40
To: Ryan Bullard
Cc: Beth Glynn
Subject: Expanded Course Outline for the Law Enforcement Tactical Life Saver Course
Attachments: Tactical Life Saver Course ECO.doc

Hello All,

As requested attached is the POST approved Expanded Course Outline for the Law Enforcement Tactical Life Saver Course.

Please let me know if you need any additional documentation.

Lawrence

Lawrence E. Heiskell, MD. FACEP, FAAFP
ISTM, LLC
P.O. Box 2609
Rancho Mirage, California 92270
760-880-4102
Website: www.tacticalmedicine.com

NOTICE – This email and all attachments hereto, if any, are covered by the provisions of the U.S. Electronic Communications Privacy Act. This communication and all attachments are confidential and privileged information that is for the sole use of the intended recipient at this address. Any viewing, copying or distribution of, or reliance on this message by unintended recipients is strictly prohibited by law.

Ryan Bullard

From: Brandon Lundgren
Sent: Thursday, April 25, 2019 13:01
To: Ryan Bullard
Subject: Re: IA Interview

I have received your email.

Thank you.

Brandon.

Sent from my iPhone

On Apr 25, 2019, at 08:26, Ryan Bullard <RBullard@pd.cityofsacramento.org> wrote:

> Good morning Brandon,
>
> You have been identified as a witness in an Internal Affairs case that I am investigating. The allegation is pertaining to G.O. 18-82449 for Neglect of Duty and Improper Tactics. I need to interview you regarding these allegations. I am going to set the interview for Thursday, May 9th, 2019 at 1430 hours, in the Internal Affairs Office. This should be during your normal work hours so please advise your supervisor. I am CC'ing the SPOA, but you will have to contact them to confirm their participation if you wish. I am ordering you not to discuss this matter with any other Department employee. Once you receive this email please respond to confirm receipt.
>
> Please contact me if you have any questions.
>
> Sgt. Ryan Bullard #3135
> Sacramento Police Department
> Internal Affairs Division
> 916-808-2297
> 5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: Ryan Bullard
Sent: Thursday, April 25, 2019 14:05
To: Lawrence Heiskell
Cc: Beth Glynn
Subject: RE: Expanded Course Outline for the Law Enforcement Tactical Life Saver Course

Thank you, is there an electronic version of the course book that I have a copy of (International School of Tactical Medicine)? It's approx. 90 pages. It just makes it a lot easier to attach to my investigation if there is already a scanned version of some kind.

From: Lawrence Heiskell <tacmedmail@[redacted].com>
Sent: Thursday, April 25, 2019 10:40
To: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Cc: Beth Glynn <BGlynn@pd.cityofsacramento.org>
Subject: Expanded Course Outline for the Law Enforcement Tactical Life Saver Course

Hello All,

As requested attached is the POST approved Expanded Course Outline for the Law Enforcement Tactical Life Saver Course.

Please let me know if you need any additional documentation.

Lawrence

Lawrence E. Heiskell, MD. FACEP, FAAFP
ISTM, LLC
P.O. Box 2609
Rancho Mirage, California 92270
760-880-4102
Website: www.tacticalmedicine.com

NOTICE – This email and all attachments hereto, if any, are covered by the provisions of the U.S. Electronic Communications Privacy Act. This communication and all attachments are confidential and privileged information that is for the sole use of the intended recipient at this address. Any viewing, copying or distribution of, or reliance on this message by unintended recipients is strictly prohibited by law.

Ryan Bullard

From: Ryan Bullard
Sent: Friday, April 26, 2019 15:36
To: Comm DA Requests
Subject: DAR 18-82449
Attachments: DAR 18-82449.pdf

Sgt. Ryan Bullard #3135
Sacramento Police Department
Internal Affairs Division
916-808-2297
5760 Freeport Blvd, Sacramento CA 95822

SACRAMENTO POLICE DEPARTMENT
DISPATCH ACTIVITY REPORT

Communications D.A.R. #

Date of Request 4/26/19 Date Needed ASAP

Requestor Sgt. Bullard ID # 3135

Agency/Division Sacramento PD Phone 808-2297

Reason Internal Investigation

*REQUEST FOR:

- ☐ 911/Incoming telephone calls
- ■ Audio Recording(s) of Radio Dispatch Traffic
- ☐ Incident History – For SPD Investigation (No Certification Needed)
- ☐ Incident History – For District Attorney, Public Defender, or Private Attorney (Certification Needed)
  Attorney's Name: _____
- ☐ Unit History
- ☐ Message Logging (CLETS, TO Message etc. – specify in Details)
- ☐ Other (specify in Details)

***SHADED AREA: A SELECTION MUST BE MADE IN ORDER TO PROCESS THE REQUEST.**

Call # 18-82449 Time(s) 2110 Date(s) 3/18/18 Type OIS

Location [redacted] 29th St Report # 18-82449

Unit(s) Assigned 1C54 and 1C57 Reporting Party _____

Officer(s) Assigned (Badge/Nameif known) Robinet and Mercadal

Details (Include subject/suspect name(s) if known):

Need single audio file of all SPD radio traffic on Channel 4 pertaining to 18-82449 from 2112-2205 hrs

I hereby certify that the reports and information requested shall be used for professional law enforcement or criminal justice purposes only. I further certify that the requested reports and information shall neither be used in any manner to harass, degrade, humiliate, or intimidate any person; nor shall such reports or information be compiled or maintained as a dossier for reasons other than law enforcement or criminal justice purposes. ***In addition, I certify that the reports and information shall not be copied or distributed outside of the requesting agency without written consent from the Sacramento Police Department.***

SIGNED: Ryan Bullard Digitally signed by Ryan Bullard DN: cn=Ryan Bullard, o=Sacramento Police Dept., ou, email=rbullard@pd.cityofsacramento.org, c=US Date: 2019.07.26 04:32:40 -07'00'

(Requires signature of Sergeant or above)

COMMUNICATIONS DIVISION USE:

Assigned To: _____ Date: _____ Date Completed: _____ Date Returned: _____

Comments:

SPD 678 (REV 03/15

Ryan Bullard

From: Van, Jennifer@POST <Jennifer.Van@post.ca.gov>
Sent: Monday, April 29, 2019 13:52
To: Ryan Bullard
Subject: FW: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler
Attachments: outline_20801_022717.doc; outline_20801_092817_24 hour.rtf; outline_20801_092817_8 hour.rtf; outline_20762_050815.docx

Good afternoon Sgt. Bullard,

I am resending per your request.

Jennifer Van
Associate Governmental Program Analyst
Training Program Services Bureau
Commission on Peace Officer Standards and Training (POST)
860 Stillwater Rd., Suite. 100
West Sacramento, CA 95605
Office: (916) 227-4853
Email: jennifer.van@post.ca.gov
Website: www.post.ca.gov

From: Van, Jennifer@POST
Sent: Monday, April 29, 2019 8:20 AM
To: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Cc: Althausen, Dave@POST <Dave.Althausen@post.ca.gov>
Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Good morning Sgt. Bullard,

Attached are 4 course outlines for the "Crisis Intervention Training" course dates you have listed below for Mercadal and Robinet. The date of the course is in the file name for your ease of reference.

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

Jennifer Van
Associate Governmental Program Analyst
Training Program Services Bureau
Commission on Peace Officer Standards and Training (POST)
860 Stillwater Rd., Suite. 100
West Sacramento, CA 95605
Office: (916) 227-4853
Email: jennifer.van@post.ca.gov
Website: www.post.ca.gov

From: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Sent: Friday, April 26, 2019 1:09 PM
To: Van, Jennifer@POST <Jennifer.Van@post.ca.gov>
Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

One more favor to ask Jennifer, regarding Ofc. Mercadal's and Robinet's training records to "Crisis Intervention Training"; 9/28/17 and 5/8/17 for Mercadal and 9/28/17, 2/27/17, 5/8/15 for Robinet. Do you have any course outlines or materials for those? Thank you.

From: Van, Jennifer@POST <Jennifer.Van@post.ca.gov>
Sent: Tuesday, April 23, 2019 15:40
To: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Cc: Althausen, Dave@POST <Dave.Althausen@post.ca.gov>; Toomey, Dan@POST <Dan.Toomey@post.ca.gov>
Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Hello Sgt. Bullard,

Attached is the course outline for the "Tactical Lifesaver" course that the officers listed below have on their training profile.

Jennifer Van
Associate Governmental Program Analyst
Training Program Services Bureau
Commission on Peace Officer Standards and Training (POST)
860 Stillwater Rd., Suite. 100
West Sacramento, CA 95605
Office: (916) 227-4853
Email: jennifer.van@post.ca.gov
Website: www.post.ca.gov

From: Althausen, Dave@POST
Sent: Tuesday, April 23, 2019 2:58 PM
To: Van, Jennifer@POST <Jennifer.Van@post.ca.gov>
Subject: Fwd: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Jen - can you please pull and email this course to Ryan for me?

From: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Sent: Tuesday, April 23, 2019 14:29

To: Althausen, Dave@POST

Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Dave, regarding the "Tactical Lifesaver" Course that several of these officers have on their training profile, do you have any of that course material/curriculum or know who to refer me to that would have it? Thanks.

From: Althausen, Dave@POST <Dave.Althausen@post.ca.gov>

Sent: Tuesday, April 23, 2019 07:16

To: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

My bad Ryan –

Missed that one. It is attached!

Best,
Dave

From: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Sent: Tuesday, April 23, 2019 7:11 AM

To: Althausen, Dave@POST <Dave.Althausen@post.ca.gov>

Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Thanks Dave, I don't see Ofc. Lundgren's file on here?

From: Althausen, Dave@POST <Dave.Althausen@post.ca.gov>

Sent: Wednesday, April 17, 2019 11:32

To: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Cc: Caporale, Phil@POST <Philip.Caporale@post.ca.gov>

Subject: RE: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Importance: High

Ryan –

As requested. Please let me know if you need anything in addition.

Regards,
Dave

From: Althausen, Dave@POST

Sent: Wednesday, April 17, 2019 9:56 AM

To: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Cc: Caporale, Phil@POST <Philip.Caporale@post.ca.gov>

Subject: Re: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Ryan- I'll get these to you ASAP, I was out I'll the last two days.

Regards,
Dave

GetOutlook for iOS

From: Althausen, Dave@POST

Sent: Wednesday, April 10, 2019 5:25:41 PM

To: Ryan Bullard

Cc: Caporale, Phil@POST

Subject: Re: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

SGT. Bullard-

POST has received your CPRA request. Is this time-sensitive or can we respond with the records on Monday?

Regards,
Dave

From: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Sent: Wednesday, April 10, 2019 14:12

To: Althausen, Dave@POST

Subject: FW: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Additionally, I will need the same records for a sixth officer; Sacramento Police Officer Brandon Lundgren – dob: [redacted] POST ID# C51-G61. Thank you.

From: Ryan Bullard

Sent: Friday, April 05, 2019 12:46

To: 'Dave.Althausen@post.ca.gov' <Dave.Althausen@post.ca.gov>

Subject: CPRA Request - Morris / Mercadal / Robinet / Trujillo / Tayler

Hello,

I am currently assigned to the Sacramento Police Department's Internal Affairs Division. I am investigating and incident that requires the identification of five SPD employees' training records.

In accordance with the California Public Records Act, as defined by Government Code 6250 et seq., I respectfully request the following information for:

Sergeant John Morris - dob [redacted] POST ID# C03-W07
Officer Terrence Mercadal - dob: [redacted] POST ID# C54-V60
Officer Jared Robinet - dob [redacted] POST ID# C46-U90
Officer Christina Trujillo - dob: [redacted] POST ID# C10-G10
Officer Nicholas Tayler - dob: [redacted] POST ID# C44-V86

To include, but not limited to, information contained in a "POST profile" of recorded certificates, training courses, and corresponding completion dates, hours, agency, school, and course name.

Please contact me with any questions. Thank you.

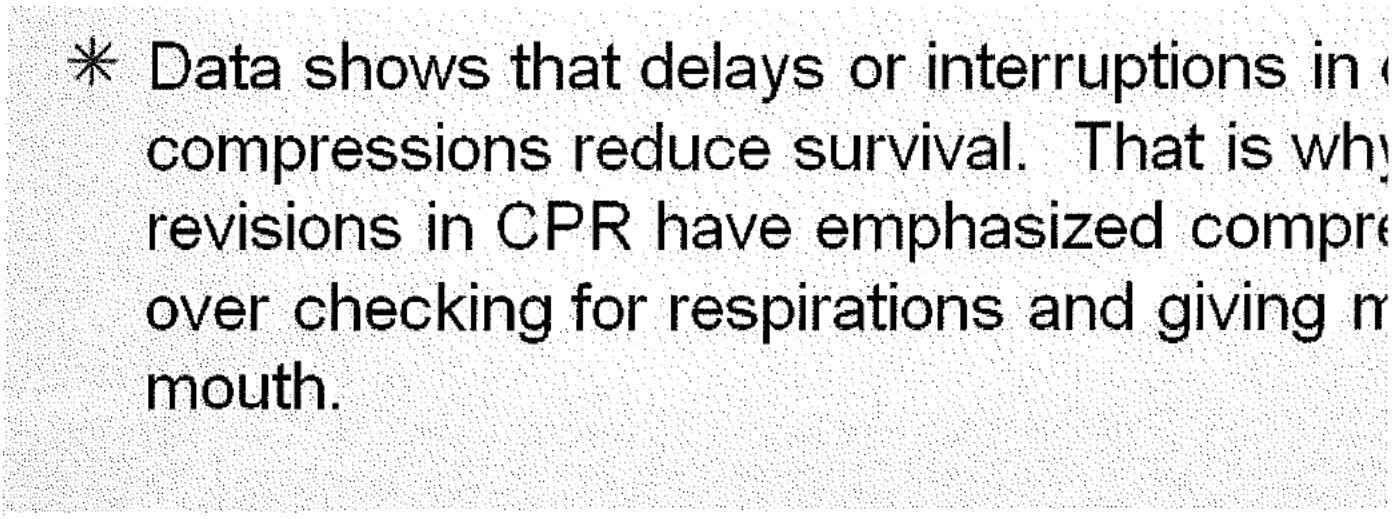
Sgt. Ryan Bullard #3135
Sacramento Police Department
Internal Affairs Division
916-808-2297
5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: Keri Wilson
Sent: Tuesday, April 30, 2019 06:57
To: Ryan Bullard
Subject: First Aid
Attachments: CPR AED.pptx

This is Ashley Schieles First Aid/CPR/AED class for CSO's and I think CSI for 2018.

Slide 4 says,



There are other slides which talk about guidelines for the lay person who is NOT trained in CPR.

Please call when you get this.

Ker[redacted]

Ryan Bullard

From: Christina Trujillo
Sent: Tuesday, April 30, 2019 10:49
To: Ryan Bullard
Subject: Re: IA Interview

Hi Sarge,

I received your email and will be there on Friday, May 3rd at 1000 hours.

Thank you,

Christina

From: Ryan Bullard
Sent: Thursday, April 25, 2019 8:22 AM
To: Christina Trujillo
Cc: Tim Davis Sr.
Subject: IA Interview

Good morning Christina,

You have been identified as a witness in an Internal Affairs case that I am investigating. The allegation is pertaining to G.O. 18-82449 for Neglect of Duty and Improper Tactics. I need to interview you regarding these allegations. I am going to set the interview for Friday, May 3rd, 2019 at 1000 hours, in the Internal Affairs Office. This should be during your normal work hours so please advise your supervisor. I am CC'ing the SPOA, but you will have to contact them to confirm their participation if you wish. I am ordering you not to discuss this matter with any other Department employee. Once you receive this email please respond to confirm receipt.

Please contact me if you have any questions.

Sgt. Ryan Bullard #3135
Sacramento Police Department
Internal Affairs Division
916-808-2297
5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: Christina Trujillo
Sent: Friday, May 03, 2019 08:45
To: Ryan Bullard
Cc: Michael Boyd
Subject: Re: IA Interview

Hi Sarge,

Copy, and thank you for rescheduling. I'm sorry for the inconvenience. See you Thursday. I should [redacted] by then! 😊

Christina

Get Outlook for iOS

From: Ryan Bullard
Sent: Friday, May 3, 2019 8:22:36 AM
To: Christina Trujillo
Cc: Michael Boyd
Subject: FW: IA Interview

Christina,

I spoke with your representative Mick Boyd yesterday who advised me you needed to re-schedule this interview for next week. Not a problem. I'll schedule you for next Thursday 5/9/19 at 1000 hrs. I've CC'ed Mick in this email so he's aware. Let me know if you have any questions.

From: Christina Trujillo
Sent: Tuesday, April 30, 2019 10:49
To: Ryan Bullard <RBullard@pd.cityofsacramento.org>
Subject: Re: IA Interview

Hi Sarge,

I received your email and will be there on Friday, May 3rd at 1000 hours.

Thank you,

Christina

Ryan Bullard

From: Jared Robinet
Sent: Thursday, May 09, 2019 15:03
To: Ryan Bullard
Subject: Re: IAD Interview

Got it. See you then.

Jared

Get Outlook for Android

From: Ryan Bullard
Sent: Thursday, May 9, 2019 2:42:21 PM
To: Jared Robinet
Cc: Tim Davis Sr.
Subject: IAD Interview

Officer Robinet,

You have been identified as an **accused employee** of an Internal Affairs Division (IAD) investigation, related to CAD call number 18-82449.

The following allegations of misconduct have been identified as part of this complaint:

- *Neglect of duty*
- *Improper Tactics*

I need to interview you, so I am setting the interview for **Thursday, May 16th, 2019 at 0800 hours** at the IAD office, 5760 Freeport Blvd.

The SPOA has been copied on this correspondence, but you will have to contact and coordinate their participation.

I am ordering you not to discuss this matter with any other department employee.

Respond to this email to confirm receipt.

Sgt. Ryan Bullard #3135
Sacramento Police Department
Internal Affairs Division
916-808-2297
5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: James Harrington
Sent: Thursday, May 09, 2019 16:44
To: Ryan Bullard
Subject: Interviews

Josh Olander called me, he'll be taking the place of Ace who has left their office. He'll represent Robinet.

Zeb will still represent Terrance.

-James

Lieutenant James Harrington
Sacramento Police Department
Internal Affairs & Professional Standards
(916) 808-2292
jharrington@pd.cityofsacramento.org

Ryan Bullard

From: Terrence Mercadal
Sent: Thursday, May 09, 2019 17:11
To: Ryan Bullard
Subject: Re: IAD Interview

I confirm I have received this email message.

Get Outlook for iOS

From: Ryan Bullard <RBullard@pd.cityofsacramento.org>

Sent: Thursday, May 9, 2019 2:45 PM

To: Terrence Mercadal

Cc: Tim Davis Sr.

Subject: IAD Interview

Officer Mercadal,

You have been identified as an **accused employee** of an Internal Affairs Division (IAD) investigation, related to CAD call number 18-82449.

The following allegations of misconduct have been identified as part of this complaint:

- *Neglect of duty*
- *Improper Tactics*

I need to interview you, so I am setting the interview for **Thursday, May 16th, 2019 at 1300 hours** at the IAD office, 5760 Freeport Blvd.

The SPOA has been copied on this correspondence, but you will have to contact and coordinate their participation.

I am ordering you not to discuss this matter with any other department employee.

Respond to this email to confirm receipt.

Sgt. Ryan Bullard #3135

Sacramento Police Department

Internal Affairs Division

916-808-2297

5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: Jared Robinet
Sent: Thursday, May 16, 2019 14:01
To: Ryan Bullard
Subject: Re: IA Interview

👍 See you then!

-Jared

From: Ryan Bullard
Sent: Thursday, May 16, 2019 1:50 PM
To: Jared Robinet
Cc: jolander@mastagni.com
Subject: IA Interview

Officer Robinet,

You have been identified as an **accused employee** of an Internal Affairs Division (IAD) investigation, related to CAD call number 18-82449.

The following allegations of misconduct have been identified as part of this complaint:

- *Neglect of duty*
- *Improper Tactics*
- *Discharge of Firearm*
- *Excessive Force*

I need to interview you, so I am setting the interview for **Tuesday, May 21st, 2019 at 0800 hours** at the IAD office, 5760 Freeport Blvd.

Your legal representative has been copied on this correspondence, but you will have to contact and coordinate their participation.

I am ordering you not to discuss this matter with any other department employee.

Respond to this email to confirm receipt.

Sgt. Ryan Bullard #3135
Sacramento Police Department
Internal Affairs Division
916-808-2297
5760 Freeport Blvd, Sacramento CA 95822

Ryan Bullard

From: Terrence Mercadal
Sent: Thursday, May 16, 2019 14:20
To: Ryan Bullard
Subject: Re: IA Interview

I have received this email.

Officer Terrence Mercadal
Sacramento Police Department
Family Abuse/ SACA
Office of Investigations
Office: 916-808-0599
Email: tmercadal@pd.cityofsacramento.org

From: Ryan Bullard
Sent: Thursday, May 16, 2019 1:59 PM
To: Terrence Mercadal
Cc: zdavis@mastagni.com
Subject: IA Interview

Officer Mercadal,

You have been identified as an **accused employee** of an Internal Affairs Division (IAD) investigation, related to CAD call number 18-82449.

The following allegations of misconduct have been identified as part of this complaint:

- *Neglect of duty*
- *Improper Tactics*
- *Discharge of Firearm*
- *Excessive Force*

I need to interview you, so I am setting the interview for **Tuesday, May 21st, 2019 at 1400 hours** at the IAD office, 5760 Freeport Blvd.

Your legal representative has been copied on this correspondence, but you will have to contact and coordinate their participation.

I am ordering you not to discuss this matter with any other department employee.

Respond to this email to confirm receipt.

Sgt. Ryan Bullard #3135
Sacramento Police Department
Internal Affairs Division

916-808-2297
5760 Freeport Blvd, Sacramento CA 95822

Sacramento Police Department
Internal Affairs Division
Body Worn Camera Review – Shooting/After Force Care

IAD2019-095

Investigator: Sgt. Ryan Bullard #3135

SHOOTING / AFTER-FORCE MEDICAL CARE

On 4/10/19, I began my review of Body Worn Camera video from this incident of Sacramento Police Officers Robinet (#0520), Mercadal (#0752), Trujillo (#0846), Tayler (#0741), Lundgren (#0970) and Sgt. Morris (#3120). I examined and compared the time it took from when shots were fired by officers to the point officers approached and physically made contact w/Stephon Clark to render first aid. The following information is not a full and complete transcription of what is observed or what occurred on the respective officers' videos, but more of certain facts and statements as it pertains to tactical considerations as to the officers' plan for their eventual approach and eventual after-force care of Clark. The below notes/times (all in Zulu time unless otherwise noted) are noted from that respective officer's body worn camera time/date stamp and footage.

Officer Robinet

-04:26:47 – Officers' gunshots begin firing.
-04:26:52 - Gunfire ceases.
-04:26:53 – Ofc. Mercadal voices, "Five seven shots fired subject down!".
-04:26:58 – Ofc. Mercadal yells, "Show me your hands!" and Ofc. Robinet yells, "Let's see your hands!".
-04:27:05 – Ofc. Mercadal broadcasts, "Five seven he's down, no movement. We're gonna need an additional units. Come in from the uh, west to east of this yard"
-04:27:15 – Ofc. Robinet yells out, "Let's see your hands!"
-04:27:18 – Ofc. Mercadal asks, "You alright? You hit?" and Robinet replies, "Yeah I'm good".
-04:27:25 – Ofc. Robinet says, "He was still pointing when I saw again. Ofc. Mercadal says, "Oh shit". Ofc. Robinet asks, "You alright dude?" and Mercadal replies, "Yeah I'm alright, I don't think I'm hit or anything".
-04:27:37 – Ofc. Robinet says, "I got him at gun-point dude" and advises Mercadal to do a "tactical reload". Mercadal replies, "Copy" and Robinet says, "I think I shot about five times".
-04:27:54 – Ofc. Robinet says, "Stand by" and Mercadal repeats, "Stand by on that. He's still down he's not moving. We can't see the gun".
-04:28:03 – Ofc. Robinet asks, "You good?" and Mercadal replies, "Yeah I'm good". Ofc. Robinet then advises he is going to "reload" and Ofc. Mercadal replies, "I got you, go".
-04:28:08 – Ofc. Robinet asks, "You got a light on him?" which Ofc. Mercadal confirms.
-04:28:11 – Ofc. Mercadal voices, "Negative, neither one of us are hit, we're ok, suspect's down".
-04:28:16 – Ofc. Robinet is seen doing a magazine reload with his handgun.
-04:28:21 – Ofc. Robinet says, "Alright" and Ofc. Mercadal replies, "Good?" which Robinet confirms.
-04:28:34 – Ofc. Robinet broadcasts, "One Charles five four, there's an older uh, older model looks like Chevy in the driveway. It's uh, brown house with…". Ofc. Mercadal says, "No, you're covered, you're covered. Nothing but STAR is going out".

-04:28:46 – Ofc. Mercadal says, "Give him a light, I got him".
-04:28:52 – Ofc. Robinet says, "Hey we're good, we're good. Slow it down, slow it down, we're good". Ofc. Tayler is heard responding, "Alright".
-04:28:57 – Ofc. Robinet broadcasts that officers are "fine", not hit, and that the subject is down in the back yard.
-04:29:04 – Ofc. Tayler who is now pointing his firearm in a southbound direction towards Clark while standing next to Ofc. Mercadal and Tayler asks, "You got the gun?". Ofc. Robinet advises they have not secured it and that they're "not moving in until we have more". Ofc. Mercadal says, "We don't have it" and "Do you see it Derek?".
-04:28:13 – Ofc. Robinet replies, "I don't see it" and "he hasn't moved at all". Ofc. Trujillo begins to ask, "Do you think we're going to need…".
-04:29:22 – Ofc. Robinet replies, "Right now…". Ofc. Tayler asks, "Do you want to get him detained?" and Robinet replies, "Not yet" with Trujillo agreeing, "No no no". Ofc. Trujillo confirms with Robinet, "You can't see his hands right?".
-04:29:28 – Ofc. Robinet says, "Yeah we're good". Robinet then broadcasts, "One Charles Five Four, can't see the subject's hands, he's still not moved. Three Sam Five if you can head this way, we could use a body bunker before we detain him".
-04:29:44 – Ofc. Mercadal calls out to Clark, "Hey, can you hear us?". Ofc. Tayler calls out, "Police department can you hear us?".
-04:29:50 – Ofc. Trujillo calls out to Clark, "We need to know if you're ok". We need to get you medics but we can't go over and get you help unless we know your, you don't have a weapon".

-04:29:59 – Ofc. Robinet asks officers if they're "good right here" and then advises he is going to get the "correct address for this place". Ofc. Mercadal advises Robinet that STAR put the location out as "[redacted]".

-04:30:11 – Ofc. Trujillo calls out to Clark, "Sir can you move? Can you hear us?"

-04:30:20 – Ofc. Trujillo motions to Robinet with her left arm going downward saying, "And that's it?". Ofc. Robinet replies, "Hmm?". Trujillo says, "He didn't move after that?" to Robinet replying, "He hasn't moved". Ofc. Mercadal says, "He came up and then he, he kind of approached us hands out…". Ofc. Robinet says, "Yeah he was uh, he was" (Robinet's left arm comes up and then down).

-04:30:40 – Ofc. Trujillo says, "Let's have the next unit get, just bring a non-lethal in case he's pretending but…let's just, in case". Ofc. Robinet replies, "Alright".

-04:31:07 – Ofc. Robinet calls towards the front of the residence, "Hey go get a non-lethal! Oh, hey Sarge".
-04:31:13 – Sgt. Morris arrives and advises officers that he doesn't have a bunker. Ofc. Robinet advises Sgt. Morris for them to get a "non-lethal" and "hit him a couple times" first. Ofc. Trujillo advises Sgt. Morris that "they can't tell" and begins to go back towards the front of the residence to get a less lethal shotgun.
-04:31:28 – Sgt. Morris asks, "What did he have on him?".
-04:31:32 – Ofc. Robinet motions w/both arms outstretched forward and coming together towards Morris, similar to isosceles shooting position and says, "Like this, something in his hands. It looked like a gun from our perspective.
-04:31:44 – Ofc. Robinet begins his approach of Clark with additional officers.
-04:31:47 – Ofc. Robinet says, "Good?"

-04:31:50 – Robinet voices if one of the officers can "go hands" as Robinet covers Clark w/his firearm and then says, "Oh fuck".
-04:31:55 - Sgt. Morris makes physical contact w/Clark to Clark's left wrist/arm area and then sweeps Clark's left arm behind Clark's back.
-04:32:00 – Sgt. Morris and Ofc. Tayler roll Clark onto his right side and conduct a search of Clark.
-04:32:03 – Ofc. Tayler says, "Waistband?". Sgt. Morris replies, "Yeah, and start CPR".
-04:32:06 – Sgt. Morris broadcasts, "Three Sam four, or Sam five, send fire in code 3".
-04:32:09 – Ofc. Mercadal begins handcuffing Clark as Ofc. Tayler searches/checks Clark's back area.
-04:32:21 – Sgt. Morris begins asking Ofc. Robinet, "Did you fire?" where Robinet replies in the affirmative, "Yeah, both of us did" and Morris leads Robinet to the North side of the back yard of [redacted] 29th St and proceeds to ask Robinet public safety statement questions; direction fired, how many rounds, etc.
-04:32:30 – Ofc. Robinet advises they "both shot southbound" and believed he fired "five times" but didn't know "exactly how many".
-04:32:40 – Sgt. Morris asks Robinet who he was with and he advises "Mercadal". Sgt. Morris calls out to Ofc. Mercadal.
-04:32:49 – Ofc. Robinet asks towards officers who are near Clark, "Is he responsive, breathing at all?".
-04:33:01 – Ofc. Robinet begins walking towards the front of [redacted] 29th St and Ofc. Mercadal is heard saying, "We need a mask" and "Rescue mask?". Both Officers Robinet and Mercadal walk towards the front of [redacted] 29th St.
-04:33:34 – As Officers Robinet, Mercadal and Officer Lundgren are standing on the west sidewalk in front of [redacted] 29th St, an officer is heard saying, "Mute?".
-04:33:38 – Ofc. Lundgren is heard asking both officers, "Hey you guys good?" and then Robinet's BWC mutes.
- At 04:33:48, Ofc. Lundgren points towards the backyard of [redacted] 29th St and then proceeds west up the driveway and out of view.
-04:35:49 – Body worn camera deactivates.

Officer Mercadal

-04:26:48 – Officers' gunshots begin firing.
-04:26:53 - Gunfire ceases.
-04:26:54 – Ofc. Mercadal voices, "Five seven shots fired subject down!".
-04:26:59 – Ofc. Mercadal yells, "Show me your hands!" and Ofc. Robinet yells, "Let's see your hands!".
-04:27:06 – Ofc. Mercadal broadcasts, "Five seven he's down, no movement. We're gonna need an additional units. Come in from the uh, west to east of this yard"
-04:27:16 – Ofc. Robinet yells, "Let's see your hands!"
-04:27:20 – Ofc. Mercadal asks, "You alright? You hit?" and Robinet replies, "Yeah I'm good".
-04:27:26 – Ofc. Robinet says, "He was still pointing when I saw again. Ofc. Mercadal says, "Oh shit". Ofc. Robinet asks, "You alright dude?" and Mercadal replies, "Yeah I'm alright, I don't think I'm hit or anything".

-04:27:38 – Ofc. Robinet says, "I got him at gun-point dude" and advises Mercadal to do a "tactical reload". Mercadal replies, "Copy" and Robinet says, "I think I shot about five times". Ofc. Mercadal proceeds to load another magazine into his handgun.
-04:27:55 – Ofc. Robinet says, "Stand by" and Mercadal repeats, "Stand by on that. He's still down he's not moving. We can't see the gun".
-04:28:04 – Ofc. Robinet asks, "You good?" and Mercadal replies, "Yeah I'm good". Ofc. Robinet then advises he is going to "reload" and Ofc. Mercadal replies, "I got you, go".
-04:28:09 – Ofc. Robinet asks, "You got a light on him?" which Ofc. Mercadal confirms.
-04:28:12 – Ofc. Mercadal voices, "Negative, neither one of us are hit, we're ok, suspect's down".
-04:28:17 – Ofc. Robinet is seen doing a magazine reload with his handgun.
-04:28:22 – Ofc. Robinet says, "Alright" and Ofc. Mercadal replies, "Good?" which Robinet confirms.
-04:28:35 – Ofc. Robinet broadcasts, "One Charles five four, there's an older uh, older model looks like Chevy in the driveway. It's uh, brown house with…". Ofc. Mercadal says, "No, you're covered, you're covered. Nothing but STAR is going out".
-04:28:47 – Ofc. Mercadal says, "Give him a light, I got him".
-04:28:53 – Ofc. Robinet says, "Hey we're good, we're good. Slow it down, slow it down, we're good".
-04:28:58 – Ofc. Robinet broadcasts that officers are "fine", not hit, and that the subject is down in the back yard.
-04:29:05 – Ofc. Tayler arrives and asks, "You got the gun?". Ofc. Robinet advises they have not secured it and that they're "not moving in until we have more". Ofc. Mercadal says, "We don't have it" and "Do you see it Derek?".
-04:28:14 – Ofc. Robinet replies, "I don't see it" and "he hasn't moved at all". Ofc. Trujillo begins to ask, "Do you think we're going to need…".
-04:29:23 – Ofc. Robinet replies, "Right now…". Ofc. Tayler asks, "Do you want to get him detained?" and Robinet replies, "Not yet" with Trujillo agreeing, "No no no". Ofc. Trujillo confirms with Robinet, "You can't see his hands right?".
-04:29:30 – Ofc. Tayler says what sounds like, "He's got one hand by his face".
-04:29:37 – Ofc. Robinet can be heard mid-broadcast,"...Three Sam Five if you can head this way, we could use a body bunker before we detain him".
-04:29:45 – Ofc. Mercadal calls out to Clark, "Hey, can you hear us?". Ofc. Tayler calls out, "Police department can you hear us?".
-04:29:51 – Ofc. Trujillo calls out to Clark, "We need to know if you're ok". We need to get you medics but we can't go over and get you help unless we know your, you don't have a weapon".

-04:30:00 – Ofc. Robinet asks officers if they're "good right here" and then advises he is going to get the "correct address for this place". Ofc. Mercadal advises Robinet he thinks it's "[redacted]" and that STAR put out the location.

-04:30:12 – Ofc. Trujillo calls out to Clark, "Sir can you move? Can you hear us?"

-04:30:23 – Ofc. Robinet says, "He hasn't moved". Ofc. Mercadal says, "He came up and then he, he kind of approached us hands out…" (motioning w/his left hand pointed towards Clark). Ofc. Robinet says, "Yeah he was uh, he was".

-04:30:41 – Ofc. Trujillo says, "Let's have the next unit get, just bring a non-lethal in case he's pretending but…let's just, in case".

-04:31:05 – Ofc. Tayler asks, "You want to put that out?", Mercadal replies, "What?". Ofc. Tayler says, "When they're done?".
-04:31:08 – Ofc. Robinet calls towards the front of the residence, "Hey go get a non-lethal! Oh, hey Sarge".
-04:31:14 – Sgt. Morris arrives and advises officers that he doesn't have a bunker. Ofc. Robinet advises Sgt. Morris for them to get a "non-lethal" and "hit him a couple times" first. Ofc. Tayler advises they have a "shotty" in their car towards Trujillo. Ofc. Trujillo advises Sgt. Morris that "they can't tell" and begins to go back towards the front of the residence to get a less lethal shotgun.
-04:31:24 – Ofc. Mercadal says, "We can't see his left hand".
-04:31:30 – Sgt. Morris asks, "What did he have on him?".
-04:31:32 – Ofc. Robinet says, "Like this, something in his hands. It looked like a gun from our perspective (Robinet not seen on Ofc. Mercadal's camera when this is said).
-04:31:45 – Ofc. Mercadal says, "You guys ready?".
-04:31:48 – Ofc. Robinet says, "Good?" and Ofc. Mercadal begins his approach of Clark.
-04:31:51 – Robinet voices if one of the officers can "go hands" as Robinet covers Clark.
-04:31:56 - Sgt. Morris makes physical contact w/Clark to Clark's left wrist/arm area and then sweeps Clark's left arm behind Clark's back.
-04:32:00 – Sgt. Morris and Ofc. Tayler roll Clark onto his right side and conduct a search of Clark. Ofc. Mercadal says, "I'll cuff".
-04:32:04 – Ofc. Tayler says, "Waistband?". Sgt. Morris replies, "Yeah, and start CPR".
-04:32:07 – Sgt. Morris broadcasts, "Three Sam four, or Sam five, send fire in code 3".
-04:32:09 – Ofc. Mercadal begins handcuffing Clark as Ofc. Tayler searches/checks Clark's back area.
-04:32:28 – Ofc. Tayler advises Ofc. Mercadal that he needs a "light" and Mercadal shines a flashlight down at Clark.
-04:32:33 – Ofc. Tayler calls to Clark, "Hey man".
-04:32:40 – Ofc. Mercadal says, "Let me get my gloves on". Sgt. Morris calls out to Mercadal.
-04:32:47 – Ofc. Mercadal begins putting gloves on and says, "We're gonna need CPR stuff". Sgt. Morris asks Mercadal if he can go get his "mask" and to grab his flashlight.
-04:32:54 – Ofc. Tayler begins chest compressions on Clark.
-04:33:01 – Ofc. Mercadal begins to walk to the front of the property of [redacted] 29th St verbalizing that he needs a "mask" or "rescue mask CPR".
-04:33:30 – Ofc. Mercadal gets to the west sidewalk of 29th St near [redacted] 29th St along w/Ofc. Robinet.
-04:33:35 – An officer says, "Hey mute" as Ofc. Lundgren joins he and Ofc. Robinet.
-04:33:38 – Body worn camera mutes.
-04:33:49 – Ofc. Robinet appears to motion towards the backyard of [redacted] 29th St and Ofc. Lundgren then runs west up the front driveway and into the back yard out of view.
-04:35:05 – Sgt. Morris appears to direct fire/medics in the direction of the back yard of [redacted] 29th St where they walk off west up the driveway and out of view.

Officer Trujillo

-04:29:05 – After Ofc. Tayler (her partner) and Ofc. Trujillo respond code 3 to the scene, Ofc.

Trujillo (along w/Officer Tayler) joins Officers Robinet and Mercadal in the northern portion of the back yard of [redacted] 29th St.

-04:29:14 – Trujillo asks, "He hasn't moved at all?" which Robinet replies, "He hasn't moved at all".

-04:29:24 – Ofc. Tayler is heard saying something to the effect of, "You want to get him detained?" and Robinet replies, "Not yet" w/Trujillo saying, "No no. We can't see his hands right?".

-04:29:29 – An officer (possibly Tayler) is heard saying, "He's got one hand by his, by his face".

-04:29:36 – Ofc. Robinet is heard voicing over the air to Sgt. Morris (3SM5), requesting a "body bunker before we can detain him".

-04:29:45 – Trujillo suggests officers to call out to Clark to see if he is ok at which point Ofc. Mercadal calls out "Hey, can you hear us?". Ofc. Tayler says, "Police department can you hear us?".

-04:29:48 – Trujillo calls out to Clark, "We need to know if you're ok. We need to get you medics but we can't go over and get you help unless we know your, you don't have a weapon".

-04:29:58 – Robinet is heard asking officers if they "are good here?" and advises he will go to the front of the property to get the address. Mercadal replies, "[redacted] I think" and they confirm with each other "Yeah, we'll put it out".

-04:30:11 – Trujillo calls out to Clark again, "Sir, can you move? Can you hear us?"

-04:30:20 – Trujillo motions with her left hand forward and says, "And that's it? He didn't move after that?". Ofc. Robinet advises "He hasn't moved" and Ofc. Mercadal advises Trujillo about Clark that "he came up, he kind of approached us with his hands out".

-04:30:40 – Trujillo verbalizes, "Let's have the next unit get, just bring a non-lethal in case he's pretending but…let's just, in case".

-04:31:08 – Robinet is seen calling towards the front of the property, "Hey go get a non-lethal! Oh hey Sarge".

-04:31:15 – Ofc. Tayler advises that there is a less-lethal shotgun in their vehicle.

-04:31:20 – Ofc. Trujillo verbalizes for someone to get the less-lethal "just in case, we can't tell" and "I'll just grab it just to have it". Ofc. Trujillo then goes back towards her patrol vehicle.

-04:32:08 – After attempting to retrieve the less lethal shotgun from her vehicle in front of [redacted] 29th St, Ofc. Trujillo verbalizes that she "can't get it out" and traffic by Sgt. Morris is heard via radio that they have made their approach for Fire to respond Code 3. Ofc. Trujillo then around the front driveway area of [redacted] 29th St with her flashlight.

-04:32:51 – Ofc. Lundgren arrives on foot in front asking Ofc. Trujillo where Ofc. Robinet is and she directs him to the back yard of [redacted] 29th St which Lundgren begins to walk to.

-04:33:07 – An officer is heard calling for a "mask CPR" and Ofc. Trujillo says, "Ok, I'll get it" and runs back to her patrol vehicle.

-04:33:22 – Ofc. Trujillo retrieves a resuscitation mask and rubber gloves from the trunk of her patrol vehicle and then proceeds to the back yard again.

-04:33:53 – Ofc. Trujillo comes up to Ofc. Tayler who is doing chest compressions on Clark.

-04:34:18 – Ofc. Trujillo confirms with Ofc. Tayler, "No pulse? No breathing?" and Tayler replies, "No".

-04:34:30 – Ofc. Trujillo gives her mask to Ofc. Lundgren and directs him to put the mask on Clark while she gets her rubber gloves on. Ofc. Lundgren puts the mask on Clark's face.

-04:34:38 – Ofc. Trujillo says, "Come on buddy" at Clark.

-04:34:45 – Ofc. Lundgren appears to begin giving breaths to Clark. Ofc. Trujillo offers to trade places w/Ofc. Tayler for compressions but he advises he will continue.

-04:35:00 – Ofc. Trujillo repeats, "Come on buddy" at Clark and again at 04:35:16.

-04:35:39 – Ofc. Lundgren is directed by Ofc. Tayler to give "two breaths" to Clark which he does. Tayler then continues compressions. Fire/EMTs arrive on foot.

-04:35:50 – Ofc. Trujillo advises for officers to take Clark's handcuffs off.

-04:35:55 – Medics ask officers if they know where Clark is hit and Ofc. Tayler advises that it's "somewhere in the chest".

-04:36:07 – Medics appear to relieve Ofc. Tayler in treating Clark and begin cutting Clark's upper body clothing off.

Officer Tayler

-04:28:59 - After Ofc. Trujillo (his partner) and Ofc. Tayler respond code 3 to the scene, Ofc. Tayler joins Officers Mercadal and Robinet in the northern portion of the back yard of [redacted] 29th St.

-04:29:02 – Ofc. Tayler views Clark who is down from the above cover position w/his firearm drawn covering Clark while standing next to Ofc. Mercadal who also has his firearm drawn and pointed at Clark.

-04:29:04 – Ofc. Tayler asks, "Did he have a gun?" and Ofc. Robinet replies, "We haven't secured it. We're not moving in until we have more". Ofc. Mercadal says, "We don't have it".

-04:29:11 – Ofc. Mercadal is heard asking, "Do you see it Derek?" and Ofc. Robinet replies, "I don't, I don't see it. He hasn't moved at all".

-04:29:23 – Ofc. Tayler asks, "Lets…you want to get him detained?" and Ofc. Robinet replies, "Not yet".

-04:29:29 – Ofc. Tayler verbalizes that Clark "has one hand by his face".

-04:29:44 – Ofc. Mercadal calls out to Clark "Hey can you hear us?".

-04:29:46 – Ofc. Tayler calls out to Clark, "Police Department, can you hear us?".

-04:29:49 - Trujillo calls out to Clark, "We need to know if you're ok. We need to get you medics but we can't go over and get you help unless we know your, you don't have a weapon".

-04:30:02 – Ofc. Mercadal advises officers that STAR put out the address that they are at ([redacted]).

-04:30:10 – Ofc. Trujillo calls out to Clark, "Sir, can you move? Can you hear us?"

-04:30:20 – Ofc. Trujillo ask, "He didn't move after that?". Ofc. Robinet advises "He hasn't moved" and Ofc. Mercadal advises Trujillo about Clark that "he came up, he kind of approached us with his hands out".

-04:30:28 – Ofc. Robinet says, "Yeah he was, he was *unintelligible*".

-04:30:40 – Ofc. Trujillo verbalizes, "Let's have the next unit just bring a non-lethal in case he's pretending but…let's just, in case".

-04:31:02 – Ofc. Tayler asks, "You want to put that out? When they're done?". Ofc. Robinet is heard calling to the front of the property, "Hey go get a non-lethal! Oh hey Sarge".

-04:31:15 – Ofc. Tayler says, "There's one in our car, on the roof" and "There's one, there's a shotty. Uh, yeah".

-04:31:24 – Ofc. Mercadal says, "We can't see his left hand".

-04:31:29 – Sgt. Morris asks, "What did he have on him?".

-04:31:32 – Ofc. Robinet heard saying, "Like this something in his hands, it looked like a gun from our perspective".

-04:31:43 – An officer (unknown which) says, "You guys ready?".

-04:31:46 – An officer (unknown which) says, "Good?".

-04:31:48 – An officer (unknown which) says, "Let's go". Officer Tayler begins advancing towards Clark.

-04:31:49 – Ofc. Robinet is heard saying, "Hey one of you guys want to go hands cover him? I…".

-04:31:55 – Sgt. Morris is seen grabbing Clark's left arm/wrist area.

-04:31:58 – Ofc. Tayler appears to grab Clark's right arm and bring it around to Clark's back.

-04:32:04 – Ofc. Tayler voices, "Waistband?" while holding the back side of Clark and Sgt. Morris replies, "Yeah" and "And, we need to start CPR".

-04:32:07 – Sgt. Morris voices, "Three Sam four uh, or Sam five. Send fire in code three". As Ofc. Tayler is still holding Clark's backside area, handcuffs are heard as being placed on Clark.

-04:32:19 – Ofc. Tayler says, "Light".

-04:32:26 – Ofc. Tayler is seen putting on rubber gloves and then says, "Give me a light, we'll start CPR" and an officer (possibly Mercadal) says, "Alright" and shines a flashlight on Clark.

-04:32:32 – Ofc. Tayler calls out to Clark, "Hey man".

-04:32:40 – Ofc. Tayler says, "Why don't you shine me a light?" and lowers down to Clark.

-04:32:47 – Ofc. Mercadal says, "We're gonna need uh CPR stuff".

-04:32:53 – An officer is heard saying, "You wanna go get your uh mask?" and another officer replies, "Mask?".

-04:32:54 – Ofc. Tayler appears to begin CPR chest compressions on Clark who is on the ground facing up.

NOTE: Tayler's hands are partially seen or cannot be seen at times during this portion of administering CPR due to the body worn camera angle and poor lighting however the motion of

the camera angle and of what can be seen appears consistent w/performing CPR.

-04:33:11 – Ofc. Tayler pauses and calls out to Clark, "Come on buddy, wake up breathe for me" and a flashlight appears to be shined towards Clark's upper body.

-04:33:22 – Ofc. Tayler resumes chest compressions.

-04:33:38 – Ofc. Tayler pauses and calls out, "Come on bud" and a flashlight appears to be shined towards Clark's upper body.

-04:33:54 – Ofc. Tayler continues chest compressions.

-04:34:10 – Ofc. Tayler pauses and calls out, "Come on bud" again w/flashlight being shined towards Clark's upper body.

-04:34:16 – Ofc. Tayler says, "No pulse". Ofc. Trujillo says, "No pulse he's not breathing?". Tayler replies, "No".

-04:34:20 – An officer (possibly Ofc. Lundgren) asks, "You want to trade on compressions?" and Ofc. Tayler replies, "I'm good".

-04:34:22 – Ofc. Tayler continues chest compressions. Ofc. Trujillo says, "*inaudible* you got gloves on already? Can you put that on his face please?".

-04:34:28 – Ofc. Lundgren places rescue mask over Clark's face/mouth.

-04:34:37 – Ofc. Trujillo calls out to Clark, "Come on buddy".

-04:34:39 – Ofc. Tayler pauses.

-04:34:41 – Ofc. Trujillo says, "Come on" to Clark. Ofc. Tayler says, "Good?". Ofc. Trujillo asks, "You want me to switch?".

-04:34:42 - Ofc. Lundgren's head appears to come down to the rescue mask on Clark where he appears to give breath to Clark.

-04:34:43 – Ofc. Trujillo says, "Yeah, give him his breaths see?".

-04:34:46 - Ofc. Lundgren's head appears to come down to the rescue mask on Clark where he appears to give breath to Clark.

-04:34:50 – Ofc. Trujillo begins to put her hands on Clark's chest and asks, "Got it? Here switching?" and Ofc. Tayler replies, "Here, I'm good I'm good".

-04:34:53 – Ofc. Tayler continues chest compressions.

-04:35:00 – Ofc. Trujillo calls out to Clark, "Come on buddy".

-04:35:09 – Ofc. Tayler pauses and voices, "Thirty" and Ofc. Lundgren appears to lower towards Clark's face area and give two breaths.

-04:35:16 – Ofc. Trujillo calls out to Clark, "Come on buddy".

-04:35:18 – Ofc. Tayler continues chest compressions.

-04:35:34 – Ofc. Tayler pauses and voices, "Thirty".

-04:35:36 – An officer (possibly Ofc. Lundgren) calls out, "Fire?" where a distant voice is heard

replying, "Yeah". The officer says, "Let's go!".

-04:35:37 – Ofc. Tayler says, "Two breaths". Ofc. Lundgren then appears to give two breaths to Clark.

-04:35:43 – Fireman is heard asking, "You guys just got one?" and Ofc. Trujillo replies, "Yeah just one".

-04:35:46 – Ofc. Tayler continues chest compressions.

-04:35:48 – Fireman is heard saying, "Let's cut his shirt off, get him on the monitor". Another fireman is heard asking, "We got a shooting?".

-04:35:54 – Ofc. Tayler pauses and asks, "Good?". A fireman is heard asking, "You even know where he's hit?". Ofc. Tayler replies, "Somewhere in the chest, yeah he's cuffed".

-04:36:02 – A fireman's/medic's boot becomes visible and Ofc. Tayler asks, "You guys want me to take the cuffs off first?" to which the medic replies, "No, that's alright". At this point, Ofc. Tayler stands up and it appears that fire/medics take over medical responsibility of Clark from here forward by examining Clark, cutting off upper body clothing, connecting electrodes, etc.

-04:37:00 – One medic is heard saying, "Yeah he, he's gone".

-04:37:19 – A medic is heard

Ofc. Lundgren

-04:32:22 – Ofc. Lundgren arrives on scene and is directed by an officer that Ofc. Robinet is at "[redacted]".

-04:32:49 – Ofc. Lundgren makes contact w/Ofc. Trujillo along the west sidewalk of 29th St in front of [redacted] 29th St and asks, "Where's Robinet?" and Trujillo advises "They're back there" (to west back yard). Ofc. Lundgren then proceeds along north side of [redacted] 29th St towards the back yard.

-04:33:04 – Ofc. Mercadal is heard from the back, "Rescue mask?" and "CPR?".

-04:33:06 – Ofc. Trujillo replies, "Ok" and begins to go east back towards 29th St.

-04:33:11 – Ofc. Lundgren says, "Ok we got someone getting rescue mask. They good back there?". Sgt. Morris replies, "Uh no we need uh". Sgt. Morris escorts Ofc. Robinet towards the front of the property w/Lundgren following.

-04:33:35 – Ofc. Lundgren joins Ofc. Robinet and Ofc. Mercadal on the west sidewalk of 29th St near [redacted] 29th St and someone says, "Uh mute?".

-04:33:38 – Ofc. Lundgren body worn camera mutes.

-04:33:49 – Ofc. Robinet points towards the back yard of [redacted] 29th St and Ofc. Lundgren then appears to run back towards the back yard along the north side via the front driveway.

-04:34:00 – Audio is re-activated on Ofc. Lundgren's body worn camera.

-04:34:15 – Ofc. Lundgren contacts Ofc. Trujillo and Tayler. Ofc. Tayler appears to be checking

Clark's upper body area. Ofc. Trujillo is heard saying, "…not breathing?".

-04:34:22 – Ofc. Lundgren asks, "You want to trade off compressions?" and Ofc. Tayler replies, "I'm good".

-04:34:25 – Ofc. Trujillo begins to motion w/her rescue mask towards Clark's face saying, "Here" and "Would you breath's for a second while I get, you got gloves on already? Can you put that on his face please?" towards Ofc. Lundgren and then hands Lundgren the mask. Ofc. Tayler begins chest compressions.

-04:34:29 – Ofc. Lundgren places the rescue mask on Clark's face/mouth.

-04:34:41 – Ofc. Tayler pauses and Ofc. Lundgren asks, "Good?".

-04:34:43 – Ofc. Lundgren appears to give two rescue breaths to Clark.

-04:34:54 – Ofc. Tayler continues chest compressions.

-04:35:09 – A gloved hand (possibly Ofc. Trujillo's) appears to feel Clark's right neck for vitals.

-04:35:10 – Ofc. Tayler pauses and voices, "Thirty" and Ofc. Lundgren then appears to give two rescue breaths.

-04:35:19 – Ofc. Tayler continues chest compressions.

-04:35:35 – Ofc. Tayler pauses and voices, "Thirty". Ofc. Lundgren calls out "Fire?". A distant voice is heard replying, "Yeah". Ofc. Lundgren replies, "Let's go!".

-04:35:38 – Ofc. Tayler voices, "two breaths". Ofc. Lundgren then appears to administer two rescue breaths.

-04:35:45 – A fireman/medic says, "You guys just got one?".

-04:35:47 – Ofc. Tayler continues chest compressions.

-04:35:49 – A fireman/medic advises to cut off Clark's shirt and "get him on a monitor". Ofc. Lundgren stands up. Another fireman/medic asks if this is a "shooting" which Ofc. Lundgren confirms to him.

-04:35:56 – As several firemen/medics are standing immediately around Clark, Ofc. Tayler stops chest compressions asking "Good?". A medic asks if officers know where Clark is hit and Ofc. Tayler advises in the "chest" and that he's "cuffed'". Medics appear to take over medical responsibility of Clark at this point. Ofc. Tayler offers to take the handcuffs off Clark but medics decline.

Sgt. Morris

-04:29:31 – Ofc. Robinet is heard over radio advising that they cannot see the suspect's hands, that he has not moved, and then asks "Three Sam Five" (Sgt. Morris) to bring a "body bunker" (ballistic shield) before "we detain him".

-04:29:48 – Sgt. Morris voices over car radio that he is almost on scene.

-04:31:10 – After arriving on scene in his patrol vehicle, Sgt. Morris arrives in the northwest

backyard of [redacted] 29th St from the front driveway and says, "Hey" to officers.

-04:31:13 – Sgt. Morris says, "I don't have a bunker so we're just gonna have to go in an cuff him".

-04:31:16 – Ofc. Robinet advises he wants to get a "non-lethal" and "hit him (Clark) a couple times with that".

-04:31:21 – Ofc. Trujillo says, "Are you good with me grabbing it? just in case, just in case he's…". Sgt. Morris appears to look at Clark's position.

-04:31:26 – Ofc. Trujillo says, "I just can't tell" and "I'll just grab it".

-04:31:30 – Sgt. Morris asks, "What did he have on him?".

-04:31:33 – Ofc. Robinet replies, "Like this, something in his hands that looked like a gun from our perspective". NOTE: Robinet cannot be seen on Sgt. Morris' camera when this is said.

04:31:36 – Sgt. Morris replies, "Ok", as Officers Meradal and Tayler have their firearms drawn and pointed in a southern direction towards Clark, Sgt. Morris shines his flashlight towards Clark's general location and moves west.

-04:31:45 – Sgt. Morris appears to begin his approach of Clark and someone voices, "Good?".

-04:31:50 – Ofc. Robinet says, "Hey one of you wanna go hands, cover him? I…".

-04:31:56 – Sgt. Morris grabs Clark's (who is face-down) left wrist/arm and sweeps it around to Clark's lower back where Ofc. Tayler secures Clark's backside.

-04:32:04 – Ofc. Tayler says, "Waistband?". Sgt. Morris replies, "Yeah, and start CPR".

-04:32:07 – Sgt. Morris broadcasts on his portable radio, "Three Sam Four, uh or Sam Five, send fire in code 3".

-04:32:20 – Sgt. Morris asks Ofc. Robinet, "Did you fire?". Ofc. Robinet replies, "Yes, we both did". Sgt. Morris then motions Ofc. Robinet to the north side of the backyard saying, "Come over here".

-04:32:25 – Sgt. Morris confirms, "Both of you did?". Ofc. Robinet replies, "Yeah". Sgt. Morris asks, "How many rounds did you fire and which direction sir?".

-04:32:29 – Ofc. Robinet replies that he shot in a southbound direction "about five times" but wasn't sure on how many. Ofc. Robinet confirms w/Sgt. Morris that he was with Ofc. Mercadal.

-04:32:43 – Sgt. Morris calls out to Ofc. Mercadal. Ofc. Mercadal advises they will need "CPR stuff". Sgt. Morris asks Ofc. Mercadal to "get his mask".

-04:32:57 – Ofc. Mercadal begins to walk back towards the front of the property.

-04:33:02 – As Sgt. Morris appears to escort Officers Robinet and Mercadal to the front of the property, he calls out, "Can you bring a mask?".

-04:33:14 – Sgt. Morris goes back towards Ofc. Tayler who is calling out to Clark to "wake up, breathe for me".

-04:33:34 – Sgt. Morris goes to the northwestern part of the backyard and advises Ofc. Tayler, "Soon as your partner gets back here I'll make sure fire gets back to you".

-04:33:51 – Ofc. Trujillo comes into the backyard towards Ofc. Tayler. Sgt. Morris advises he will direct fire to them and then walks towards the front of the property.

-04:33:59 – While Sgt. Morris is walking towards the front, Ofc. Lundgren is seen passing him walking towards the back yard.

-04:34:32 – While standing on the west front sidewalk in front of [redacted] 29th St, Sgt. Morris asks Ofc. Mercadal how many rounds he fired. Ofc. Mercadal advises "maybe five or six".

-04:35:00 – Sgt. Morris then tells Fire/medics, "You guys, he's straight through here" and the medic replies, "In the back?". Sgt. Morris replies, "Yeah and to the left. There's officers back there with him". Medics proceed west into the front driveway of [redacted] 29th St and towards the backyard along the north side of the property out of view.

-04:35:38 – Body worn camera deactivated.

Tactical considerations/actions by officers prior to approach/contact of Clark

-Officers took cover behind the N/W corner of [redacted] 29th St due to their belief that Clark was armed w/a firearm.

-The backyard area of [redacted] 29th St was poorly lit. The only apparent light was supplied by officers' flashlights and STAR's overheard spotlight. Officers articulated in their statements that this made for poor visibility and to clearly see all of Clark's extremities including both hands.

-The backyard area of [redacted] 29th St had a large amount of over-grown grass/vegetation and several obstructions. Officers articulated this also made it difficult for officers to clearly see all of Clark's extremities including both hands.

-Both Officers Mercadal and Robinet stated that they believed Clark was pointing what they believed was a firearm. Mercadal described what he believed was a "muzzle flash" coming from what Clark was holding and pointing at the time.

-Within seconds of the shooting, Officers Mercadal and Robinet both communicated to each other as to whether or not either one of them had been struck by gunfire.

-Several officers called out to Clark multiple times asking to see his hands and asking about whether or not he was hurt.

-Officers talked amongst each other about their concern as to whether Clark is still armed prior to their approach.

-Officers Robinet and Mercadal articulated that they did not feel it was safe to approach Clark until they had additional resources and officers, including the ballistic shield.

-Officer Robinet verbalized over the radio the need for a "body bunker" (ballistic shield) in order to safely approach Clark as it was unclear if Clark was still armed or posed a threat to officers.

-Officers verbalized on video for the potential use of a less lethal shotgun for the purposes of deploying it at Clark to determine if Clark was still a threat or "laying in wait" which could potentially expose officers to danger. This tactic was touched on and reinforced in officer interviews.

-Officers articulated that they knew of incidents and/or a training scenario of officers being shot when trying to rescue injured suspects as reasoning for not approaching Clark right away.

-Prior to making contact with and detaining Clark, officers could not advise Fire to respond into the crime scene to treat Clark due to the scene not being secured by officers yet nor Clark being safely detained yet. It would be considered inherently dangerous and unreasonable for officers to advise Fire to enter the crime scene prior to this as this was an officer involved shooting where it was believed the suspect may still be armed.

-As STAR was overhead with an elevated perspective of Clark and the involved officers, officers did not consider requesting STAR to confirm visually that Clark was not armed or still a threat. Additionally, officers did not believe STAR would have been able to realistically do this though either.

-Once on scene, Sgt. Morris advised officers that he did not have a "body bunker" and that they would have to approach Clark.

-Once Sgt. Morris arrived on scene, he went further out into the open west portion of the back yard to get a better view of Clark and felt confident at that point that officers could make their approach of him given Morris' improved view of Clark.

-There was not specific designation of officer assignments (cover, hands, less-lethal, etc) prior to approach of Clark.

-Within seconds after making physical contact w/Clark, Sgt. Morris advised dispatch via radio to send fire in "Code 3".

Noted time durations

-Approximately four minutes and fifty seven seconds between when the shooting stopped to when officers first made physical contact with Clark.

-Approximately fifty nine seconds between when officers first make physical contact w/Clark to when CPR chest compressions begin.

-Approximately one minute forty eight seconds between beginning of CPR chest compressions to when rescue breathing appears to begin and coordinate w/chest compressions.

-Approximately three minutes total of SPD officers administering CPR to Clark to the point they were relieved by Fire/medics.

580.02
USE OF FORCE
5-16-17

PURPOSE
The purpose of this order is to outline procedures for the use and application of force, the medical follow-up that may be needed when the use of force results in injury, and the reporting and investigation of incidents involving the use of force.

POLICY
It shall be the policy of the Sacramento Police Department that officers value and preserve the sanctity of human life at all times. Officers shall use only that amount of force necessary under the circumstances presented that the officer reasonably believes is required. Officers are expected to use de-escalation techniques when reasonably possible and without increasing the risk of harm to officers or others in an effort to reduce or eliminate the use of force. When using force, officers shall continuously reassess the perceived threat to select the reasonable use of force response.

When making use of force decisions, officers should be mindful that subjects may be physically or mentally incapable of responding to police commands due to a variety of circumstances, including, but not limited to, alcohol or drugs, mental impairment, medical conditions, or language and cultural barriers.

PROCEDURE
A. DEFINITIONS

1. INJURY – Any visible bodily injury or complaint of bodily injury (non-visible injury). The injury must be reasonably related to the use of force applied. Injury, as defined in this order, does not include the temporary pain associated with the proper application of control holds and/or restraints.
2. MEDICAL CLEARANCE INJURY – Any injury that requires a Fit for Incarceration report prior to booking or, if the suspect is not booked into jail/juvenile hall, any injury that would likely require a Fit for Incarceration report.
3. LESS LETHAL FORCE – Any force, agent, or device that is not reasonably likely to cause death.
4. IMPACT WEAPON – Any weapon/device/technique used to strike a subject or fire an impact projectile at a subject. Examples of impact weapons include, but are not limited to, baton, pugilistic hand strikes, 40 MM launchers, and flexible baton rounds.
5. DEADLY FORCE – Any force, agent, or device that is likely to cause death.
6. REPORTABLE USE OF FORCE – Any use of force (UOF) that causes injury as defined above; 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, carotid restraint, 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 (see extraordinary conditions in section B.4).
7. FIELD SUPERVISOR – The district sergeant for officers working in a patrol capacity or the specialized unit supervisor for officers working in a specialized unit capacity (e.g., POP, Bikes, Mounted Units, RT, SWAT, etc.). The specialized unit supervisor must be a sworn member of the Sacramento Police Department holding the rank of sergeant, acting sergeant, or higher and must be able to respond within a reasonable period of time and assume the responsibilities of supervisor as outlined in this order. If not, the district sergeant is the field supervisor by default.

8. BLUE TEAM (BT) – Web-based computer software that allows sergeants to enter UOF and pursuit incidents from a Department computer.
9. DE-ESCALATION – Employing techniques to stabilize a situation, to decrease the likelihood of the need to use force, and to increase the likelihood of voluntary compliance.

B. GENERAL

1. Force shall be used in compliance with Penal Code Section 835a, which states "Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to affect the arrest, to prevent escape or to overcome resistance. 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; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to affect the arrest or to prevent escape or to overcome resistance."
2. Officers may use deadly force if, under the circumstances, the officer reasonably believes that the suspect poses a threat of death or serious bodily injury, either to the officer or to others.
3. Officers shall not use force upon a subject's head or neck area in an effort to prevent individuals from swallowing or attempting to swallow evidence.
4. When using force, officers should use techniques and equipment that are approved by the Department. Under extraordinary conditions that involve the risk of serious bodily injury or death, and in situations where it may be impractical or impossible to comply with the provisions of this order, officers may resort to using any reasonable means of force to prevent injury or death to themselves or any other person.
5. When reasonable under the totality of the circumstances and where it may be accomplished without increasing the risk of harm to officers or others, officers should attempt to de-escalate situations. De-escalation techniques include, but are not limited to, gathering information about the incident; assessing risks; gathering resources (personnel and equipment); using time, distance, cover; using crisis intervention techniques; and communicating and coordinating a response.
6. Refer to GO 522.02 Emergency Care for Individuals Under Police Care or Control when rendering emergency medical treatment or summoning medical assistance.

C. MANDATORY REPORTING PROCEDURE

1. Officers' Responsibilities
   a. Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so and without increasing the risk of harm to officers or others, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law shall promptly report these observations to a supervisor.
   b. If officers are in doubt as to whether the UOF is reportable, the officers shall notify their field supervisor, who will then be responsible for making the determination.
   c. Any reportable UOF shall require the immediate notification of the officer's field supervisor and the following:
      (1) The applicable report(s) (crime, casualty, and/or incident) shall be completed and include a complete description of how and why force was used, as well as a description of injuries that the suspect received or claims to have received.
      (2) When an individual is arrested, the booking officer shall notify the jail intake nurse or detox staff nurse of the injury and type of force used.
      (3) The City of Sacramento General Liability Loss Report Non-vehicular (RM Red Border Form) shall be completed and forwarded through the chain of command to the Professional Standards Unit (PSU).

d. When the UOF has resulted in an injury, officers shall comply with the provisions in GO 522.02 Emergency Medical Care for Arrestees. If the individual is not arrested or will be released with a citation, officers should offer to call for an ambulance or assist in arranging transportation to an authorized medical facility.

2. Supervisors' Responsibilities
   a. Upon notification of a reportable UOF, the officer's field supervisor shall
      (1) Respond to the location of the arrest to ensure that a thorough investigation takes place. A thorough investigation into the UOF by officers should include, but is not limited to, an area canvass (for witnesses, evidence and surveillance video), witness statements (which should be obtained by officers not involved in the UOF or a supervisor), suspect 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 and in the BT entry (see section C.2.c. below).
      (2) Review the incident with the arresting officer and/or other officers.
      (3) Review all recordings (both audio and video) of the event (e.g. In-Car Camera [ICC] video, Body Worn Camera [BWC] video, surveillance video).
      (4) Assess the appropriateness of the UOF and the charge(s) against the suspect (if applicable).
      (5) Consider arranging for other officers to transport and book the suspect in the event the suspect continues to display hostile, confrontational, or oppositional behavior toward the arresting officer(s).
   b. If the UOF requires a BT entry (as outlined in section C.2.c. below), the officer's field supervisor shall
      (1) Notify the watch commander immediately.
      (2) Review the UOF with the watch commander. If, after this review, the watch commander determines that the force used was inconsistent with this order or Department policy, the watch commander shall contact the officer's captain and review the incident. If necessary, the captain will refer the incident to Internal Affairs.
   c. Blue Team
      (1) The officer's field supervisor shall initiate a BT entry whenever the following reportable UOF events occur:
         (a) Any use of force that results in the suspect having Medical Clearance as defined in section A.2.
         (b) Any UOF, whether or not it results in injury, involving the discharge of a firearm or a canine bite, or use of an impact weapon, chemical agent, carotid restraint, or CED.
         (c) Any UOF, whether or not it results in injury, that deviates from the techniques taught and the equipment provided by the Department. NOTE: Nothing shall preclude a supervisor or watch commander from using BT to document any type of UOF.
      (2) The BT entry should contain the following information:
         (a) Summary of the event, including which officer(s) were involved, what type of force was used, and the extent of injuries to the officer and the suspect (if any).
         (b) Any information that is not relevant to the crime or incident report (e.g. administrative actions taken by supervisor or other personnel).
         (c) The supervisor's opinion as to whether the UOF was consistent with Department policy.
      (3) In cases where a firearm has been discharged or the UOF results in death, do not initiate a BT entry. IA/PSU will initiate a BT entry after the administrative review of the incident has been conducted.

(4) Attach all pertinent documents to the BT entry.

(5) If the UOF was captured on video, a copy of the video shall be forwarded to PSU.

D. USE OF FORCE DEPLOYED BY SUPERVISORS

1. In the event a sergeant uses force or gives an officer a direct order to deploy force that triggers the reporting requirements set forth in this order, the watch commander will be responsible for identifying the person responsible for complying with section C.2. (Supervisor's Responsibilities).
2. In the event the watch commander, another lieutenant, or a captain uses force or gives an officer a direct order to deploy force that triggers the reporting requirements set forth in this order, the division captain or deputy chief shall be notified immediately. The division captain or the employee's deputy chief will be responsible for identifying the person responsible for complying with section C.2. (Supervisor's Responsibilities).

522.01
HANDLING MENTALLY ILL PERSONS
3-16-18

PURPOSE
The purpose of this order is to establish procedures for handling mentally ill persons taken into custody pursuant to 5150 of the Welfare and Institutions Code (W&I).

POLICY
It shall be the policy of the Sacramento Police Department that officers handling mentally ill persons proceed in a manner consistent with the safety and well-being of all persons involved. Officers are increasingly required to respond to and intervene on behalf of persons who are in mental health crisis. While officers are not expected to make mental health diagnoses, they are expected to recognize signs and symptoms that may suggest a mental illness, as well as behaviors that are indicative of mental health crisis. The goal is to use de-escalation techniques to maximize the likelihood of a safe outcome for officers, individuals, and the community.

PROCEDURE
A. GENERAL
1. When reasonable to do so and absent exigent circumstances, officers dispatched to a welfare check in which an involved person may be a danger to him/herself or others shall conduct a Department of Justice Automated Firearms System (AFS) check of the named person via the California Law Enforcement Telecommunications System (CLETS) prior to making contact.
2. In the event an officer lacks access to a computer, the officer shall conduct the records check via radio through Dispatch or Records.
3. Officers shall attempt to locate and seize any firearm(s) by way of consent in the event the person owns and/or possesses firearm(s) **and** meets 5150 W&I criteria. Firearms located on the person detained or legally accessible to the officer without a warrant shall be seized (e.g., plain view, vehicle warrant exception, consent to search from 3rd party with authority, etc.).
4. If a person does meet the 5150 W&I criteria, does possess and/or own firearm(s), and refuses consent to search the area where the firearm(s) are believed to be kept, the officer shall contact his or her sergeant for further direction.
5. Sergeants should consider application for a search warrant to take possession of firearm(s) inside a residence or any other area in which a warrant would be required to access pursuant to 8102 W&I and 1524(a)(10) PC.

B. 5150 W&I HOLDS
1. Officers shall take persons into custody who, for reason of mental illness, are a danger to themselves, a danger to others, or gravely disabled.
2. Officers may act upon their personal observations or upon reasonable cause.
3. Officers shall not remove a 5150 W&I hold once it has been placed on a person.
4. Officers shall be aware firefighters, EMT's, and the majority of medical personnel do **NOT** have the authority to place or maintain a 5150 W&I hold unless the individual is certified and designated through the County of Sacramento Department of Health and Human Services.

C. USE OF FORCE OR PHYSICAL RESTRAINTS
1. Officers shall utilize only that amount of force necessary to secure the custody of the mentally ill person pursuant to 5150 W&I. Officers shall handcuff all mentally ill persons taken into custody unless the age or physical condition of the person is such that the personal safety of the person and officer will clearly not be jeopardized.
   a. Officers shall handcuff a mentally ill person taken into custody when the person is not restrained by means of a straitjacket or leather restraining straps.

b. When handcuffing a mentally ill person, officers shall use only Departmentally approved handcuffs and ensure that handcuffs are double-locked.
c. "Flex cuffs," temporary plastic restraining straps, should not be used to restrain a mentally ill person, nor shall they be furnished to other personnel or private persons for use in restraining a mentally ill person.

2. Officers shall request an ambulance to transport mentally ill persons when
   a. The person is violent and requires restraint in a reclining position.
   b. The person is injured or physically ill and in need of immediate medical attention.

D. NON-ARREST

1. When no injuries have occurred, and/or no obvious medical condition exists, the person shall be taken directly to the nearest emergency room. [redacted]
2. If the person has been injured or has an obvious medical condition needing attention, officers shall transport the individual to the nearest hospital or have an ambulance transport the subject, if necessary. Officers shall remain with the person until the hospital admits him or her and arranges for security and custody, particularly if the subject is violent.
3. In cases in which psychiatric out-patients are currently receiving care from a local physician, arrangements can be made with the physician or a County of Sacramento Mental Health official to respond to the scene or to transport the patient to the physician's location for treatment. In situations in which the out-patient's doctor cannot be contacted, the patient will be handled as previously outlined.

E. NON-ARRESTED MINORS

1. When no injuries have occurred, and/or no obvious medical condition exists, minors shall be taken directly to the nearest emergency room. Officers may transport juveniles to the SCMHTC.
2. SCMHTC will not accept care for minors whose behavior is clearly caused by something other than a mental disorder (e.g., medical problem, under the influence of drugs or alcohol, etc.).
3. If the minor has been injured or has an obvious medical condition needing attention, officers shall transport the minor to the nearest hospital or have an ambulance transport the minor, if necessary. Officers shall remain with the minor until the hospital admits him or her and arranges for security and custody, particularly if the minor is violent.
4. Officers who detain and transport a minor who is later determined not to meet the criteria for a 5150 W&I to a mental health facility shall remain responsible for the care of the minor and consider his/her transportation needs if he/she is released from custody.

F. ARREST

When no injuries have occurred

1. Persons charged with a crime shall be taken directly to the Sacramento County Jail if bookable per Department policies.
2. Jail personnel shall be notified of the person's mental status and problems (e.g., suicidal, hallucinatory, aggressive, etc.).
3. Officers' comments shall be included in the arrest report.

G. DOCUMENTATION

Officers shall complete the following reports when placing a person on a 5150 W&I hold:

1. Department of Mental Health "Application for 72-hour Detention for Evaluation and Treatment" (MH-302).
2. The original MH-302 and the medical clearance form, if applicable, shall be given to the staff at the treatment facility. A copy of the MH-302 shall be given to Records, even if the subject was taken to the treatment facility by Fire Department personnel.
3. A casualty report with a classification of 5150 I-RPT shall be completed, noting details of the

contact. The casualty report shall note if a firearm is seized from the subject and/or if the person is on active military duty (See section I.3. when seizing firearms.)

H. SPECIAL PROVISIONS FOR MEDICAL FACILITIES

1. [redacted] This, however does not apply when responding to crimes in progress calls in the facility or when it is likely that the officer will encounter a potentially violent suspect.
2. Requests for police to respond to aid in restraining mentally ill persons shall be evaluated by the immediate supervisor.
3. Officers shall be dispatched only if someone's life is endangered by the mentally ill person's actions at the time of the request.
4. Refer to G.O. 533.02 (Missing Persons Cases – Reporting and Investigating) for reporting and investigating "At Risk" mentally ill persons who walk away from a medical facility.

I. SEIZURE OF FIREARMS/DEADLY WEAPONS

1. Officers confiscating weapons pursuant to 8102 W&I shall
   a. Clearly state the authority for confiscation (e.g., permission given to search house/vehicle, probable cause, etc.) in the police report.
   b. Ensure that the deadly weapon or firearm qualifies for seizure under 8102 W&I. See 16590 PC for applicable deadly weapons.
      NOTE: Ammunition and gun cases do not qualify under 8102 W&I.
   c. Give a copy of the SPD 779 (yellow, 2nd copy) to the person from whom the firearm/deadly weapon was taken and document it in the report.
      NOTE: If the SPD 779 was given to someone other than the owner, the owner's name and contact information should be noted in the "comments" portion on the back of the SPD 779.
   d. Inform the owner/agent to contact the Evidence & Property Section for information on claiming the firearm (information located on the back of SPD 779).
   e. Confirm the owner's last known address.
2. All firearms and deadly weapons shall be booked pursuant to General Order 525.01 (Evidence and Property).
3. Officers confiscating firearms from persons detained and transported per 5150 W&I shall
   a. Document the probable cause for the hold on the MH 302; complete the appropriate sections on the SPD 779 form; complete SPD 809 Mental Health Firearms Seizures Packet Envelope, including a copy of the MH302 and the SPD 779; and book the firearm(s).
   b. Check the box at the bottom of the MH 302 form that indicates that law enforcement shall be notified when the person is released from treatment. The individual to be notified is the Evidence & Property Supervisor (EPS). Make sure the contact phone number is listed (916-808-8119). If the box is not marked, the EPS will not be notified of the release.
   c. Complete an Incident Report documenting the facts about the incident, including thorough documentation to convince the court the firearm should not be returned to the person.
   d. Include witness and supplemental forms to document all information concerning, but not limited to
      (1) Who called or alerted the officers.
      (2) Who witnessed the abnormal behavior and the nature of the abnormal behavior.
      (3) Who witnessed what the person did with the firearm, especially concerning assaultive, threatening, or suicidal behavior.
      (4) Where each firearm was found, by whom, and under what circumstances.
      (5) Prior 5150 W&I calls regarding the person.
      (6) Military duty status, if applicable.

(7) Statements or assessments by health care professionals.
(8) Reasons for confiscation of the firearms.
(9) Reasons for the decision to transport for evaluation and the name of the facility to which the person was transported.

(10) "Observations" concerning which officers responded, interviewed, transported, booked property, etc.
(11) In the "Remarks" field on the Property Report screen in Versadex, officers should notate that a 5150 W&I hold has been placed on the person.

4. If the 5150 W&I subject requires medical treatment, the medical facility will be provided a statement signed by a sworn officer requesting a psychological evaluation (Form MH-302). Provide a copy to the Records Section.

580.03
DISCHARGE OF FIREARM
01-19-18

PURPOSE
The purpose of this order is to establish procedures regarding the discharge of a firearm by Department employees.

PREAMBLE
The Sacramento Police Department values the sanctity of human life and the freedoms guaranteed by the United States and California Constitutions.

POLICY
It shall be the policy of the Sacramento Police Department that officers continually evaluate all reasonable and readily available force options to apprehend or subdue an individual before resorting to the use of greater physical and/or deadly force. A thorough investigation will be conducted on all incidents resulting in firearm discharges by Department employees.

PROCEDURE
A. GENERAL
1. Officers may discharge a firearm in the performance of their official duty
   a. In the necessary defense of themselves or in the defense of another person when the officer reasonably believes that an imminent danger of death or serious bodily injury exists.
   b. To affect an arrest, prevent an escape, or recapture an escapee when the officer reasonably believes the suspect to be arrested poses an immediate threat to cause death or serious bodily injury if apprehension is delayed.
   c. To stop a dangerous animal that poses an imminent risk of death or serious bodily injury to a person.
   d. At a firing range, pursuant to all safety rules and regulations.
2. Firearms shall not be discharged as a warning.
3. A verbal warning should precede the use of deadly force where feasible and when it will not increase the risk of harm to officers or others.
4. Justification for the use of deadly force shall be limited to what reasonably appears to be the facts known or perceived by the officer at the time. Facts unknown to an officer shall not be considered in later determining whether the shooting was justified.
5. Nothing in any firearms procedure shall preclude the drawing of the officer's firearm during the course of an arrest or investigation or when an officer reasonably believes it necessary for the safety of the officer or the safety of another.
6. When an employee 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).
7. Refer to GO 522.02 (Emergency Care for Individuals Under Police Care or Control) when rendering emergency medical treatment or summoning medical assistance.

B. MOVING VEHICLES
1. Officers should make every effort to move out of the path of an approaching vehicle instead of discharging their firearms at the vehicle or its occupants.
2. Firearms should not be discharged at a moving or fleeing vehicle unless one of the following circumstances exists:

a. Deadly force, or the threat of deadly force, is being used against a police officer or another person by means other than the moving vehicle
b. The driver has used or is attempting to use the vehicle as a means to cause injury or death to the officer or another person.

C. DUTIES OF INITIAL ON-SCENE SUPERVISOR

In any officer-involved shooting incident, the district sergeant shall

1. Respond immediately, take charge, and ensure the watch commander has been notified of the incident.
2. Stabilize the situation and establish protection of the crime scene. All personnel desiring to gain access to the scene shall be referred to the crime scene recorder.
3. Obtain a brief overview of the situation from any non-shooter officer(s). If there are no non-shooter officers, the supervisor should obtain a Public Safety Statement from at least one shooter officer. The initial on-scene supervisor shall ensure that multiple supervisors not request the same brief narrative from the involved officers but rather limit it to one central point of contact.
4. If necessary, administratively order any officer from this Department to immediately provide limited public safety information necessary to secure the scene and pursue suspect(s), to include
   a. Outstanding suspect(s) information.
   b. Number and direction of shots fired.
   c. Parameters of the incident scene.
   d. Identity of any known witnesses.
5. Give consideration toward GO 570.03 (Post-Trauma Response) and offer the employee(s) peer support as outlined in GO 570.04 (Peer Support Program).

D. INVESTIGATION

1. Care should be taken to preserve the integrity of any physical evidence present on the involved officer(s) and the officer(s)' equipment and/or clothing (e.g. blood, fingerprints, etc.) until investigators or Crime Scene Investigators (CSI) can properly retrieve it.
2. Evidence collection shall minimally consist of
   a. Retrieving and booking any expended cartridges, bullets, and shotgun casings or pellets, along with all live ammunition pertinent to the incident.
   b. Diagramming of the crime scene, including positions of persons and objects and the trajectories of expended shots.
   c. Producing adequate pictorial sketches and photographs, including the use of a video camera if necessary, of damaged property.
   d. Obtaining a recording of all radio transmissions within ten (10) days or as soon as available.
   e. Obtaining copies of the officer(s)' firearm training records.
   f. Determining factors of probable cause, if present, that contributed to the officer(s)' decision in discharging a weapon.
   g. Ensuring all items of evidence related to the shooting are collected and booked.
   h. Noting the condition of city equipment that may be associated with the weapon discharge. Removing from service for later inspection all such equipment that remotely could be attributed to or may have been damaged, for example.
      (1) If a weapon discharged due to being caught on the officer's gun belt or clothing, book all such articles.
      (2) If the discharge was the result of a vehicle door closing on an officer with the weapon drawn, remove the vehicle from service.
3. Obtain statements from all persons present.
4. Have the area canvassed for witnesses and obtain statements.

5. Involved officers shall not review any video at the scene without supervisor approval, except for exigent public safety reasons (e.g., providing suspect description, suspect's direction of travel, vehicle description, weapon type).

E. WATCH LEVEL INVESTIGATION

1. The following shooting incidents shall be investigated at the watch level:
   a. Shooting of an animal.
   b. Accidental discharge without injury.
   c. Attempted discharge (e.g., weapon malfunction).
2. The on-duty watch commander shall
   a. Initiate an administrative investigation involving the discharge of firearms, except accidental discharges at the range. The investigation shall be documented in a memorandum and sent through the chain of command to the appropriate office chief. The report shall then be forwarded to the Professional Standards Unit (PSU), where the report shall be kept on file.
   b. Designate a sergeant as the principal investigating supervisor.
3. If, in the watch commander's opinion, a more thorough investigation is necessary, a homicide callout may be initiated.

F. HOMICIDE UNIT INVESTIGATION

1. The Homicide Unit shall investigate the following shooting incidents:
   a. Intentional discharge at a person.
   b. Discharge resulting in injury to a person.
2. After the scene has been stabilized and immediate threats of hostility neutralized, command of the scene shall be relinquished to the Homicide Unit supervisor
3. Homicide detectives shall be aware that any shooting may have a traumatic effect upon involved and uninvolved officers. Detectives shall conduct their investigation in a professional manner that shall not add unnecessary trauma to the situation.
4. The Office of Investigations Captain or designee shall contact the Coroner's Office as soon as practical in an attempt to identify and notify the next of kin of any subject who dies in our custody or who is killed by police action.
5. The Office of Investigations Captain or designee shall identify an investigative sergeant to serve as an information liaison between the deceased subject's next of kin and the Department. Investigative updates shall be provided to the next of kin as needed or requested.
6. District Attorney's Office (DA) and Office of Public Safety Accountability (OPSA) Notification
   a. The DA and OPSA or their designees shall be notified to respond to all officer-involved shootings that result in injury to another person.
   b. The DA and OPSA shall be permitted access to the incident scene to the extent possible without contaminating evidence or otherwise disturbing the scene. Their presence is to merely observe and familiarize themselves with the situation.
   c. The DA shall conduct an independent assessment of the circumstances and will issue written findings.

G. SURRENDER/INSPECTION OF WEAPONS

1. Officers shall be allowed to retain a handgun while at the scene. Firearms other than the involved officer(s)' handgun (e.g., shotguns, rifles, etc.) that have been discharged shall be secured by the watch commander after the situation has been stabilized. Officers may be required to surrender their handguns at the scene if a replacement weapon is immediately available. If this occurs, it shall be accomplished in a private area outside the view of the public or the media.
2. The officer(s)' weapon(s) shall be inspected by an investigator and documented as follows:
   a. The magazine shall be removed.
   b. The chamber shall be checked and cleared and its condition noted.

c. All live rounds shall be counted or the cylinder be opened and the number and location of spent and live rounds described and diagrammed (if necessary).
d. The serial number shall be recorded.
e. The weapon shall then be reloaded and returned to the officer or booked at the discretion of the investigator.

3. On an accidental discharge, the weapon shall be booked and referred to the armorer for inspection.
4. The officer's supervisor shall ensure that a replacement weapon is issued in a timely manner. Replacement weapons shall minimally be kept available at all substations and in the Detective Division.
5. Any other weapon at the scene may be inspected by the investigating officers at their discretion.

H. TRANSPORTATION FROM THE SCENE

1. After the walk-through and as soon as practical, the involved officer(s) shall be transported from the scene to a Department facility to await an interview by investigators. The officer(s) shall be secure from public confrontations (GO 570.04).
2. Peer Support members shall not remove the involved officer(s) from the scene without approval of the Incident Commander (IC).
3. An officer being transported to a police facility in a marked unit shall not be placed in the rear seat unless under arrest. Officers may be transported from the scene by their SPOA representative and/or their attorney when appropriate.

I. REPORTS

1. Every officer shall prepare a report of his/her activity and observations as soon as reasonably practical unless an oral statement is taken from detectives.
   a. Those officers who complete oral interviews may be required to prepare a written report at a later time, in which case a transcript of their interview shall be provided.
   b. Officers may be directed to prepare reports at the Detective Division at the discretion of the investigating supervisor or higher authority
2. Injured officers are exempt from preparing a report until physically capable.
3. Reports shall be submitted and approved prior to end of watch unless circumstances make the completion of a report unreasonable as determined by an appropriate supervisor.
4. Outside agency personnel may use their own report forms. Copies of the reports may serve as SPD supplements.
5. Officers shall not be advised of their Miranda rights unless
   a. Under arrest.
   b. Information available to the investigator(s) causes them to believe the officer is criminally responsible.
   c. The officer makes incriminating statements during an oral interview.
6. While an officer(s) is providing a voluntary oral interview for statement under Miranda, the following personnel may view the process:
   a. Assigned detectives, supervisors, Internal Affairs Division (IAD) investigator, PSU representative, DA investigator, OPSA representative, and/or the officer's legal representative.
   b. Except with the expressed authorization of the ranking detective or supervisor, no others shall be allowed to view the interview.
7. When an oral interview is conducted, it shall be audio and video recorded if possible. The officer(s) shall be informed that the interview is being recorded.
8. No more than two (2) detectives shall be in the interview room with an officer. Officers may have representation present during any interview. The representative shall not obstruct or

otherwise interfere with the investigative process. However, the representative may invoke Miranda to protect the officer from self-incrimination.

9. Involved officer(s) and their representatives will have access to their In Car Camera (ICC) and Body Worn Camera (BWC) recordings and/or other reasonably available recordings of the incident that depicts the involved officer or the perspective of the involved officer at the time of the incident. However, if such a recording also contains significant content outside these parameters, the Chief of Police (COP) or designee may redact or withhold the portions of the video containing the content. The officer and his/her representative shall be notified of any redactions or withholdings. Officers shall be encouraged to recall the circumstances and provide a chronological outline of the incident. The officer(s) shall have the opportunity to talk to an SPOA representative or attorney prior to giving a statement.
10. The interviewing detective shall be sensitive to the physical needs and emotional well-being of the officer. When appropriate, food and drink shall be provided. The detective shall
    a. Ensure that the officer is able to move about the office without confronting suspects, witnesses, or the media.
    b. Ask the officer(s) if they wish to talk with the police chaplain and/or a Peer Support member (GO 570.04).
11. Officers who are eyewitnesses to a shooting shall
    a. Respond to the Detective Division to complete a written report or oral interview.
    b. Be directed to an available desk away from other officers or distractions.
    c. Proceed with the preparation of a written report or make notes for the oral interview.
12. If applicable, the investigating supervisor shall cause the completion of
    a. An After-Action Report (SPD 005) per GO 532.13 (After Action/Debriefing Reports).
    b. City of Sacramento Liability Loss Report Form RM-3 (red border) per GO 240.03 (Civil Liability).

J. SHOOTING BY SPD OFFICERS OUTSIDE CITY JURISDICTION

1. Whenever an officer by discharge of a firearm causes a death or injury outside the city jurisdiction, the officer shall notify the agency having jurisdiction and the SPD watch commander, who shall ensure IAD is notified and assigned to assist the agency conducting the investigation for purposes of coordination and keeping informed of the investigation.
2. If the agency having jurisdiction does not have the resources available to conduct the investigation and requests the SPD conduct the investigation, the watch commander shall be notified. The watch commander shall assess whether our Department will conduct the investigation.

K. SHOOTING BY OFFICERS OF ANOTHER LAW ENFORCEMENT AGENCY WITHIN CITY JURISDICTION

If death or injury is the result of a police shooting by another law enforcement agency, the Homicide Unit shall be notified to handle the investigation. The other agency shall be notified immediately so they may monitor the investigation [GO 560.01 (Arrest and Investigation by Allied Agencies)].

L. REFRESHER TRAINING

Any officer involved in an accidental or intentional firearms discharge shall undergo firearms refresher training prior to returning to full duty. Refresher training

1. Shall be in accordance with the module prepared by the Training Section.
2. May include topics such as officer safety tactics, policy, and the law.
3. Shall be conducted by an authorized range master who shall direct a memorandum to the Captain, PSD, or designee, indicating that the officer has received firearm refresher training.
4. Shall be documented and submitted to the PSD to be placed in the officer's personnel file and a copy forwarded to PSU to be placed in the Department's critical incident file.

M. RETURN TO DUTY

Return to duty for each employee involved in a fatal or injury shooting shall only occur after

1. Consideration has been given to GO 570.03 (Post Trauma Response).
2. The COP, or designee, has notified the City Manager.

N. ADMINISTRATION INVESTIGATION

1. Internal Affairs Division
   a. The IAD commander may direct IAD investigators or PSU representatives to respond as needed.
   b. If an involved officer has elected to not provide criminal investigators with a voluntary statement, the assigned IAD investigator shall conduct an administrative interview to determine all relevant information.
2. Professional Standards Unit

   PSU shall
   a. Have access to all reports and investigative materials regarding any officer shooting incident with the exception of IAD investigative files.
   b. Keep and maintain completed officer involved shooting reports and related material indefinitely.
   c. Contact the City of Sacramento Risk Manager by the next business day to discuss any potential civil liability issues.
   d. Schedule and facilitate an officer involved shooting review by the investigating watch commander or Homicide Unit sergeant within 30 days of the shooting unless otherwise approved by the COP.
   e. Prepare a memorandum to the COP detailing the findings and recommendations from the officer involved shooting review.
   f. Prepare a memorandum to the involved officer(s) advising them of any justified shooting review disposition.

O. OFFICER INVOLVED SHOOTING REVIEWS

1. All officer involved shooting reviews shall be reviewed in an Officer Involved Shooting Review.
2. The Officer Involved Shooting Review shall be chaired by the Deputy Chief, Office of Investigations, and minimally consist of
   a. Captain(s) of the involved employee(s)
   b. Lieutenant, Training Division
   c. Watch Commander
   d. Department Range Master
   e. PSU
   f. Risk Management
   g. Office of Public Safety Accountability Director
   h. SPOA President
3. Sworn managers attending the shooting review shall recommend to the COP whether the circumstances of the shootings were within Department policy and justified.
4. The investigating Watch Commander, Homicide Sergeant, or Range Master shall be prepared to fully explain the investigation during the Officer Involved Shooting Review.
5. The Homicide Sergeant shall ensure that a copy of the District Attorney's review letter is forwarded to PSU for proper filing and distribution.

580.12
LESS LETHAL WEAPON SYSTEM
10-09-12

PURPOSE
The purpose of this order to establish procedures for the use and deployment of Less Lethal Weapon Systems.

POLICY
It shall be the policy of the Sacramento Police Department to deploy and use Less Lethal Weapon Systems as instructed in Department training in order to maximize the safety of all individuals involved in an incident.

PROCEDURE
A. DEFINITIONS

1. FLEXIBLE BATON ROUND (BEAN BAG) – A Less Lethal 2 ¾" 12 gauge shotgun round firing a Kevlar bag containing 40 grams of lead shot at a velocity of 280 feet per second (FPS). The drag stabilized projectile delivers 112 ft/lbs of energy on impact. Flexible baton rounds are discharged from a dedicated 12-gauge shotgun that is distinguishable by an orange butt stock and fore grip. This round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet but not more than 50 feet from the target.
2. PEPPER BALL – A Less Lethal frangible .68 caliber sphere containing 2.0 grams of 5% OC powder. The pepperball is fired from purpose built pepperball guns that are energized by a compressed air at 300 fps and delivers 8 -10ft/lbs of energy on impact in addition to dispersion of the OC irritant. Pepperballs can be fired accurately and effectively to a distance of 100 feet.
3. 40MM EXACT IMPOUND SPONGE (BLUE TIP) – A Less Lethal 40mm lightweight plastic and foam projectile fired from a single or multi-round purpose built 40mm grenade launcher with a rifled barrel at 325 FPS. The 30 gram foam projectile delivers 120 ft/lbs of energy on impact. The 40mm Exact Impact Sponge Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.
4. 40MM DIRECT IMPACT OC (ORANGE TIP) – A Less Lethal 40mm lightweight plastic and crushable foam projectile fired from a single or multi-round purpose built 40mm grenade launcher with a rifled barrel at 295 FPS. The 39 gram crushable foam projectile delivers 120 ft/lbs of energy upon impact in addition to dispersion of 9 grams of OC irritant. The 40mm Direct Impact OC Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 120 feet from the target.
5. X-REP ROUND – A shotgun launched Extended Range Electrical Projectile which performs similar to that of a CED in that it uses an electrical waveform to directly cause contraction of the muscles and override the central nervous system, to not only stun the subject, but to physically debilitate the subject by contracting the muscles. The designated X-REP shotgun shall be distinguished by a yellow stock and fore grip.

B. AVAILABILITY

1. Flexible Baton rounds shall be available in all Watch Commander's and Sergeant's vehicles. Dedicated Less Lethal shall be mounted in a locking device in the trunk of these vehicles. NOTE: Lethal shotgun ammunition shall not be loaded into these dedicated less lethal shotguns.
2. Pepperballs and Pepperball launchers shall be maintained in all Watch Commander's and Sergeant's vehicles. Additionally, Pepperball systems may be deployed with trained officers at their Sergeant's discretion.
3. 40mm rounds and 40mm launchers shall be available in all Watch Commander vehicles.
4. Less Lethal weapon systems may be deployed by officers trained in their use.
5. The X-REP round shall only be used by SWAT officers trained in its deployment with the approval of the SWAT Commander or designee. The use of the X-REP shall comply with manufacturer guidelines.

C. DEPLOYMENT CRITERIA

1. Less Lethal weapon systems shall only be used in a manner that is consistent with Department policy and training guidelines
2. Less Lethal weapon systems are not a substitute for deadly force.
3. No officer shall simultaneously hold a lethal firearm and any Less Lethal weapon system launcher.
4. Each officer shall deploy no more than one Less Lethal weapon system at a time.
5. Officers shall not deploy a Less Lethal weapon system unless specific information reasonably indicates the potential for the system's use. The circumstances of each incident shall dictate the reasonableness for the deployment.
6. Pregnant women, young children and elderly people shall not be the intentional target(s) of a Less Lethal weapon system unless the deploying officer feels that the use of the system is necessary and reasonable under the circumstances.
7. Untrained personnel may deploy a Less Lethal weapon system in emergency circumstances when authorized by a Watch Commander or higher authority.

D. PRE-DEPLOYMENT RESPONSIBILITIES

1. Personnel assigned a Less Lethal weapon system are responsible for maintaining the system's operational readiness.
2. When not in use, the Less Lethal weapon systems shall be stored unloaded in their issued case or vehicle locking device. Pepperball launchers shall not be energized with compressed air.
3. Less Lethal weapon systems that are not assigned to designated supervisor's vehicles shall be stored in the designated safe or secure storage location at the respective police facility.
4. Less Lethal weapon systems shall be locked in the vehicle trunk during routine field assignments.
5. Pepperball air cylinders shall be maintained above 2500 PSI and shall be checked daily.

E. USE OF LESS LETHAL WEAPONS

1. Use of a Less Lethal weapon system shall be consistent with General Order 580.02 – Use of Force.
2. Use of a Less Lethal weapon system shall be consistent with the manufacturer's guidelines and the approved Department training plan.
3. Target zones shall be consistent with the manufacturer's guidelines and the approved Department training plan. The face, eyes, throat and groin should be avoided as target areas unless threat and circumstances justify their use.
4. Authorization to use the flexible baton or the 40mm Less Lethal weapon systems shall be made by a field supervisor.
5. Situations for use of the Less Lethal weapon systems may include, but are not limited to
   a. Self-destructive, dangerous and/or combative individuals.
   b. Riot/crowd control and civil unrest incidents.
   c. Circumstances where a tactical advantage can be obtained.
   d. Potentially vicious animals.
   e. Training exercises or approved demonstrations.
6. When practical, prior to firing a Less Lethal weapon system, the discharging officer shall
   a. Loudly announce that a specified Less Lethal weapon system is going to be used and
   b. Instruct the Communications Center to broadcast that a specified Less Lethal weapon system is to be used. The purpose of this notification is to alert all personnel that a Less Lethal weapon is being used and to comply with case law.
7. Training ammunition (12 ga. training stocks, yellow tip 40mm, specialty pepperball rounds, etc.) shall not be fired at a human being.

F. TACTICAL CONSIDERATIONS

1. If possible, when a Less Lethal weapon system is to be utilized, a sufficient number of officers should be assembled to assist with the physical custody of the targeted subject. The number of additional officers and their responsibilities shall be dictated by the dynamics of the incident.

2. Unless extraordinary circumstances exist, consideration should be given to the following responsibilities:
   a. Deploying officer(s) – at least one officer to discharge the Less Lethal weapon system. Multiple officers with Less Lethal weapon systems may be utilized in a single incident. The use of K-9 and the Conducted Energy Device may also be appropriate in concert with Less Lethal weapon systems.
   b. Protection officer(s) – a sufficient number of officers prepared to deliver appropriate force cover options given the immediate circumstances.
   c. Custody officer(s) – a sufficient number of officers who are responsible for handcuffing and restraining the subject(s).
3. Under exigent circumstances, nothing in this order shall prohibit an officer from deploying and discharging a Less Lethal weapon without requesting authorization or having the presence of additional officers.

G. RESPONSIBILITIES

1. After a Less Lethal weapon system has been discharged and the subject has been restrained, officers shall
   a. Ensure that any injuries sustained are appropriately treated as outlined in:
      (1) General Order 522.02 - Emergency Medical Care
      (2) Reference Manual 580.07 - Chemical Agents Manual (First Aid)
      (3) General Order 580.10 - Use of the Conducted Energy Device (Responsibilities After Use)
   b. Immediately notify the Sergeant supervising the District in which the discharge occurred. The officer shall also notify their immediate supervisor as soon as practical.
   c. Comply with the reporting requirements outlined in
      (1) General Order 580.02 – Use of Force
      (2) General Order 240.03 – Civil Liability
2. Supervisors shall
   a. Respond to the scene of the incident.
   b. Ensure photographs are taken of the impact site(s), injuries, discharged projectile and any other evidence of significance.
   c. Comply with the use of force reporting requirements contained in General Order 580.02 – Use of Force.
   d. Complete a City of Sacramento Incident/Loss Report form (RM-3 Red Border) when an injury or property damage has occurred.
   e. Notify the Watch Commander of the incident and circumstances.
   f. Ensure that all evidence, projectiles and expended cartridges are booked into the Evidence and Property Section. Expended pepperballs generally should not be booked.
   g. Ensure that all appropriate reports are completed before the end of watch.
   h. Replace any expended projectiles.

H. ACCIDENTAL DISCHARGE

1. Any accidental discharge of a Less Lethal weapon system shall be immediately reported to the Sergeant supervising the District in which the discharge occurred. The officer shall also notify their immediate supervisor as soon as practical.
2. The circumstances of the accidental discharge shall be documented in a general offense report with the appropriate classification.
3. If a malfunction of the Less Lethal weapon system is suspected, the launcher and ammunition shall be given to the Watch Commander who will facilitate the inspection of the equipment by the Department Armorer.
4. The on-duty Watch Commander shall initiate an administrative investigation into the accidental discharge and forward the finding in memorandum format through the chain of command to the affected employee's Office Chief.

522.02
EMERGENCY CARE FOR INDIVIDUALS UNDER POLICE CARE OR CONTROL
05-16-17

PURPOSE
The purpose of this order is to establish procedures for medical care for individuals under police care or control.

POLICY
It shall be the policy of the Sacramento Police Department to provide emergency medical treatment to individuals under police care or control, while ensuring their safety and that of others during treatment.

PROCEDURE
A. EMERGENCY MEDICAL TREATMENT
1. Officers having any doubt concerning a person's condition shall request emergency medical assistance.
2. Officers shall provide first aid to injured parties if it can be done safely.
3. Officers shall be aware of behaviors indicative of medical distress such as the medical condition known as excited delirium. Excited delirium is a potentially fatal condition caused by a complex set of physiological conditions, including over-exertion of the subject and inability for sufficient respiration to maintain normal blood chemistry. Indicators of excited delirium are
   a. Bizarre/aggressive behavior.
   b. Dilated pupils.
   c. Fear/panic/paranoia.
   d. High temperature.
   e. Irrational/incoherent speech.
   f. Jumping into water.
   g. Profuse sweating.
   h. Public disrobing.
   i. Self-inflicted injuries.
   j. Shivering.
   k. Inconsistent breathing patterns.
   l. Seizure.
   m. Unexpected physical strength.
   n. Sudden tranquility.
4. Communications personnel receiving telephone requests for ambulances shall
   a. Make every effort to determine the seriousness of the situation.
   b. Follow established procedure for dispatch of appropriate emergency medical personnel.

B. REFUSAL OF MEDICAL ATTENTION
1. The Police Department has no authority to force a non-arrested injured or ill person of a sound mental state to be transported to a medical facility.
2. When officers encounter a situation involving a refusal to accept medical attention, an Incident Report (SPD 107) recording the facts and circumstances shall be completed.
   EXCEPTION: General Orders 522.01 – Handling Mentally Ill Persons.

C. EMERGENCY MEDICAL AUTHORITY
1. The highest-level paramedic/emergency medical technician (EMT) on scene is in charge and responsible for the examination, treatment, and transportation of medical patients.
2. Police supervisors and/or officers shall inform paramedics/EMTs when a patient is in lawful custody and request the patient be transported to a facility designated to handle prisoners.

3. Law enforcement does not have the authority to order anyone to stop performing cardiopulmonary resuscitation (CPR) or to interfere with a paramedic/EMT. Once CPR has been started on a person, it may be legally discontinued only when
   a. Everyone working on a patient is too exhausted to continue.
   b. A medical doctor orders everyone to stop.
   c. The person starts breathing.

D. OUT-PATIENT MEDICAL CARE FOR ARRESTEES
1. An arrestee requiring out-patient emergency medical care whose condition allows transportation in a passenger vehicle shall be taken to an emergency room.
2. Sacramento County's "intent to incarcerate" forms are located inside the Prisoner Watch Kit binder. The kits are stored at the following city emergency rooms: UC Davis Medical Center, Sutter General, Mercy General, Methodist, and Kaiser South.
3. The "intent to incarcerate" form shall be completed and signed by both the treating physician and the custodial officer.
4. After treatment is rendered, officers shall transport the subject with the proper documentation to the Sacramento County Jail.

E. ADMISSION OF AN ARRESTEE TO A MEDICAL FACILITY
1. If an ambulance is required, the patient should be sent to the nearest area hospital.
2. When the subject is waiting for or receiving medical attention, officers shall
   a. Remain with the subject at all times.
   b. Obtain an estimated time for medical clearance release.
   c. Notify their supervisor of the estimated length of hospitalization to allow the supervisor to initiate arrangements for prisoner watch if needed.
3. The affected watch commander shall be responsible for staffing extended prisoner watch assignments.
4. Officers shall complete all booking paperwork and give it to the prisoner watch officer before leaving the hospital, unless other arrangements have been made through the affected watch commander.
5. In any case in which more than one consecutive officer is required for prisoner watch, all officers involved shall
   a. Ensure a Prisoner Watch Log (SPD 916) is being kept.
   b. Document all observations on the SPD 916 as to occurrences on their shift. If there is no SPD 916 available, the officer shall document his/her actions within the C.A.D. call.
   c. Document prisoner comments and actions (e.g., if they are violent or a flight risk).
   d. Liaison with hospital police or security staff regarding the prisoner watch.
   e. Keep all SPD 916 pages with the prisoner's paperwork until the prisoner is released for incarceration. When the prisoner is released for incarceration, the SPD 916 pages shall be turned in as report supplements by the booking officer.

525.07
BODY-WORN CAMERA
04-26-17

PURPOSE

The purpose of this order is to establish policy and procedures for the use and deployment of the body-worn camera.

POLICY

It shall be the policy of the Sacramento Police Department to utilize a body-worn camera in a manner that will assist in criminal prosecutions or civil litigation by providing a recording of the incident that may supplement an employee's report and help document professional police conduct.

PROCEDURE

A. GENERAL

1. All officers issued a body-worn camera are required to wear and use their body-worn cameras while working in uniform. A "uniform" is to be considered the standard uniform as well as any apparel (e.g., tactical/raid vests) that identifies the wearer as a police officer.
2. Body-worn camera video provides additional information regarding an investigative or enforcement contact with a member of the public. As body-worn camera recordings provide only a limited perspective of the encounter, all other available evidence, such as witness statements, officer interviews, forensic analyses, and documentary evidence should be considered before any conclusions are reached.
3. Body-worn cameras should assist in the following:
   a. Documenting an initial police response.
   b. Collecting evidence for use in criminal investigations and prosecutions.
   c. Assisting officers with completing reports and providing testimony in court.
   d. Deterring criminal activity and uncooperative behavior during police-public interactions.
   e. Promoting accountability.
   f. Recording video for use in training Sacramento Police Department employees.
   g. Documenting the performance and professionalism of Sacramento Police Department employees.
4. Body-worn camera video is not meant to replace or to relieve the employee from submitting any documentation as required by policy.
5. All recordings (including audio and visual) made using body-worn cameras are the property of the Sacramento Police Department and will not be released or disseminated to the public without the express written consent of the Chief of Police or authorized designee or unless otherwise expressly required by federal or state law.

B. EMPLOYEE RESPONSIBILITY

1. Employees issued a body-worn camera shall be trained in the proper use of the device prior to deployment.
2. Employees assigned a body-worn camera shall
   a. Be responsible for the reasonable care and maintenance of the body-worn cameras they are assigned.
   b. Ensure the body-worn cameras are functioning properly. Any apparent damage, malfunction, or loss shall be brought to the attention of a supervisor as soon as reasonably practical. If an employee's body-worn camera has been lost, damaged, or stolen, the employee shall contact his/her supervisor as soon as practicable for a replacement and shall submit a Red Border form as required in GO 410.02.

c. Affix their issued body-worn cameras to their uniforms at the beginning of their shift in accordance with training and the manufacturer's guidelines. The body-worn camera shall be worn for the entire shift.
d. Ensure their issued body-worn cameras are fully charged and have adequate video storage to complete their shift.
e. Only use body-worn cameras that have been approved by the Department.

3. Generally, employees shall download all media prior to the end of their shift; however, supervisors may approve other download schedules when appropriate.
4. Employees shall note in reports when a body-worn camera was used.
5. Employees are authorized to review their own body-worn camera recordings, including prior to giving a statement after being involved in a critical incident, writing a report, and testifying in court or other proceeding, or for any other official use.
6. Employees may be authorized to review other officers' body-worn camera recordings after being involved in critical incidents at the discretion of the Chief of Police.
7. Employees shall not
   a. Make copies of any recorded event for personal use.
   b. Use a recording device such as a cell phone camera or secondary video camera to record a body-worn camera file or image.
   c. Copy, upload, or disseminate any body-worn camera recordings publicly or privately, nor shall employees post recordings on social media for personal use.

C. REQUIRED ACTIVATION OF THE BODY-WORN CAMERA

1. This policy is not intended to describe every possible situation in which the body-worn camera should be utilized. Not all situations will clearly start out as necessitating the activation of the body-worn camera, nor will all events have a clear ending when the body-worn camera is no longer necessary.
2. If immediate activation of the body-worn camera is not feasible due to risk to the safety of the employee or others, the employee should activate the body-worn camera as soon as it is safe to do so.
3. Employees shall activate their body-worn cameras during any enforcement or investigative activity, whether self-initiated or in response to a dispatched call. Examples include, but are not limited to, the following:
   a. When conducting vehicle stops.
   b. When administering field sobriety tests.
   c. When conducting pedestrian and vehicle contacts.
   d. While responding to any in-progress, just occurred, or any other call for service in which the fleeing suspect and/or vehicles may be captured leaving the crime scene.
   e. When responding to calls reportedly involving weapons or violence.
   f. When responding to calls involving suspected suicidal individuals.
   g. When pursuing a suspect on foot.
   h. During Code 3 responses (including vehicle pursuits), regardless of whether the vehicle is equipped with an in-car camera system.
   i. While executing searches of individuals, vehicles, buildings, and other places. NOTE: The body-worn camera should be utilized to record consent to search when practical. The intent of the recording is to corroborate the consent and is not intended to replace the use of any form used to document the consent to search.
   j. When advising suspects of their rights per Miranda.
   k. When conducting arrests, detentions, and/or citations.
   l. While taking statements from witnesses, victims, and other subjects (Exception: See sections D.2.d. and D.2.e.).
   m. During protests, demonstrations, or civil unrest.
   n. When ordered to by a supervising officer.

o. During other contacts that become adversarial or in which, in the employee's judgement, a video recording would assist in documenting the incident for later investigation or review.

4. If the body-worn camera was not utilized on a required event, the reason shall be documented on the CAD call.
5. Employees are not required to give notice they are recording when talking with private citizens during the course and scope of their official duties, even when the contact occurs in a private residence. If asked, employees shall advise citizens they are being recorded. Moreover, employees should strongly consider advising citizens that they are being recorded as a tool to de-escalate a situation or when dealing with instances such as outlined in D.2.e.
6. Generally, employees should not record informal or casual encounters with members of the public. Employees should consider that recording people in some circumstances may inhibit sharing information or developing strong ties between members of the community and employees.
7. Absent a deliberate intent or repeated pattern, the failure to activate the body-worn camera shall not alone constitute cause for discipline.

D. DEACTIVATION OF THE BODY-WORN CAMERA

1. Except as listed below, once activated, officers shall not deactivate their body-worn cameras until the investigative or enforcement activity involving a member of the public has reasonably concluded. If enforcement or investigative activity with a member of the public resumes, the officer shall re-activate the body-worn camera and continue recording.
2. Employees may deactivate the body-worn camera at any time, based on their discretion, in the following circumstances:
   a. When the employee is discussing tactical or confidential information with other law enforcement personnel, during briefings, or during conversations with confidential informants.
   b. When there is a necessity to conserve battery life, an employee on a perimeter or assigned to a static post where they are not in contact with citizens or actively part of the investigation may deactivate the body-worn camera to conserve battery life. The body-worn camera should be reactivated when these circumstances no longer apply.
   c. When it is necessary to discuss issues or concerns with an employee, supervisor, doctor, nurse, or paramedic in private.
   d. When a witness or victim refuses to provide a statement if recorded and the encounter is non-confrontational.
   e. When, in the employee's judgement, a recording would interfere with their ability to conduct an investigation or when recording is inappropriate because of the victim or witness's physical condition, emotional state, age, or other sensitive circumstances (e.g., a victim of rape, incest, or other form of sexual assault).
3. Details regarding the reason for deactivation should be recorded and documented when appropriate.

E. RESTRICTED USE OF THE BODY-WORN CAMERA AND/OR STORED MEDIA

1. Under no circumstances, except those instances involving a criminal investigation of Department personnel, shall a conversation between Department employees be intentionally recorded without all parties to the conversation being aware that it is being recorded.
2. The body-worn camera will not be intentionally activated to record Department personnel during briefings, meetings, roll calls, or while in private spaces such as locker rooms, restrooms, or any other place where a reasonable expectation of privacy exists.
3. The body-worn camera shall not intentionally be utilized to record confidential informants or undercover employees.
4. Prior to conducting a strip search, the officer shall record a 360-degree video of where the strip search will be conducted. During the strip search, the body-worn camera will be utilized to only capture audio of the event by positioning the camera away from the individual to be searched.

5. Employees should not normally record patients during medical or psychological evaluation by a clinician or similar professional or during treatment. Employees shall be aware of patients' rights to privacy when in hospital settings. When recording in hospitals and other medical facilities, officers should be careful to avoid recording persons other than those who are the focus of the investigations.
6. Employees shall not play back body-worn footage for citizens or the media without prior approval from the Chief of Police or authorized designee.
7. Employees who have made an inadvertent recording may request to have that video deleted. Requests shall be submitted to their Division Captain.

F. SUPERVISOR RESPONSIBILITY

Supervisors shall

1. Ensure that employees assigned a body-worn camera have completed required training and are familiar with applicable policies and procedures.
2. Conduct periodic inspections of employees assigned body-worn camera equipment and ensure that the body-worn cameras are properly affixed to the employees' uniforms and fully operable.
3. Respond to the scene and secure the body-worn camera as soon as practical when an incident arises that requires the immediate retrieval of body-worn camera footage for chain of custody purposes (including, but not limited to, serious crime scenes, officer involved shootings, or other incidents as determined by policy).
4. Have the opportunity to view recordings in the field to mitigate and address citizen complaints when necessary.
5. Have access to video footage of all users. This will allow instant access when creating or reviewing a pursuit or a use of force report in Blue Team and for training or administrative purposes.

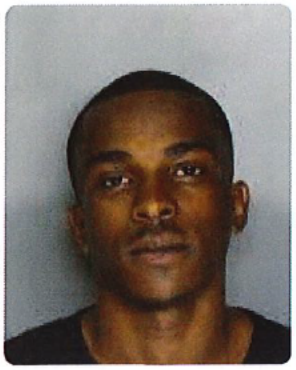
G. USE OF VIDEO FOR TRAINING

1. Recordings may be used for training purposes.
2. When a recording contains footage that may embarrass an employee, consideration should be given before the video is used for training.
3. If an involved employee objects to the use of a recording, the employee may object in writing through his/her chain of command to the COP or authorized designee to determine if the training value outweighs the employee's objection. In no event shall any recording be used for the purpose of ridiculing or embarrassing any employee.

H. DATA MANAGEMENT AND FILE RETENTION

1. Body-worn camera recordings will be retained for a minimum of 18 months from the date created in accordance with the City of Sacramento Retention Schedule. Video recordings that become evidence will be kept in accordance with the crime classification listing in the City of Sacramento Retention Schedule SPD-007.
2. Any attempt to erase, alter, or tamper with the body-worn camera or its recordings, except as authorized by law or Department policy, will be considered employee misconduct.
3. An external audit shall be facilitated bi-annually by the Professional Standards Unit in compliance with GO 340.02.
4. Digital evidence captured by a body-worn camera shall be treated as official records and handled pursuant to existing Department policies and procedures as outlined in GO 525.03, sections F and G.
5. Refer to GO 580.01 for public release of video related to an officer involved shooting or death-in-custody incident.

CLARK, STEPHEN



XREF: 3643025 **AGE:** 23 **SEX:** M **RACE:** B

DOB: 8/10/1995 **POB:** SACRAMENTO, CA

HEIGHT: 510 **WEIGHT:** 170 **HAIR:** BLK **EYES:** BRO

ADDRESS: [redacted]

PROBATION:

PAROLE: No

CAUTION: null

ALERTS: Deceased

Warrants

No warrants found

Identifiers

10

Type	Description	Identifier	Comments	Date
[redacted]				
DOB	Date of Birth	08/10/1995		11/18/1999
[redacted]				

Phone Numbers

8

Number	Comments	Date
[redacted]		

Number	Comments	Date
[redacted]		

Arrest Summary [redacted]

Code	Description	Severity	Category	Arrested	Filed	Most Recent
[redacted]						

Code	Description	Severity	Category	Arrested	Filed	Most Recent
[redacted]						

Arrest History

[redacted]

Report Number	Arrest Date	Arrest LEA	Violation Code	Severity	Booking Type
[redacted]					

Crime Reports

[redacted]

Agency	Crime Report No.	Involvement	Location	Date	Charges
[redacted]					

[redacted]

Agency	Crime Report No.	Involvement	Location	Date	Charges
[redacted]					

Aliases

3

Last, First Middle
[redacted]

Remarks

18

Remark	Date Entered
[redacted]	
SUBJECT DIED IN SACRAMENTO COUNTY ON 03/18/2018. CORONER CASE #18-01644	03/19/2018
[redacted]	

Remark	Date Entered
[redacted]	

Known Addresses

9

Address	City	State	Zip	Comments	Date
[redacted]					

[redacted]

Custody Sessions

Intake	Release	Arrest Location	Next Of Kin	NOK Address	NOK Phone
[redacted]					

[redacted]

Classifications

[redacted]

Usage	Remarks	Log Date	Log XREF
[redacted]			

Court Dates

No Court Dates found.

POST PROFILE NAME:

MERCADAL, TERRENCE BRANDON

CALIFORNIA COMMISSION ON **POST**

CONFIDENTIAL PROFILE REPORT

AKA: N/A

DATE: 04/17/2019

A. PERSONAL IDENTIFICATION

POST I.D.	Agency	Birth Date	Sex	Race
C54-V60	SACRAMENTO PD	[redacted]	M	B

B. CERTIFICATES AWARDED

Cert No.	Type	Awarded	Education	T	T+	Comments
189201	B	01/03/2018		46.65	0.00	

Total Number of Certificates: 1

C. EMPLOYMENT

Hired From	To	R*	Rank	Rank Date	Agency	Agency Name	F/P	P/U	Seas
10/24/2015	06/25/2016	6	TRN	10/24/2015	34040	SACRAMENTO PD	F	P	
06/25/2016			PO	06/25/2016	34040	SACRAMENTO PD	F	P	

***Reason for Separation: 1 = Resignation, 2 = Discharge, 3 = Retirement, 4 = Death, 5 = Felony, 6 = Other, 7 = Promotion/Demotion**

D. POST CERTIFIED TRAINING

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
[redacted]									
03/10/2017	K	5990-20801-16-017	8		Y	34040	FPD		CRISIS INTERVENTION
03/24/2017	K	2320-32075-16-003	36		Y	34040	SACTO PD		FIREARMS/TACTICAL RIFLE
03/28/2017	K	1268-21763-16-018	8	X	Y	34040	ISTM		TACTICAL LIFESAVER - 8 HOUR
05/08/2017	K	2320-20762-16-006	4	X	Y	34040	SACTO PD	*	CRISIS INTERVENTION BEHAV HEALTH TRAINING SB11
[redacted]									
05/09/2017	K	2320-29501-16-021	4		Y	34040	SACTO PD	*	FIREARM(PSP)
[redacted]									
09/20/2017	K	2320-32002-17-001	4	X	Y	34040	SACTO PD		FIREARMS/WEAPON LIGHTS
09/28/2017	K	2320-20801-17-005	40		Y	34040	SACTO PD		CRISIS INTERVENTION
[redacted]									
02/12/2018	K	2320-21798-17-002	8	X	Y	34040	SACTO PD		FIRST AID/CPR UPDATE
[redacted]									
02/14/2018	K	2320-29501-17-020	4		Y	34040	SACTO PD	*	FIREARM(PSP)
[redacted]									

***Meets Perishable Skills**

F. FOOTNOTES

NO FOOTNOTE ON FILE.

PLEASE REFER TO THE ENCLOSED EXPLANATION SHEET FOR ADDITIONAL INFORMATION.

COMMISSION ON POST – PROFILE REPORT

The Profile Report contains confidential information.

EXPLANATION SHEET

A. PERSONAL IDENTIFICATION: Subject's personal information as indicated in POST database (EDI system)

POST ID:	Unique identification number assigned to subject by POST.
Agency:	Indicates the agency (or one of the agencies) where subject is currently employed. An "*" indicates that the subject is employed in more than one position within the same agency.
Birth Date / Sex:	Self-explanatory.
Race:	**A** = Asian **B** = African American (Black) **N** = Native American **S** = Spanish/Hispanic **W** = White **O** = Other

B. CERTIFICATES AWARDED

Cert:	Certificate serial number.
Type:	**B** = Basic **I** = Intermediate **A** = Advanced **S** = Supervisory **M** = Management **E** = Executive **R** = Reserve **D** = Public Safety Dispatcher **SX**= Specialized X (example: SA = Specialized Advanced)
Awarded:	Date certificate was issued.
Education:	Educational points or degree used for earning a certificate.
T:	Training points used for awarding the certificate.
T+:	Additional training points.
Comments:	Comments regarding training or institute(s) where subject received education.
Total Number of Certificates:	Number of certificates awarded to subject as indicated in POST database.

C. EMPLOYMENT: Subject's employment history as indicated in POST database

Hired From:	Date subject was hired or sworn into the agency.
To:	Date subject left agency (if applicable).
R*:	Reason for separation as indicated by number in the Report description.
Rank / Rank Date:	Indicates rank as translated by POST database and date subject made rank.
Agency / Agency Name:	Agency code number and name where subject is currently working or previously worked.
F/P:	Time base: **F** = Full time **P** = Part time
P/U:	Wage status: **P** = Paid **U** = Unpaid
Seas:	Provisional or seasonal employment.

D. POST TRAINING: Courses attended or completed as indicated in POST database

Comp Date:	Date course ended.
Cat:	General course category (for POST use only).
CCN:	Course Control Number.
Hrs:	Hours completed in course.
Rmb:	Reimbursement indicator: **R** = Reimbursed *(before FY 83/84 reimbursable agency not necessarily reimbursed)* **J** = Job specific ***** = Job specific, SALARY NOT PAID **Blank** = None or no data available
Cmp:	Completion indicator: **Blank or Y** = Course completed **N** = Course not completed **?** = Prior to 1979
Agency:	Agency where subject was employed at time of course enrollment.
School:	Training institute offering the course.
Course Name:	Course name as shown in POST database.

E. NON-CERTIFIED COURSES

This section will only appear if applicable.

F. FOOTNOTES

This section reserved for additional information.

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):		BADGE/ABRA	CURRENT ASSIGNMENT:
MERCADAL, TERRENCE		752/4347	PATROL
SOCIAL SECURITY #:	DATE/TIME: 3/22/18 / 1300	☒ QUALIFIER	☐ TRAINING

☒ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: SIG SAUER	Brand:	Brand:	Brand:
Model: P226	Model:	Model:	Model:
Caliber: .40 CAL	Caliber:	Caliber:	Caliber:
Serial #: UU746765	Serial #:	Serial#:	Serial #:
Issued? ☒ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS: OIS REFRESHER

RANGE MASTERS: PINOLA

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):		BADGE/ABRA	CURRENT ASSIGNMENT:
MERCADAL, TERRENCE		752/14347	PATROL - TEAM 14
SOCIAL SECURITY #:	DATE/TIME: 12/5/17 1700	☒ QUALIFIER	☐ TRAINING

☒ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☒ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: SIG SAUER	Brand: COLT	Brand:	Brand:
Model: P226	Model AR-15	Model:	Model:
Caliber: .40	Caliber: .223	Caliber:	Caliber:
Serial #: U794964	Serial #: 18464716	Serial#:	Serial #:
Issued? ☒ YES ☐ NO	Issued? ☒ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☒ YES ☐ NO	Pass? ☒ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS:

RANGE MASTERS: MARZAN

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):	BADGE/ABRA	CURRENT ASSIGNMENT:
MERCADAL, TERRENCE	T62/14347	PATROL

SOCIAL SECURITY #:	DATE/TIME:		
	9-20-17/1200	☒ QUALIFIER	☒ TRAINING

☒ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: SIG SAUER	Brand:	Brand:	Brand:
Model: P226R	Model:	Model:	Model:
Caliber: .40 CAL	Caliber:	Caliber:	Caliber:
Serial #: UU749964	Serial #:	Serial#:	Serial #:
Issued? ☒ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS: TAC LIGHT CLASS

RANGE MASTERS: PINOLA

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):	BADGE/ABRA	CURRENT ASSIGNMENT:
MERCADAL, TERRENCE	# 752/14847	PATROL

SOCIAL SECURITY #:	DATE/TIME:	☐ QUALIFIER	☒ TRAINING
	02/06/17 1630		

☒ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☒ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: SIG SAUER	Brand: REMINGTON	Brand:	Brand:
Model: P226	Model: 870	Model:	Model:
Caliber: .40	Caliber: 12 GA	Caliber:	Caliber:
Serial #: UC002580	Serial #: S580	Serial#:	Serial #:
Issued? ☒ YES ☐ NO	Issued? ☒ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☑ YES ☐ NO	Pass? ☑ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS:

RANGE MASTERS: RUTMAN

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):		BADGE/ABRA	CURRENT ASSIGNMENT:
Mercedes, Terrence		752/4347	PATROL
SOCIAL SECURITY #: [redacted]	DATE/TIME: 6/13/17 0800	☐ QUALIFIER	☐ TRAINING

☒ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☒ RIFLE ☐ BACKUP	☐ PISTOL ☒ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: SIG SAUER	Brand: CMT	Brand: Rem	Brand:
Model: P226	Model: AR-15	Model: 870	Model:
Caliber: 40.	Caliber: 223	Caliber: 12 ga.	Caliber:
Serial #: U602580	Serial #: CU116	Serial#: RS31496V	Serial #:
Issued? ☒ YES ☐ NO	Issued? ☒ YES ☐ NO	Issued? ☒ YES ☒ NO	Issued? ☐ YES ☐ NO
Pass? ☒ YES ☐ NO	Pass? ☒ YES ☐ NO	Pass? ☒ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS:

RANGE MASTERS:

SWIFT / COULTER

SPD 987 (Rev 07/13)

TRAINING

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):	BADGE/ABRA	CURRENT ASSIGNMENT:
MERCADAL, TERRENCE	752/4347	TRAINING

SOCIAL SECURITY #:	DATE/TIME:		
[redacted]	6/20/16/0800	☐ QUALIFIER	☑ TRAINING

☑ PISTOL ☑ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☑ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: Sig Sauer	Brand: Remington	Brand:	Brand:
Model P226	Model 870	Model:	Model:
Caliber: .40	Caliber: 12 GA.	Caliber:	Caliber:
Serial #: U662580	Serial #:	Serial#:	Serial #:
Issued? ☑ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☒ YES ☐ NO	Pass? ☒ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS: NEW HIRE

RANGE MASTERS: McCoin / Griffin

SPD 987 (Rev 07/13)

[redacted]

QUALIFIER

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):	BADGE/ABRA	CURRENT ASSIGNMENT:
MERCADAL, TERRENCE	752/4347	TRAINING

SOCIAL SECURITY #:	DATE/TIME:		
[redacted]	6/20/16 / 0800	☑ QUALIFIER	☐ TRAINING

☑ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☑ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: Sig Sauer	Brand: Remington	Brand:	Brand:
Model P226	Model 870	Model:	Model:
Caliber: .40 Cal	Caliber: 12 GA	Caliber:	Caliber:
Serial #: UG62580	Serial #:	Serial#:	Serial #:
Issued? ☑ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☒ YES ☐ NO	Pass? ☑ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS:

RANGE MASTERS: McCoin | GRIGRIN

SPD 987 (Rev 07/13)

[redacted]

EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

XAVIER BECERRA
ATTORNEY GENERAL

The
Commission on Peace Officer Standards and Training

Hereby awards the

Basic Certificate

to

TERRENCE BRANDON MERCADAL
MUNICIPAL POLICE

January 3, 2018

For having fulfilled the requirements for character, education, training, and experience as prescribed in Title 11, Division 2, of the California Code of Regulations.

Joyce E Dudley

JOYCE E. DUDLEY
CHAIR

B 189201

Manuel Alvarez, Jr.

MANUEL ALVAREZ, JR.
EXECUTIVE DIRECTOR

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

CERTIFICATE LEDGER

SACRAMENTO POLICE DEPARTMENT

34040

Certificate Recipients	Cert Number	Cert Type	Award Date
TERRENCE BRANDON MERCADAL	189201	Basic Certificate	01/03/2018

Total Records: 1

POST COORDINATOR
SACRAMENTO POLICE DEPARTMENT
5770 FREEPORT BLVD, STE 100
SACRAMENTO 95822

MERCADAL

TEST : Primary and Secondary Assessments

Sacramento County EMS Agency

Intranasal (IN) Naloxone Written Test

TEST: Medical and Environmental Emergencies

TEST: Mass Casualty Incident / Trauma Emergencies

[redacted]

Student Name: TERRENCE MERCHANT

AUTOMATED EXTERNAL DEFIBRILLATOR (A.E.D.)

Skill Step	Critical Performance Criteria	Pass	Fail
1	Student responds to scene with A.E.D. (CPR in progress)	✓	
2	Student bares chest (if not already done)	✓	
3	Student turns on A.E.D., follows prompts / prepares pads	✓	
4	Student prepares chest for pads, as needed (wipes dry, shaves, checks for patches or indwelling devices)	✓	
5	Student removes / Prepares pads for application	✓	
6	Student places pads on victim's bare chest as per pictures on pads (one upper right chest, one lower left chest)	✓	
7	Student confirms good adhesion / contact of pad with victim's chest	✓	
8	Student follows prompt from A.E.D to "stand clear" (Clears victim)	✓	
9	Student follows prompt from A.E.D. (if shock advised, ensures no one is touching victim) delivers shock by pressing "shock" button.	✓	
10	Student follows prompt from A.E.D. ("continue CPR" or "Check pulse check breathing")	✓	
11	Student continues to follow prompts and perform CPR as directed by A.E.D.	✓	
Instructor Comments:			

Instructor Signature	
Print Instructor Name	T. Bayer
Date:	2/12/18

Student Name: TERRENCE MERCADAL

ADULT/CHILD CPR – 1 Rescuer

Skill Step	Critical Performance Criteria	Pass	Fail
1	Student checks responsiveness	✓	
2	Student shouts for help/activates EMS/Sends for AED	✓	
3	Student checks breathing	✓	
4	Student checks pulse	✓	
5	Student performs high – quality compressions (30:2): -Hand placement on lower half of sternum -30 compressions in no less than 15 seconds, and no more than 18 seconds. -compresses at least 2 inches -complete recoil after each compression	✓	
6	Student gives 2 breaths with a barrier device: -each breath given over 1 second -visible chest rise with each breath -Resumes compressions in less than 10 seconds	✓	
7	Cycle 2 of CPR (repeats steps) -Compressions -Breaths -Resumes compressions in less than 10 seconds	✓	
8	Student continues CPR for 2 minutes and then re-assesses.	✓	
Instructor Comments:			

Instructor Signature	
Print Instructor Name	JEREMIAH JARVIS
Date:	02/12/16

Student Name: JERRENCE MERCADAL

Infant CPR – 1 Rescuer

Skill Step	Critical Performance Criteria	Pass	Fail
1	Student checks responsiveness	✓	
2	Student shouts for help/activates EMS/Sends for AED	✓	
3	Student checks breathing	✓	
4	Student checks pulse	✓	
5	Student performs high – quality compressions (30:2): -placement of **2 fingers** in the center of the chest, just below the nipple line -30 compressions in no less than 15 seconds, and no more than 18 seconds. -compresses at least **one third the depth of the chest**, about 1.5 inches -complete recoil after each compression	✓	
6	Student gives 2 breaths with a barrier device: -each breath given over 1 second -visible chest rise with each breath -Resumes compressions in less than 10 seconds	✓	
7	Cycle 2 of CPR (repeats steps) -Compressions -Breaths -Resumes compressions in less than 10 seconds	✓	
8	Student continues CPR for 2 minutes and then re-assesses.	✓	
Instructor Comments:			

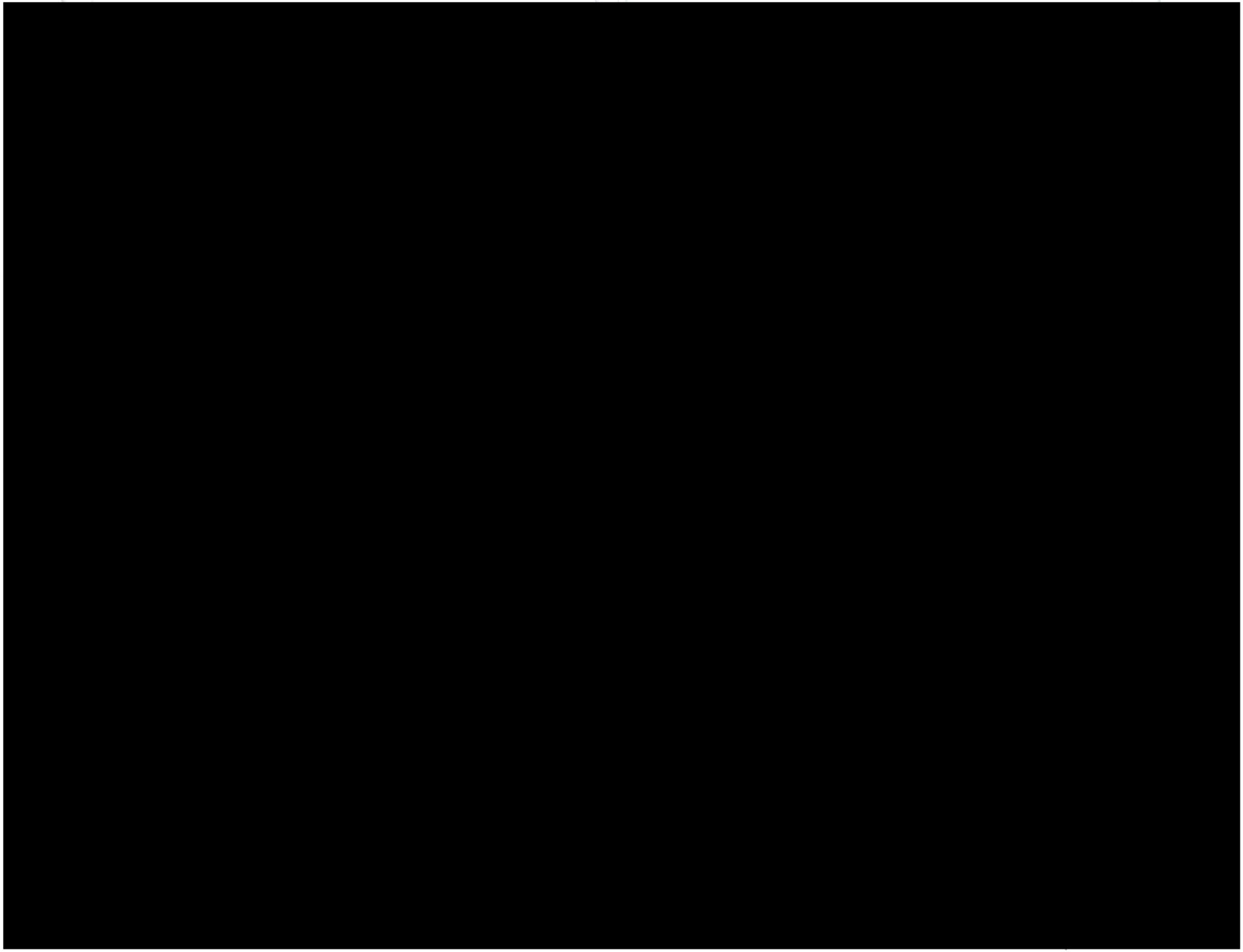
Instructor Signature	K
Print Instructor Name	KERI WILSON
Date:	2 | 12 | 18

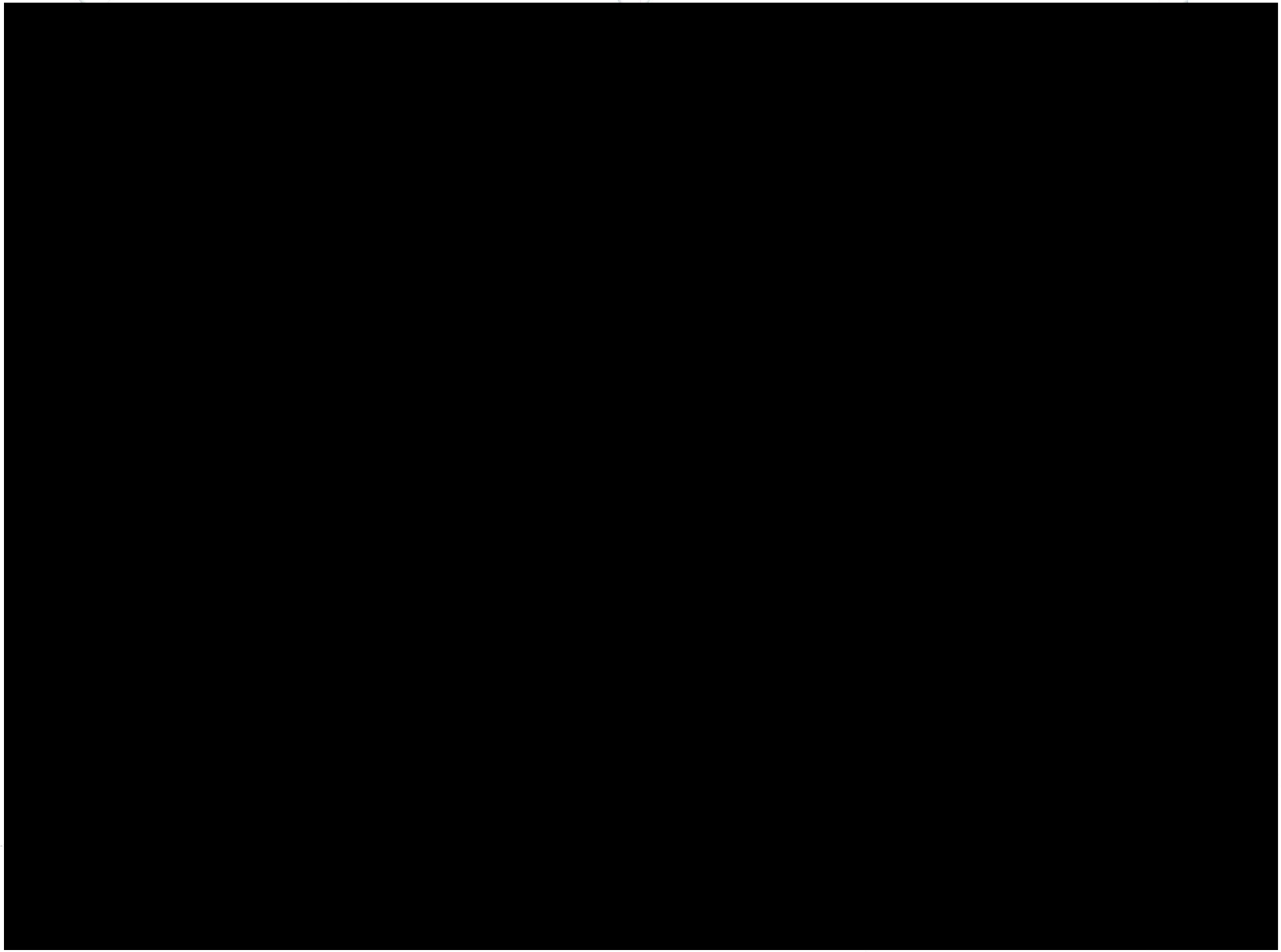
Student Name: TERRENCE MERRIDAL

Infant CPR – 2 Rescuer's (2nd Rescuer is not evaluated)

Skill Step	Critical Performance Criteria	Pass	Fail
1	Student checks responsiveness	✓	
2	Student shouts for help/activates EMS/Sends for AED	✓	
3	Student checks breathing	✓	
4	Student checks pulse	✓	
5	Student performs high – quality compressions (15:2): -15 compressions with 2 thumbs – encircling hands technique -15 compressions in no less than 7 and no more than 9 seconds -compresses at least **one third the depth of the chest**, about 1.5 inches -complete recoil after each compression	✓	
6	Rescuer #2 gives two breaths (Not evaluated): -each breath given over 1 second -visible chest rise with each breath -Resumes compressions in less than 10 seconds	n/a	n/a
7	Cycle 2 of CPR (repeats steps) -Compressions -Breaths -Resumes compressions in less than 10 seconds	✓	
8	Student continues CPR for 2 minutes and then re-assesses.	✓	
Instructor Comments:			

Instructor Signature	
Print Instructor Name	KERI WILSON
Date:	2/12/18





Certificate of Completion

FOR

CRISIS INTERVENTION TRAINING

is presented to

TERRENCE MERCADAL

for

POST #5990-20801-16-017 – March 10, 2017 – 8 Hours

Deputy A. Murphy #606

Signature

03/10/17

Date

Hosted by the Sacramento Sheriff's Department

Sacramento Police Department

Certificate of Training

Terrence Mercadal

Sacramento Police Department

Has Successfully Completed 36 Hours of Training in

Basic Patrol Rifle Operator

CA POST # 2320-32075-16-003 March 21 through 24, 2017

Doug Rosin
Lead Instructor

Michael Pinola
Rangemaster

Sacramento Police Department

Certificate of Training

Terrence Mercadal

Sacramento Police Department

Has Successfully Completed 36 Hours of Training in

Basic Patrol Rifle Operator

CA POST # 2320-32075-16-003 March 21 through 24, 2017

Doug Rosin

Lead Instructor

Michael Pinola

Rangemaster

INTERNATIONAL SCHOOL OF TACTICAL MEDICINE®

Tactical Life Saver Course

CA-055-RESP

Terrence Mercadal

This certifies that the above individual has successfully completed the cognitive and skills evaluations in accordance with the curriculum standards of the International School of Tactical Medicine and California POST

Lawrence E. Heiskell, MD

March 28, 2017

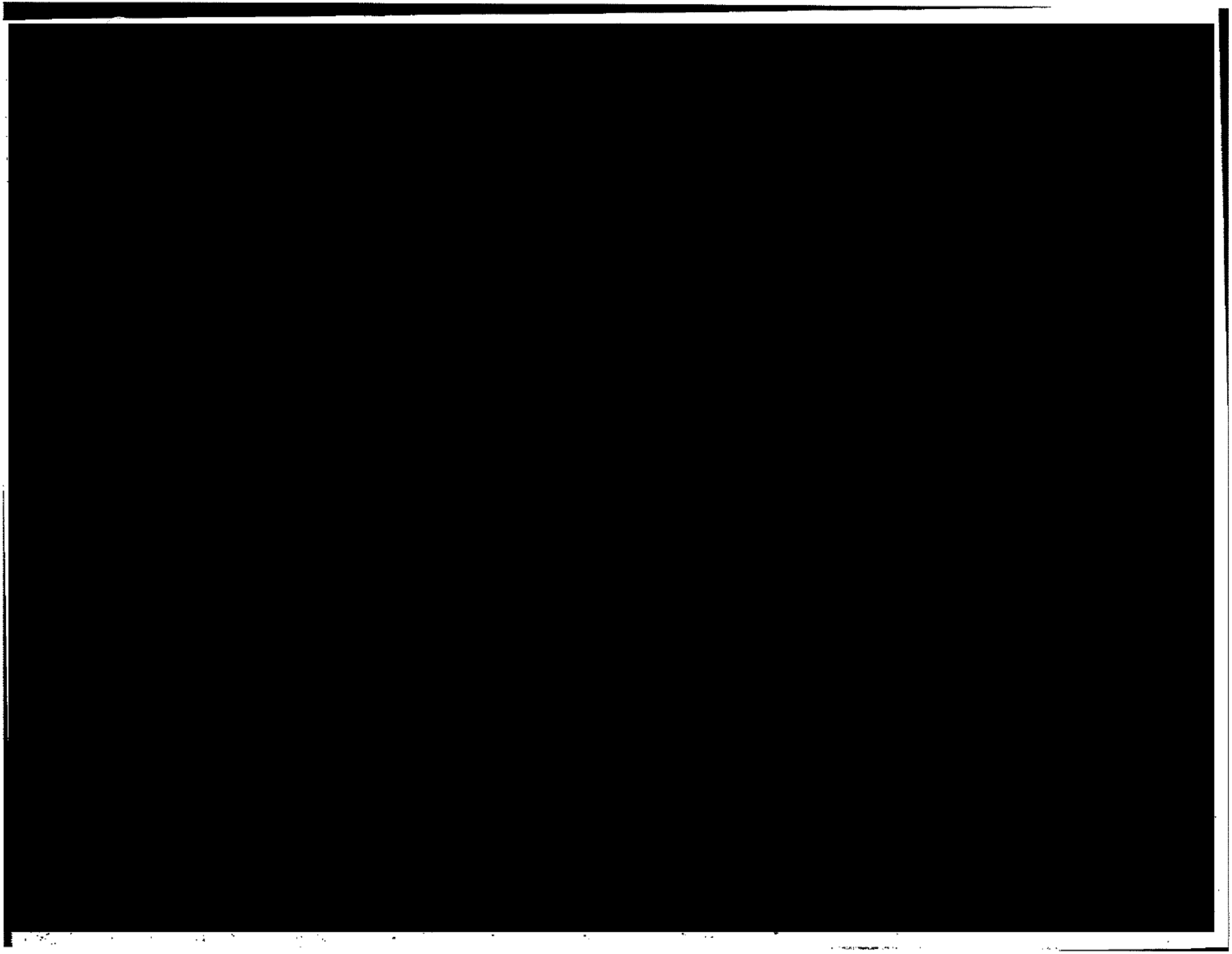
This certificate is valid for 3 years

CA POST ID # 1268

Matt Willette

International School of Tactical Medicine

Rancho Mirage, California



Sacramento Police Department

Certificate of Training

Terrence Mercadel

Sacramento Police Department

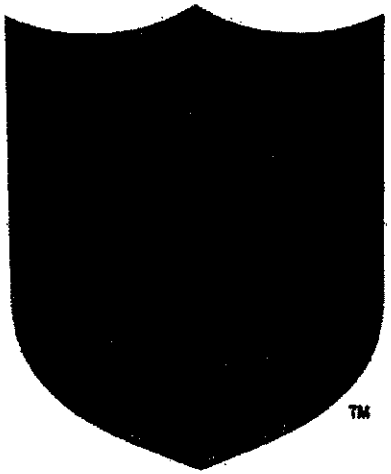
Has Successfully Completed 38 Hours of Training in

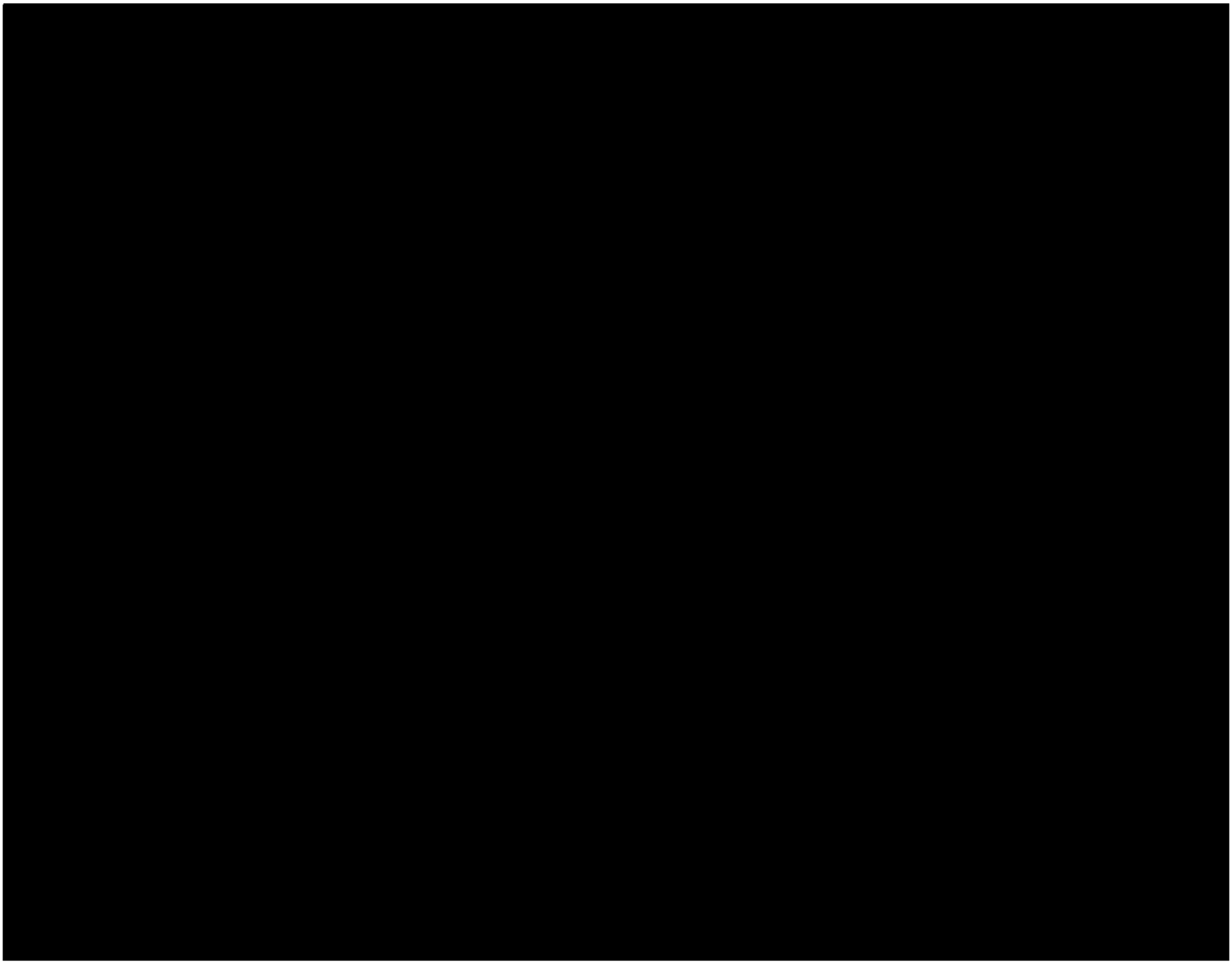
Physical Training Instructor's Course

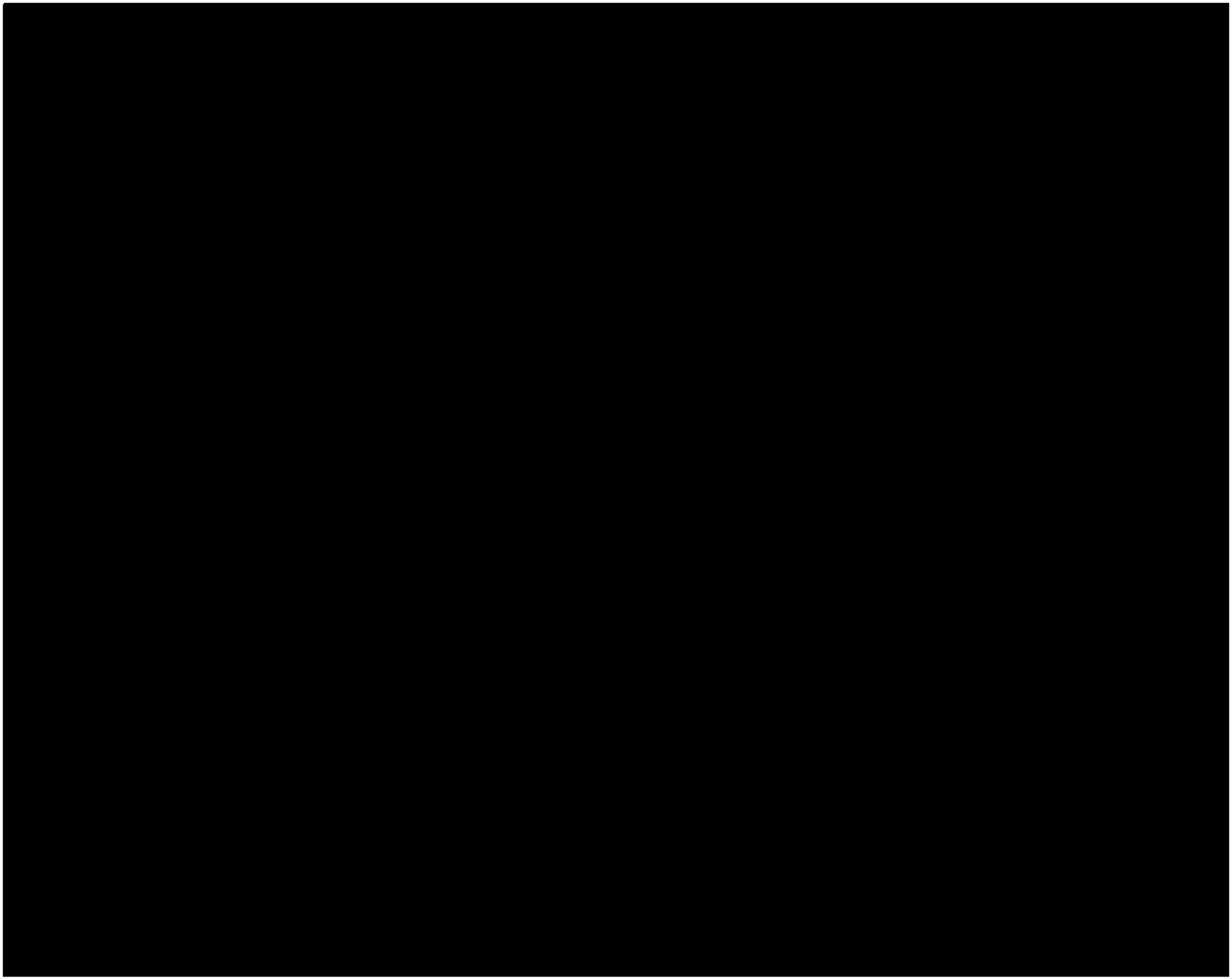
CA POST # 2320-21480-17-001 July 17th through 20th, 2017

John Hansen

Lead Instructor







POST PROFILE NAME:

ROBINET, JARED E.

AKA: N/A

DATE: 04/17/2019

CALIFORNIA COMMISSION ON **POST**

CONFIDENTIAL PROFILE REPORT

A. PERSONAL IDENTIFICATION

POST I.D.	Agency	Birth Date	Sex	Race
C46-U90	SACRAMENTO PD	[redacted]	M	W

B. CERTIFICATES AWARDED

Cert No.	Type	Awarded	Education	T	T+	Comments
182045	B	01/04/2016	00	46.65	0.00	
131362	I	07/05/2016	[redacted]	0.00	0.00	[redacted]

Total Number of Certificates: 2

C. EMPLOYMENT

Hired From	To	R*	Rank	Rank Date	Agency	Agency Name	F/P	P/U	Seas
01/06/2014	06/28/2014	6	TRN	01/06/2014	34040	SACRAMENTO PD	F	P	
06/28/2014			PO	06/28/2014	34040	SACRAMENTO PD	F	P	

*Reason for Separation: 1 = Resignation, 2 = Discharge, 3 = Retirement, 4 = Death, 5 = Felony, 6 = Other, 7 = Promotion/Demotion

D. POST CERTIFIED TRAINING

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
[redacted]									
07/02/2014	K	2320-32002-14-001	4	X	Y	34040	SACTO PD		FIREARMS/WEAPON LIGHTS
[redacted]									
02/19/2015	K	2320-29501-14-015	4		Y	34040	SACTO PD		* FIREARM(PSP)
[redacted]									
05/08/2015	K	5990-20801-14-024	8		Y	34040	FPD		CRISIS INTERVENTION
10/21/2015	K	1268-21783-15-011	8		Y	34040	ISTM		TACTICAL LIFESAVER - 8 HOUR
[redacted]									
12/11/2015	K	2320-29501-15-014	5		Y	34040	SACTO PD		* FIREARM(PSP)
[redacted]									
05/25/2016	K	9180-25559-15-330	12	X	Y	34040	POST		FIRST AID/CPR (WEB)
05/25/2016	K	2320-32095-15-012	5		Y	34040	SACTO PD		FIREARMS/TACTICAL HANDGUN
[redacted]									
02/10/2017	K	2320-32075-16-008	18		Y	34040	SACTO PD		FIREARMS/TACTICAL RIFLE
02/27/2017	K	2320-20762-16-001	4	X	Y	34040	SACTO PD		* CRISIS INTERVENTION BEHAV HEALTH TRAINING SB11
03/01/2017	K	2320-29501-16-013	4		Y	34040	SACTO PD		* FIREARM(PSP)
[redacted]									
09/28/2017	K	2320-20801-17-005	.40		Y	34040	SACTO PD		CRISIS INTERVENTION
[redacted]									
03/26/2018	K	2320-21798-17-006	8	X	Y	34040	SACTO PD		FIRST AID/CPR UPDATE
[redacted]									
03/28/2018	K	2320-29501-17-030	4		Y	34040	SACTO PD		* FIREARM(PSP)
[redacted]									

POST PROFILE NAME:

ROBINET, JARED E.

CALIFORNIA COMMISSION ON **POST**

CONFIDENTIAL PROFILE REPORT

AKA: N/A

DATE: 04/17/2019

D. POST CERTIFIED TRAINING *continued*

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
[redacted]									

***Meets Perishable Skills**

F. FOOTNOTES

NO FOOTNOTE ON FILE.

PLEASE REFER TO THE ENCLOSED EXPLANATION SHEET FOR ADDITIONAL INFORMATION.

COMMISSION ON POST – PROFILE REPORT

The Profile Report contains confidential information.

EXPLANATION SHEET

A. PERSONAL IDENTIFICATION: Subject's personal information as indicated in POST database (EDI system)

POST ID:	Unique identification number assigned to subject by POST.
Agency:	Indicates the agency (or one of the agencies) where subject is currently employed. An "*" indicates that the subject is employed in more than one position within the same agency.
Birth Date / Sex:	Self-explanatory.
Race:	**A** = Asian **B** = African American (Black) **N** = Native American **S** = Spanish/Hispanic **W** = White **O** = Other

B. CERTIFICATES AWARDED

Cert:	Certificate serial number.
Type:	**B** = Basic **I** = Intermediate **A** = Advanced **S** = Supervisory **M** = Management **E** = Executive **R** = Reserve **D** = Public Safety Dispatcher **SX**= Specialized X (example: SA = Specialized Advanced)
Awarded:	Date certificate was issued.
Education:	Educational points or degree used for earning a certificate.
T:	Training points used for awarding the certificate.
T+:	Additional training points.
Comments:	Comments regarding training or institute(s) where subject received education.
Total Number of Certificates:	Number of certificates awarded to subject as indicated in POST database.

C. EMPLOYMENT: Subject's employment history as indicated in POST database

Hired From:	Date subject was hired or sworn into the agency.
To:	Date subject left agency (if applicable).
R*:	Reason for separation as indicated by number in the Report description.
Rank / Rank Date:	Indicates rank as translated by POST database and date subject made rank.
Agency / Agency Name:	Agency code number and name where subject is currently working or previously worked.
F/P:	Time base: **F** = Full time **P** = Part time
P/U:	Wage status: **P** = Paid **U** = Unpaid
Seas:	Provisional or seasonal employment.

D. POST TRAINING: Courses attended or completed as indicated in POST database

Comp Date:	Date course ended.
Cat:	General course category (for POST use only).
CCN:	Course Control Number.
Hrs:	Hours completed in course.
Rmb:	Reimbursement indicator: **R** = Reimbursed *(before FY 83/84 reimbursable agency not necessarily reimbursed)* **J** = Job specific ***** = Job specific, SALARY NOT PAID **Blank** = None or no data available
Cmp:	Completion indicator: **Blank or Y** = Course completed **N** = Course not completed **?** = Prior to 1979
Agency:	Agency where subject was employed at time of course enrollment.
School:	Training institute offering the course.
Course Name:	Course name as shown in POST database.

E. NON-CERTIFIED COURSES

This section will only appear if applicable.

F. FOOTNOTES

This section reserved for additional information.

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):	BADGE/ABRA	CURRENT ASSIGNMENT:
ROBINET, JARED	520/4134	PATROL

SOCIAL SECURITY #:	DATE/TIME:	
	05/22/18 1200	☒ QUALIFIER ☐ TRAINING

☒ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: SIG	Brand:	Brand:	Brand:
Model: P226	Model:	Model:	Model:
Caliber: 40	Caliber:	Caliber:	Caliber:
Serial #: UU746768	Serial #:	Serial#:	Serial #:
Issued? ☒ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☒ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS: OIS REFRESHER

RANGE MASTERS: PINDA

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):	BADGE/ABRA	CURRENT ASSIGNMENT:
ROSSUET, JARED	520/4134	PATROL

SOCIAL SECURITY #:	DATE/TIME:	
[redacted]	12/04/17	☒ QUALIFIER ☐ TRAINING

☒ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☒ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: GLOCK	Brand: COLT	Brand:	Brand:
Model: 19	Model AR	Model:	Model:
Caliber: 9	Caliber: .223	Caliber:	Caliber:
Serial #: [redacted]	Serial #: 1834757	Serial#:	Serial #:
Issued? ☐ YES ☒ NO	Issued? ☒ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☒ YES ☐ NO	Pass? ☒ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS:

RANGE MASTERS:
KUCZYUKI / LOMMORI / CASELLA

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):	BADGE/ABRA	CURRENT ASSIGNMENT:
ROSENET, JARED	520/4134	PATROL

SOCIAL SECURITY #:	DATE/TIME:	
[redacted]	07/24/17	☒ QUALIFIER ☐ TRAINING

☐ PISTOL ☐ SHOTGUN ☒ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: COLT	Brand:	Brand:	Brand:
Model AR15	Model	Model:	Model:
Caliber: .223	Caliber:	Caliber:	Caliber:
Serial #: LE934757	Serial # :	Serial#:	Serial #:
Issued? ☒ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☒ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS:

RANGE MASTERS:

LOMMORI / UU

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):		BADGE/ABRA	CURRENT ASSIGNMENT:
ROBINET, JARED		520/4134	PATROL
SOCIAL SECURITY #: [redacted]	DATE/TIME: 06/12/17 1330	☒ QUALIFIER	☐ TRAINING

☒ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☒ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: GLOCK	Brand: REM	Brand:	Brand:
Model 19	Model 870	Model:	Model:
Caliber: 9mm	Caliber:	Caliber:	Caliber:
Serial #: [redacted]	Serial #: 5069	Serial#:	Serial #:
Issued? ☐ YES ☒ NO PERSONAL	Issued? ☒ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☒ YES ☐ NO	Pass? ☒ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS:

RANGE MASTERS: [illegible]

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):	BADGE/ABRA	CURRENT ASSIGNMENT:
ROSENET, JARED	520/4134	PATROL

SOCIAL SECURITY #:	DATE/TIME:	
[redacted]	02/10/17	☐ QUALIFIER ☐ TRAINING

☑ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☑ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☑ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: GLOCK	Brand: Rem	Brand: COLT	Brand:
Model: 17	Model: 870	Model: AR6	Model:
Caliber: 9mm	Caliber:	Caliber: .223	Caliber:
Serial # : [redacted]	Serial # : 5069	Serial#: CR055947	Serial #:
Issued? ☐ YES ☑ NO Pass? ☑ YES ☐ NO	Issued? ☑ YES ☐ NO Pass? ☑ YES ☐ NO	Issued? ☑ YES ☐ NO Pass? ☑ YES ☐ NO	Issued? ☐ YES ☐ NO Pass? ☐ YES ☐ NO

COMMENTS:

RANGE MASTERS:

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):	BADGE/ABRA	CURRENT ASSIGNMENT:
ROSCUET, JARED	520/4134	PATROL

SOCIAL SECURITY #:	DATE/TIME:	☒ QUALIFIER	☐ TRAINING
[redacted]	09/20/16		

☒ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☑ RIFLE ☐ BACKUP	☐ PISTOL ☒ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: GLOCK	Brand: COLT	Brand: REMINGTON	Brand:
Model: 19	Model: M16/AR15	Model: 870	Model:
Caliber: 9MM	Caliber: .223	Caliber:	Caliber:
Serial #: [redacted]	Serial #: 1834757	Serial#: 5069	Serial #:
Issued? ☐ YES ☒ NO	Issued? ☑ YES ☐ NO	Issued? ☒ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☒ YES ☐ NO	Pass? ☑ YES ☐ NO	Pass? ☑ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS:

RANGE MASTERS: P/AT

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):	BADGE/ABRA	CURRENT ASSIGNMENT:
ROBINET, JARED	520/4134	PATROL

SOCIAL SECURITY #:	DATE/TIME:	
[redacted]	03/17/16	☒ QUALIFIER ☐ TRAINING

☒ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☒ RIFLE ☐ BACKUP	☐ PISTOL ☒ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: GLOCK	Brand: COLT	Brand: REM	Brand:
Model 17	Model M16 A1	Model: 870	Model:
Caliber: 9mm	Caliber: 556	Caliber:	Caliber:
Serial # : [redacted]	Serial # : 1834767	Serial#: 5069	Serial #:
Issued? ☐ YES ☒ NO	Issued? ☒ YES ☐ NO	Issued? ☒ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☒ YES ☐ NO	Pass? ☒ YES ☐ NO	Pass? ☒ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS: PIN

RANGE MASTERS: FAN #815

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):	BADGE/ABRA	CURRENT ASSIGNMENT:
ROBINET, JARED	520/4134	PATROL

SOCIAL SECURITY #:	DATE/TIME:	
[redacted]	12/11/15 1300	☐ QUALIFIER ☒ TRAINING

☒ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: GLOCK	Brand:	Brand:	Brand:
Model: 19	Model:	Model:	Model:
Caliber: 9mm	Caliber:	Caliber:	Caliber:
Serial #: [redacted]	Serial #:	Serial#:	Serial #:
Issued? ☐ YES ☒ NO Pass? ☒ YES ☐ NO	Issued? ☐ YES ☐ NO Pass? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO Pass? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO Pass? ☐ YES ☐ NO

COMMENTS: GLOCK TRANSITION

RANGE MASTERS: Miller / Tommori

SPD 987 (Rev 07/13)

[redacted]

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):	BADGE/ABRA	CURRENT ASSIGNMENT:
ROBINET, JARED	4134	PATROL

SOCIAL SECURITY #:	DATE/TIME:		
[redacted]	09/17/15/1520	☐ QUALIFIER	☑ TRAINING

☑ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: SIG SAUER	Brand:	Brand:	Brand:
Model: P226	Model:	Model:	Model:
Caliber: 40	Caliber:	Caliber:	Caliber:
Serial #: UU749924	Serial #:	Serial#:	Serial #:
Issued? ☑ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☑ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS: * REFRESHER TRAINING AT AFTER AD.

RANGE MASTERS: VAN DUSEN #3077

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):		BADGE/ABRA	CURRENT ASSIGNMENT:
ROSWET, JARED		620/4134	PATROL
SOCIAL SECURITY #: [redacted]	DATE/TIME: 08/20/15	☑ QUALIFIER	☐ TRAINING

☑ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☑ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☑ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: SIG	Brand: REMINGTON	Brand: COLT	Brand:
Model: P226	Model: 870	Model: M16A1	Model:
Caliber: 40	Caliber:	Caliber: 223	Caliber:
Serial #: UU747924	Serial #: 5069	Serial#: M1834757	Serial #:
Issued? ☑ YES ☐ NO	Issued? ☑ YES ☐ NO	Issued? ☑ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☑ YES ☐ NO	Pass? ☑ YES ☐ NO	Pass? ☑ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS:

RANGE MASTERS:

Boyan Morrison

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):		BADGE/ABRA	CURRENT ASSIGNMENT:
ROBINET, JARED		520/4134	PATROL
SOCIAL SECURITY #: [redacted]	DATE/TIME: 03/18/2015	☑ QUALIFIER	☐ TRAINING

☑ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: SIG	Brand:	Brand:	Brand:
Model: P226R	Model:	Model:	Model:
Caliber: 40	Caliber:	Caliber:	Caliber:
Serial #: UU 747924	Serial #:	Serial#:	Serial #:
Issued? ☒ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☒ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS:

RANGE MASTERS: FORBUS / LOMMORI / KENNEDY

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):		BADGE/ABRA	CURRENT ASSIGNMENT:
Robinet, Jared		520/4134	Patrol
SOCIAL SECURITY #: [redacted]	DATE/TIME: 08/08/14	☑ QUALIFIER	☐ TRAINING

☑ PISTOL ☑ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☑ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: Sig Sauer	Brand: Remington	Brand:	Brand:
Model P226	Model 870	Model:	Model:
Caliber: 40	Caliber: 12 gauge	Caliber:	Caliber:
Serial #: UU747924	Serial #: S347	Serial#:	Serial #:
Issued? ☑ YES ☐ NO	Issued? ☐ YES ☑ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☑ YES ☐ NO	Pass? ☑ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS:

RANGE MASTERS: JOHNSTON PECKHAM

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):	BADGE/ABRA	CURRENT ASSIGNMENT:
ROSINET, JARED	520/4134	TRAINING

SOCIAL SECURITY #:	DATE/TIME:	
[redacted]	06/30/14 0800	☐ QUALIFIER ☑ TRAINING

☑ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: SIG SAUER	Brand:	Brand:	Brand:
Model P226R	Model	Model:	Model:
Caliber: 40	Caliber:	Caliber:	Caliber:
Serial #: IAU747924	Serial #:	Serial#:	Serial #:
Issued? ☑ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO
Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO	Pass? ☐ YES ☐ NO

COMMENTS:

NEW HIRE REFRESHER TRAINING

RANGE MASTERS: TURNER

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):		BADGE/ABRA	CURRENT ASSIGNMENT:
ROBINET, JARED		520/4134	TRAINING
SOCIAL SECURITY #: [redacted]	DATE/TIME: 06/30/14 1100	☑ QUALIFIER	☐ TRAINING

☑ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☑ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: SIG SAUER	Brand: REMINGTON	Brand:	Brand:
Model P226R	Model 870	Model:	Model:
Caliber: 40	Caliber:	Caliber:	Caliber:
Serial #: U647947924	Serial #: RANGE	Serial#:	Serial #:
Issued? ☑ YES ☐ NO Pass? ☑ YES ☐ NO	Issued? ☐ YES ☑ NO Pass? ☑ YES ☐ NO	Issued? ☐ YES ☐ NO Pass? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO Pass? ☐ YES ☐ NO

COMMENTS: MARKSMAN

RANGE MASTERS: MUELLER RP R.MUELLER 275/696

SPD 987 (Rev 07/13)

SACRAMENTO POLICE DEPARTMENT
FIREARMS TRAINING RECORD

NAME (LAST, FIRST):		BADGE/ABRA	CURRENT ASSIGNMENT:
ROBINET, JARED		520/4134	PATROL
SOCIAL SECURITY #: [redacted]	DATE/TIME: 04/28 0800	☐ QUALIFIER	☑ TRAINING

☐ PISTOL ☐ SHOTGUN ☑ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP	☐ PISTOL ☐ SHOTGUN ☐ RIFLE ☐ BACKUP
Brand: COLT	Brand:	Brand:	Brand:
Model M16A1	Model	Model:	Model:
Caliber: 5.56	Caliber:	Caliber:	Caliber:
Serial #: 1834757	Serial #:	Serial#:	Serial #:
Issued? ☐ YES ☐ NO Pass? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO Pass? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO Pass? ☐ YES ☐ NO	Issued? ☐ YES ☐ NO Pass? ☐ YES ☐ NO

COMMENTS:

PATROL RIFLE TRAINING

RANGE MASTERS:

SPD 987 (Rev 07/13)

JARED ROBINET

TEST : Primary and Secondary Assessments

[redacted]

Sacramento County EMS Agency

Intranasal (IN) Naloxone Written Test

[redacted]

TEST: Medical and Environmental Emergencies

[redacted]

TEST: Mass Casualty Incident / Trauma Emergencies

[redacted]

Student Name: JARED ROBINET

AUTOMATED EXTERNAL DEFIBRILLATOR (A.E.D.)

Skill Step	Critical Performance Criteria	Pass	Fail
1	Student responds to scene with A.E.D. (CPR in progress)		
2	Student bares chest (if not already done)		
3	Student turns on A.E.D., follows prompts / prepares pads		
4	Student prepares chest for pads, as needed (wipes dry, shaves, checks for patches or indwelling devices)		
5	Student removes / Prepares pads for application		
6	Student places pads on victim's bare chest as per pictures on pads (one upper right chest, one lower left chest)		
7	Student confirms good adhesion / contact of pad with victim's chest		
8	Student follows prompt from A.E.D to "stand clear" (Clears victim)		
9	Student follows prompt from A.E.D. (if shock advised, ensures no one is touching victim) delivers shock by pressing "shock" button.		
10	Student follows prompt from A.E.D. ("continue CPR" or "Check pulse check breathing")		
11	Student continues to follow prompts and perform CPR as directed by A.E.D.		

Instructor Comments:

Instructor Signature	[signature]
Print Instructor Name	T. BOYER
Date:	3/26/18

Student Name:	JARED ROSENER

ADULT/CHILD CPR – 1 Rescuer

Skill Step	Critical Performance Criteria	Pass	Fail
1	Student checks responsiveness		
2	Student shouts for help/activates EMS/Sends for AED		
3	Student checks breathing		
4	Student checks pulse		
5	Student performs high – quality compressions (30:2): -Hand placement on lower half of sternum -30 compressions in no less than 15 seconds, and no more than 18 seconds. -compresses at least 2 inches . -complete recoil after each compression		
6	Student gives 2 breaths with a barrier device: -each breath given over 1 second -visible chest rise with each breath -Resumes compressions in less than 10 seconds		
7	Cycle 2 of CPR (repeats steps) -Compressions -Breaths -Resumes compressions in less than 10 seconds		
8	Student continues CPR for 2 minutes and then re-assesses.		
Instructor Comments:			

Instructor Signature	
Print Instructor Name	T. BOYER
Date:	3/26/16

Student Name:	JARED ROBINET

Infant CPR – 1 Rescuer

Skill Step	Critical Performance Criteria	Pass	Fail
1	Student checks responsiveness		
2	Student shouts for help/activates EMS/Sends for AED		
3	Student checks breathing		
4	Student checks pulse		
5	Student performs high – quality compressions (30:2): -placement of **2 fingers** in the center of the chest, just below the nipple line -30 compressions in no less than 15 seconds, and no more than 18 seconds. -compresses at least **one third the depth of the chest**, about 1.5 inches -complete recoil after each compression		
6	Student gives 2 breaths with a barrier device: -each breath given over 1 second -visible chest rise with each breath -Resumes compressions in less than 10 seconds		
7	Cycle 2 of CPR (repeats steps) -Compressions -Breaths -Resumes compressions in less than 10 seconds		
8	Student continues CPR for 2 minutes and then re-assesses.		
Instructor Comments:			

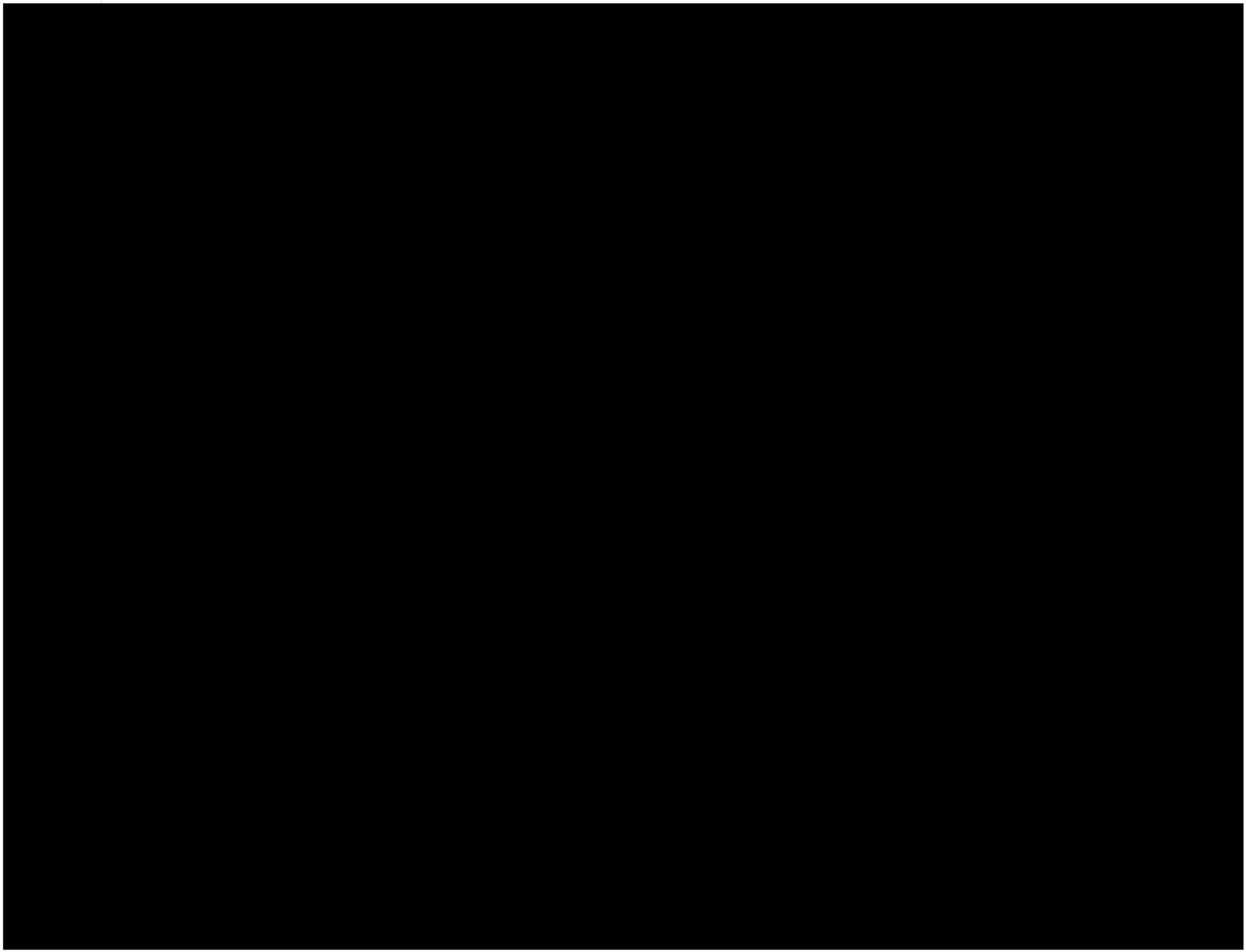
Instructor Signature	496
Print Instructor Name	CUNNINGHAM
Date:	3/26/16

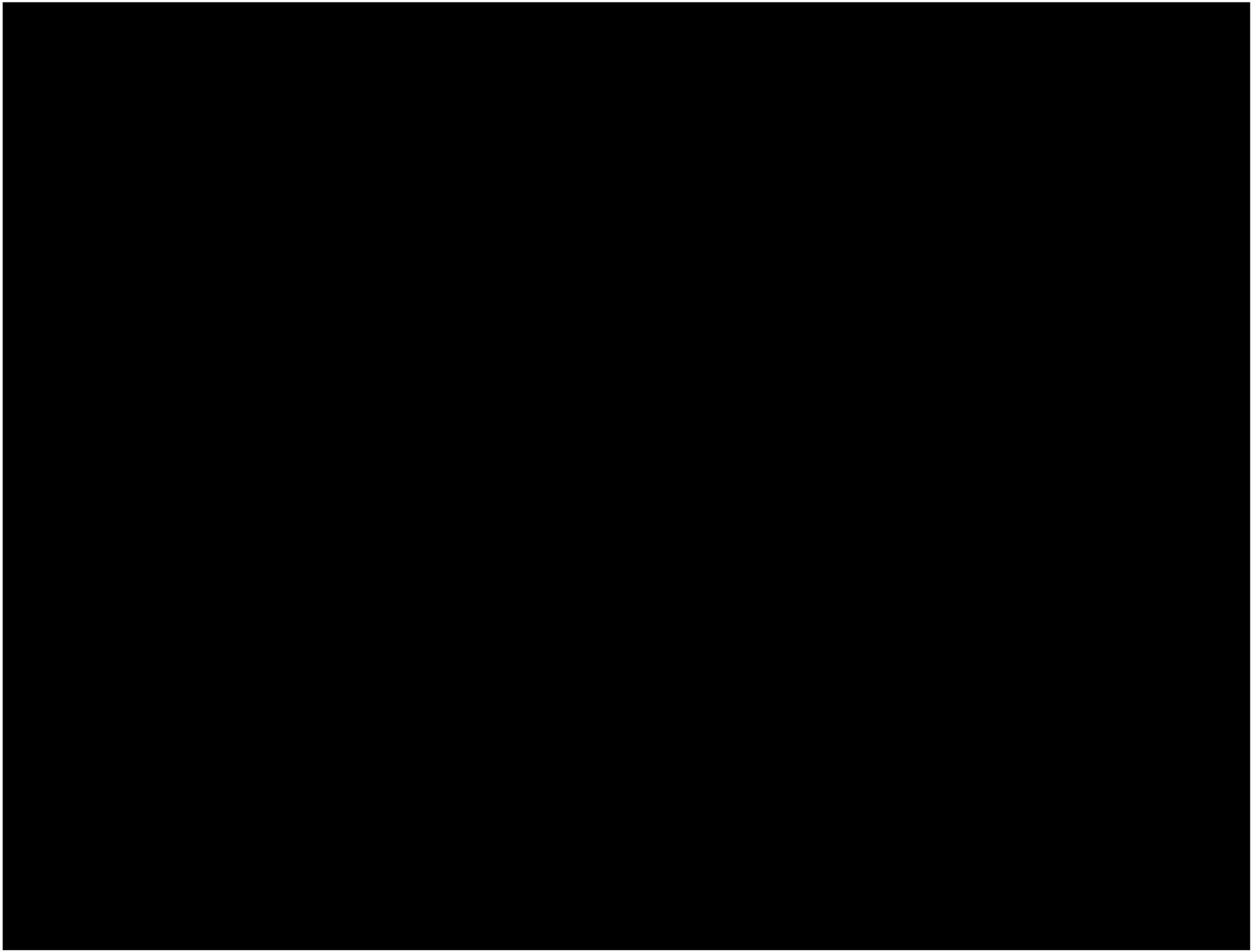
Student Name: ROSENET

Infant CPR – 2 Rescuer's (2nd Rescuer is not evaluated)

Skill Step	Critical Performance Criteria	Pass	Fail
1	Student checks responsiveness		
2	Student shouts for help/activates EMS/Sends for AED		
3	Student checks breathing		
4	Student checks pulse		
5	Student performs high – quality compressions (15:2): -15 compressions with 2 thumbs – encircling hands technique -15 compressions in no less than 7 and no more than 9 seconds -compresses at least **one third the depth of the chest**, about 1.5 inches -complete recoil after each compression		
6	Rescuer #2 gives two breaths (Not evaluated): -each breath given over 1 second -visible chest rise with each breath -Resumes compressions in less than 10 seconds	n/a	n/a
7	Cycle 2 of CPR (repeats steps) -Compressions -Breaths -Resumes compressions in less than 10 seconds		
8	Student continues CPR for 2 minutes and then re-assesses.		
Instructor Comments:			

Instructor Signature	
Print Instructor Name	CUNNINGHAM
Date:	3/26/16





INTERNATIONAL SCHOOL OF TACTICAL MEDICINE®

Tactical Life Saver Course

CA-055-RESP

Jared Robinet

This certifies that the above individual has successfully completed the cognitive and skills evaluations in accordance with the curriculum standards of the International School of Tactical Medicine, California POST and EMSA.

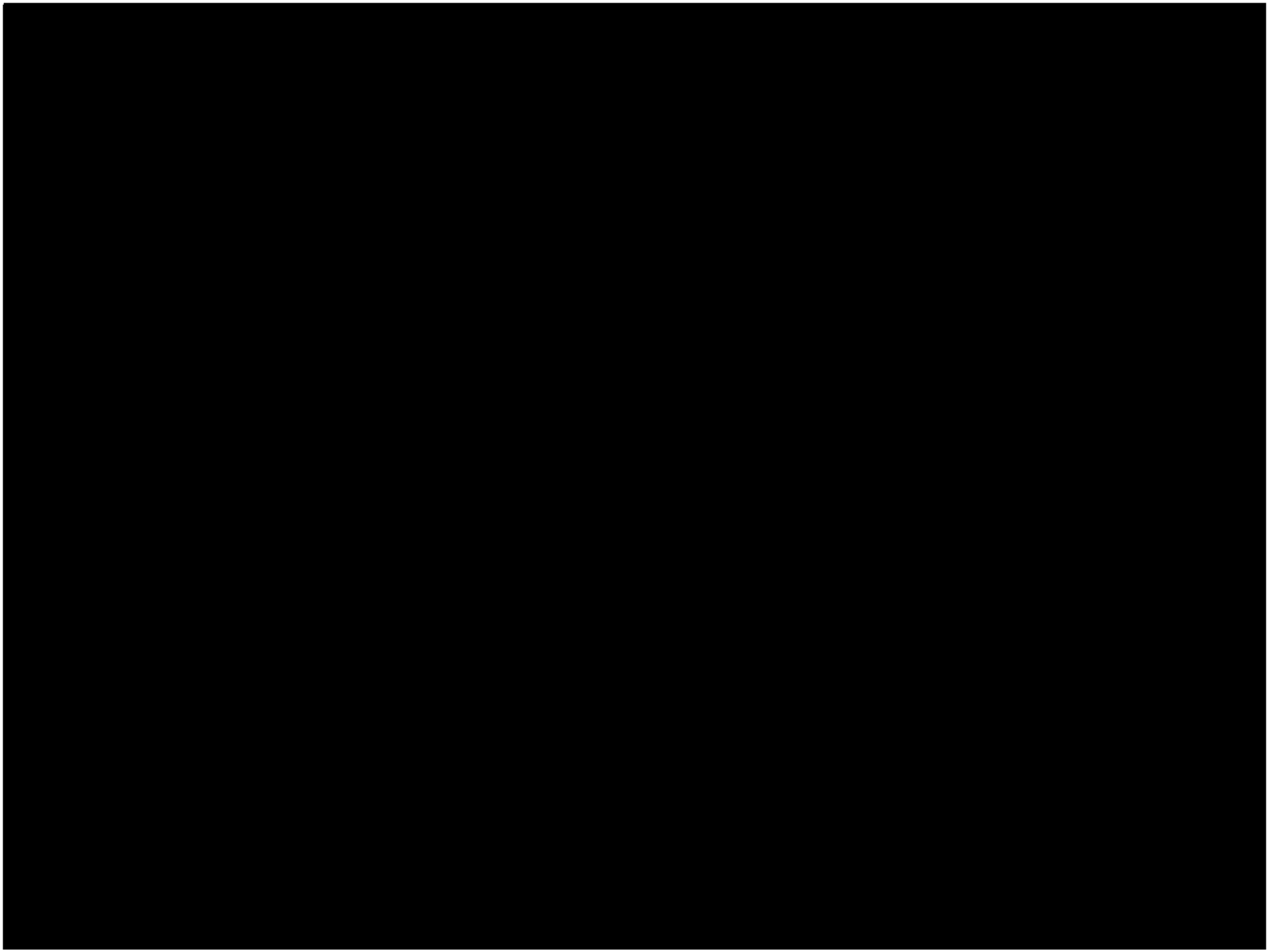
Lawrence E. Heiskell, MD

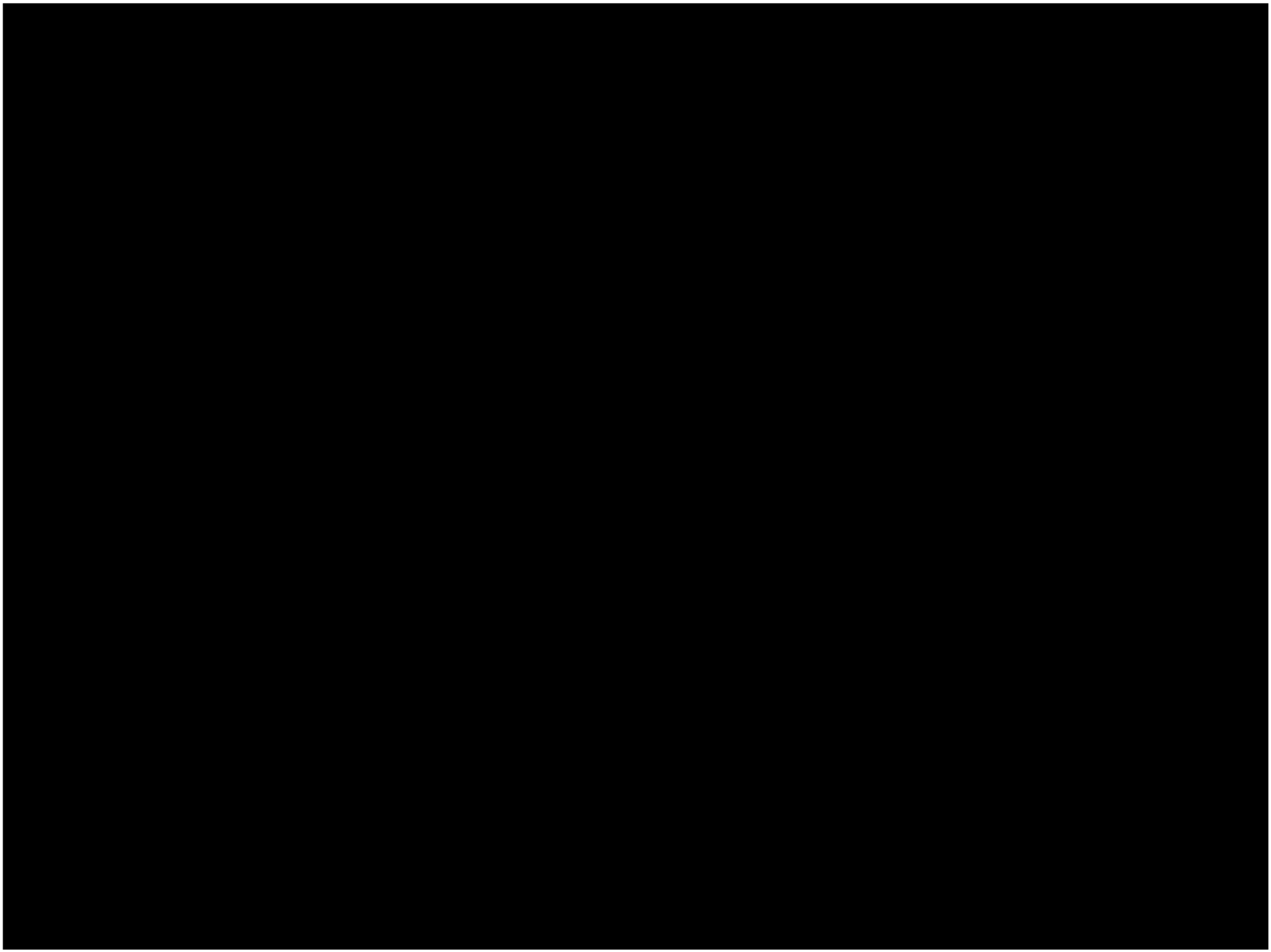
October 21, 2015

This certificate is valid for 3 years
CA POST ID # 1268

Matt Willette

International School of Tactical Medicine
PO Box 2609
Rancho Mirage, California 92270





Sacramento Police Department

Certificate of Training

Jared Robinet

Sacramento Police Department

Has Successfully Completed 40 Hours of Training in

Patrol Rifle Operator Course

April 28th - May 1st, 2015

EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

KAMALA HARRIS
ATTORNEY GENERAL

The
Commission on Peace Officer Standards and Training

Hereby awards the

Basic Certificate

to

JARED E. ROBINET
MUNICIPAL POLICE

January 4, 2016

For having fulfilled the requirements for character, education, training, and experience as prescribed in Title 11, Division 2, of the California Code of Regulations.

LAREN LEICHLITER
CHAIRMAN

B 182045

ROBERT A. STRESAK
EXECUTIVE DIRECTOR

Certificate of Completion

FOR

CRISIS INTERVENTION TRAINING

is presented to

JARED ROBINET

for

POST #5990-20801-14-024 – May 8, 2015 - 8 Hours

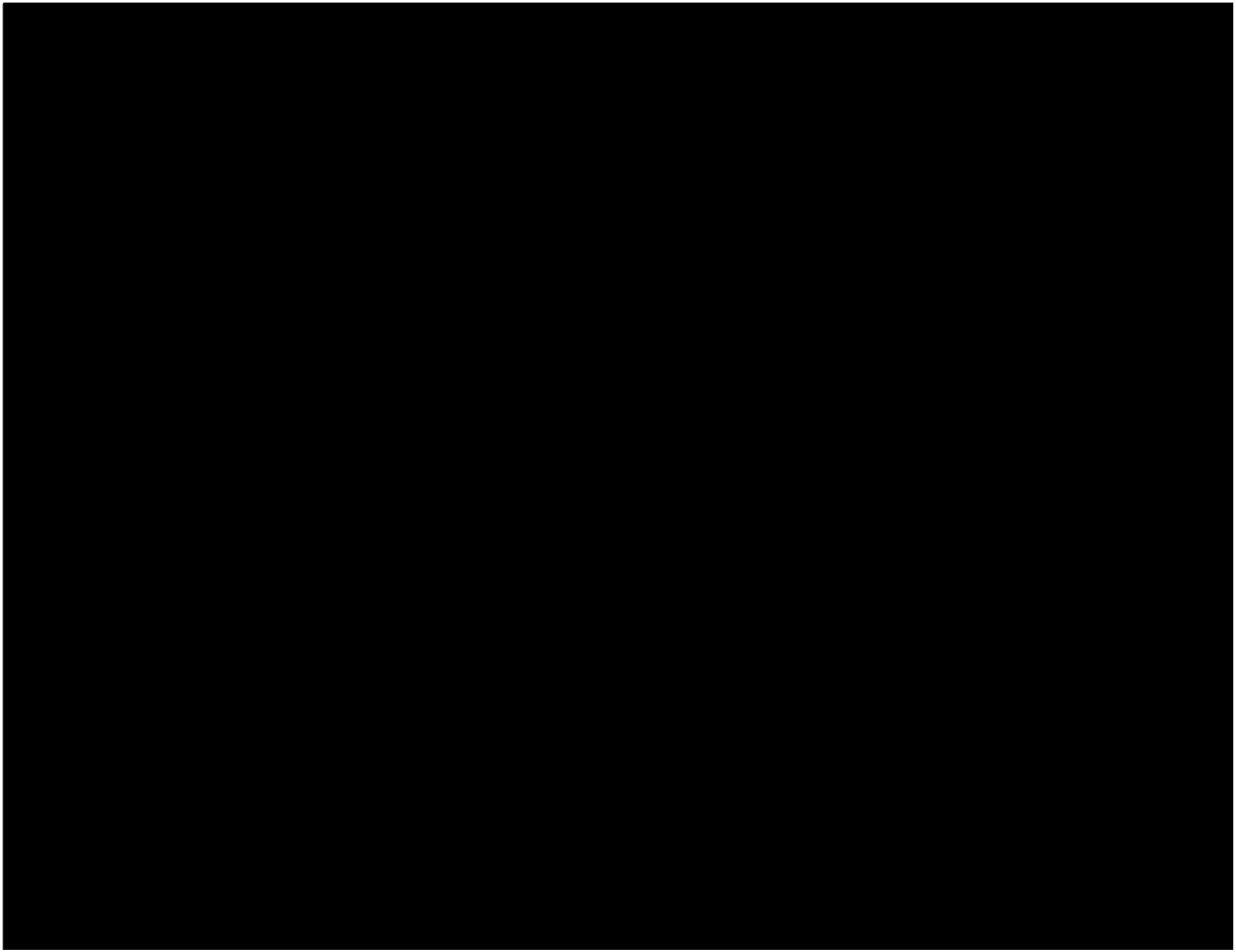
Deputy K. Mojica #719

Signature

05/08/15

Date

Presented by Sacramento County Regional CIT Team



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

KAMALA HARRIS
ATTORNEY GENERAL

The
Commission on Peace Officer Standards and Training

Hereby awards the

Intermediate Certificate

to

JARED ROBINET

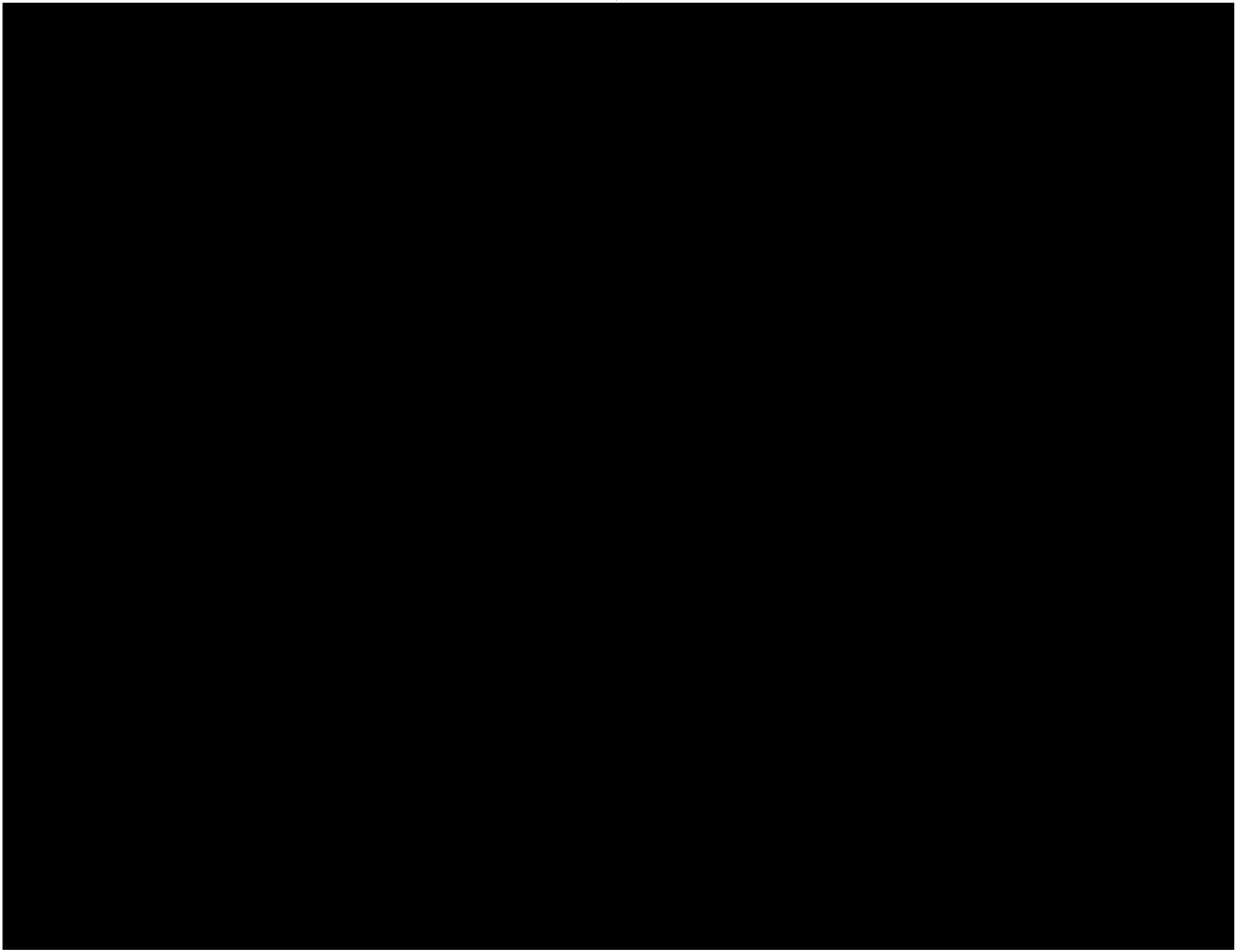
July 5, 2016

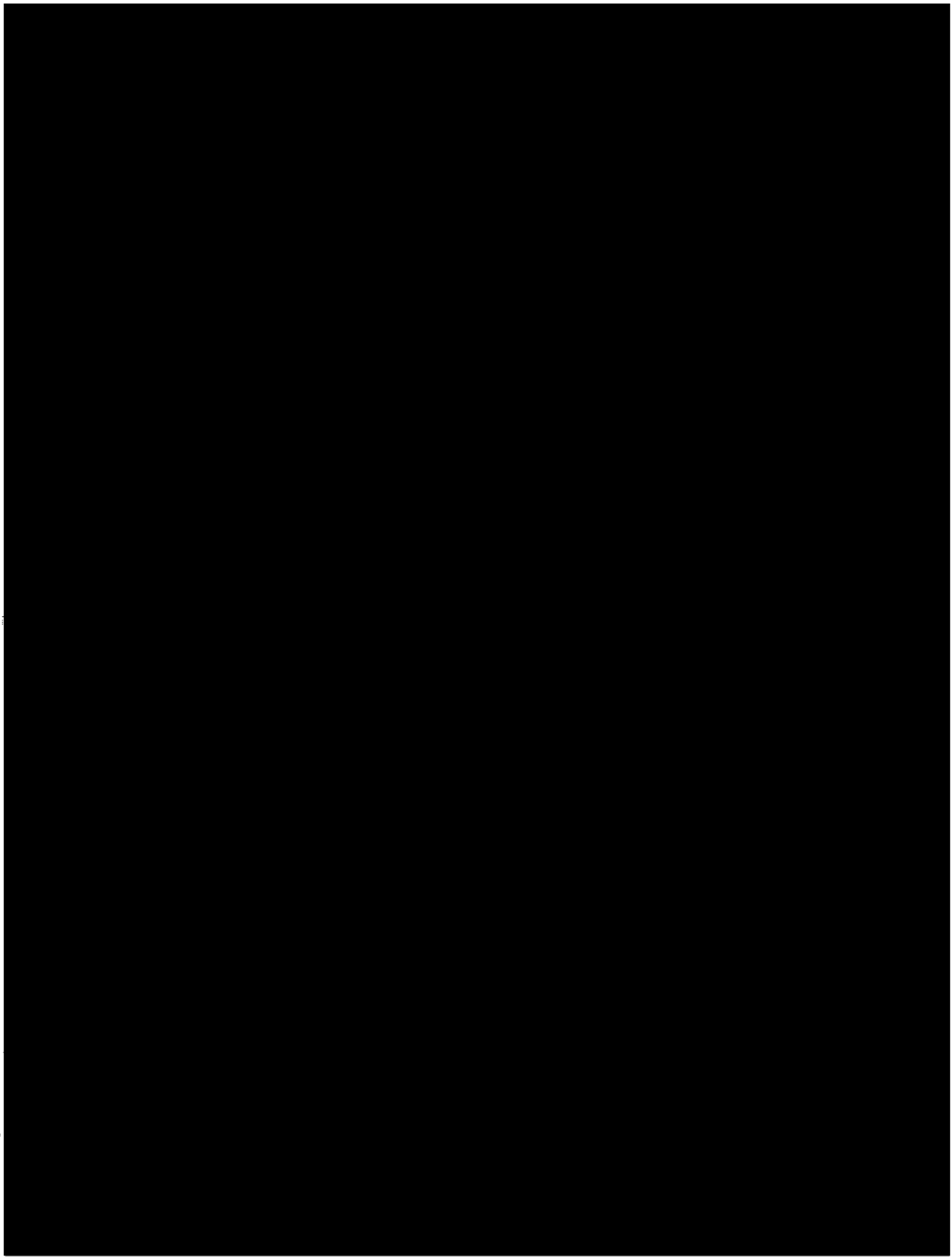
For having fulfilled the requirements for character, education, training, and experience as prescribed in Title 11, Division 2, of the California Code of Regulations.

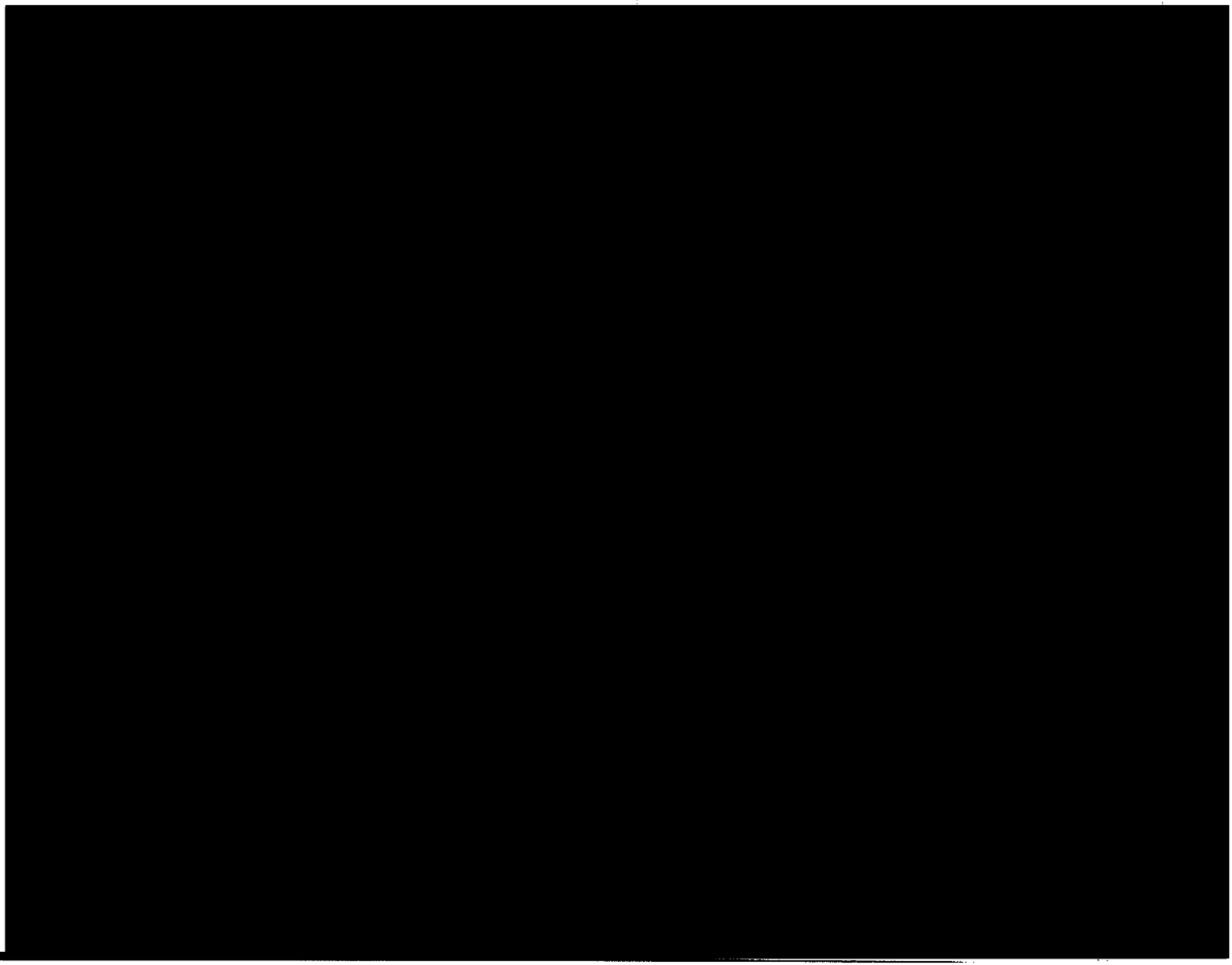
LAREN LEICHLITER
CHAIRMAN

I 131362

STEPHANIE C. SCOFIELD
INTERIM EXECUTIVE DIRECTOR







Sacramento Police Department

Certificate of Training

Jared Robinet

Sacramento Police Department

Has Successfully Completed 18 Hours of Training in

Firearms/ Tactical Rifle

CA POST # 2320-32075-16-008 February 9th through 10th, 2017

Leah Antonetti

Lead Instructor

Michael Pinola

Rangemaster

Sacramento Police Department

Certificate of Training

Jared Robinet

Sacramento Police Department

Has Successfully Completed 18 Hours of Training in

Firearms/ Tactical Rifle

CA POST # 2320-32075-16-008 February 9th through 10th, 2017

Leah Antonetti

Lead Instructor

Michael Pinola

Rangemaster

POST PROFILE NAME:

MORRIS, JOHN

AKA: N/A

DATE: 04/17/2019

CALIFORNIA COMMISSION ON **POST**

CONFIDENTIAL PROFILE REPORT

A. PERSONAL IDENTIFICATION

POST I.D.	Agency	Birth Date	Sex	Race
C03-W07	SACRAMENTO PD	[redacted]	M	W

B. CERTIFICATES AWARDED

Cert No.	Type	Awarded	Education	T	T+	Comments
96185	B	03/25/1999		49.00		
70451	I	05/09/2001	[redacted]			[redacted]
73268	A	04/11/2006		0.00		
85983	S	12/20/2016		0.00	0.00	

Total Number of Certificates: 4

C. EMPLOYMENT

Hired From	To	R*	Rank	Rank Date	Agency	Agency Name	F/P	P/U	Seas
03/03/1997	12/13/2014	7	PO	03/03/1997	34040	SACRAMENTO PD	F	P	
03/03/1997			SGT	12/13/2014	34040	SACRAMENTO PD	F	P	

***Reason for Separation:** 1 = Resignation, 2 = Discharge, 3 = Retirement, 4 = Death, 5 = Felony, 6 = Other, 7 = Promotion/Demotion

D. POST CERTIFIED TRAINING

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
02/27/1997	A	2320-00110-95-001	972	X	Y	60000	SACTO PD		BASIC COURSE-EXTENDED
[redacted]									
06/02/1998	K	2320-22405-97-004	20		Y	34040	SACTO PD		OFCR. SAFETY/FIELD TACTICS UPD
[redacted]									

D. POST CERTIFIED TRAINING *continued*

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	Course Name
[redacted]								
10/31/2007	K	2320-21771-07-006	3		Y	34040	SACTO PD	FIRST AID/CPR REFRESHER
[redacted]								
03/23/2009	K	2320-21771-08-003	3		Y	34040	SACTO PD	FIRST AID/CPR REFRESHER
[redacted]								
12/16/2013	K	0180-25559-13-169	12	X	Y	34040	POST	FIRST AID/CPR (WEB)
[redacted]								
06/20/2014	K	5990-20801-13-002	24	X	Y	34040	FPD	CRISIS INTERVENTION
[redacted]								
11/06/2014	G	7290-22451-14-004	16	X	Y	34040	D-PREP	OFFICER INVOLVED SHOOTING/FIELD SUPERVISORS
[redacted]								

POST PROFILE NAME:

MORRIS, JOHN

AKA: N/A

DATE: 04/17/2019

CALIFORNIA COMMISSION ON **POST**

CONFIDENTIAL PROFILE REPORT

D. POST CERTIFIED TRAINING *continued*

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
[redacted]									
04/06/2016	K	1268-21783-15-018	8		Y	34040	ISTM		TACTICAL LIFESAVER - 8 HOUR
[redacted]									
11/03/2016	K	9180-25559-16-126	12	X	Y	34040	POST		FIRST AID/CPR (WEB)
[redacted]									
10/30/2017	K	2320-20762-17-004	4	X	Y	34040	SACTO PD	*	CRISIS INTERVENTION BEHAV HEALTH TRAINING SB11
[redacted]									
12/21/2017	K	2320-20801-17-007	40	X	Y	34040	SACTO PD		CRISIS INTERVENTION
04/02/2018	K	2320-21798-17-007	8	X	Y	34040	SACTO PD		FIRST AID/CPR UPDATE
[redacted]									

***Meets Perishable Skills**

F. FOOTNOTES

NO FOOTNOTE ON FILE.

PLEASE REFER TO THE ENCLOSED EXPLANATION SHEET FOR ADDITIONAL INFORMATION.

COMMISSION ON POST – PROFILE REPORT

The Profile Report contains confidential information.

EXPLANATION SHEET

A. PERSONAL IDENTIFICATION: Subject's personal information as indicated in POST database (EDI system)

POST ID:	Unique identification number assigned to subject by POST.
Agency:	Indicates the agency (or one of the agencies) where subject is currently employed. An "*" indicates that the subject is employed in more than one position within the same agency.
Birth Date / Sex:	Self-explanatory.
Race:	**A** = Asian **B** = African American (Black) **N** = Native American **S** = Spanish/Hispanic **W** = White **O** = Other

B. CERTIFICATES AWARDED

Cert:	Certificate serial number.
Type:	**B** = Basic **I** = Intermediate **A** = Advanced **S** = Supervisory **M** = Management **E** = Executive **R** = Reserve **D** = Public Safety Dispatcher **SX**= Specialized X (example: SA = Specialized Advanced)
Awarded:	Date certificate was issued.
Education:	Educational points or degree used for earning a certificate.
T:	Training points used for awarding the certificate.
T+:	Additional training points.
Comments:	Comments regarding training or institute(s) where subject received education.
Total Number of Certificates:	Number of certificates awarded to subject as indicated in POST database.

C. EMPLOYMENT: Subject's employment history as indicated in POST database

Hired From:	Date subject was hired or sworn into the agency.
To:	Date subject left agency (if applicable).
R*:	Reason for separation as indicated by number in the Report description.
Rank / Rank Date:	Indicates rank as translated by POST database and date subject made rank.
Agency / Agency Name:	Agency code number and name where subject is currently working or previously worked.
F/P:	Time base: **F** = Full time **P** = Part time
P/U:	Wage status: **P** = Paid **U** = Unpaid
Seas:	Provisional or seasonal employment.

D. POST TRAINING: Courses attended or completed as indicated in POST database

Comp Date:	Date course ended.
Cat:	General course category (for POST use only).
CCN:	Course Control Number.
Hrs:	Hours completed in course.
Rmb:	Reimbursement indicator: **R** = Reimbursed *(before FY 83/84 reimbursable agency not necessarily reimbursed)* **J** = Job specific ***** = Job specific, SALARY NOT PAID **Blank** = None or no data available
Cmp:	Completion indicator: **Blank or Y** = Course completed **N** = Course not completed **?** = Prior to 1979
Agency:	Agency where subject was employed at time of course enrollment.
School:	Training institute offering the course.
Course Name:	Course name as shown in POST database.

E. NON-CERTIFIED COURSES

This section will only appear if applicable.

F. FOOTNOTES

This section reserved for additional information.

POST PROFILE NAME:

TAYLER, NICHOLAS J.

CALIFORNIA COMMISSION ON **POST**

CONFIDENTIAL PROFILE REPORT

AKA: N/A

DATE: 04/17/2019

A. PERSONAL IDENTIFICATION

POST I.D.	Agency	Birth Date	Sex	Race
C44-V86	SACRAMENTO PD	[redacted]	M	W

B. CERTIFICATES AWARDED

Cert No.	Type	Awarded	Education	T	T+	Comments
180561	B	06/26/2015	00	46.65	0.00	
129705	I	12/27/2015	[redacted]	0.00	0.00	[redacted]

Total Number of Certificates: 2

C. EMPLOYMENT

Hired From	To	R*	Rank	Rank Date	Agency	Agency Name	F/P	P/U	Seas
07/08/2013	12/28/2013	6	TRN	07/08/2013	34040	SACRAMENTO PD	F	P	
12/28/2013			PO	12/28/2013	34040	SACRAMENTO PD	F	P	

***Reason for Separation: 1 = Resignation, 2 = Discharge, 3 = Retirement, 4 = Death, 5 = Felony, 6 = Other, 7 = Promotion/Demotion**

D. POST CERTIFIED TRAINING

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
12/19/2013	A	2320-00100-13-001	933		Y	34040	SACTO PD		BASIC COURSE-INTENSIVE
[redacted]									
12/19/2014	K	5990-20801-14-012	8		Y	34040	FPD		CRISIS INTERVENTION
[redacted]									
04/10/2017	K	2320-20762-16-004	4	X	Y	34040	SACTO PD	*	CRISIS INTERVENTION BEHAV HEALTH TRAINING SB11.
[redacted]									
11/16/2017	K	2320-20801-17-006	40		Y	34040	SACTO PD		CRISIS INTERVENTION
02/26/2018	K	2320-21798-17-004	8	X	Y	34040	SACTO PD		FIRST AID/CPR UPDATE
[redacted]									

POST PROFILE NAME:

TAYLER, NICHOLAS J.

CALIFORNIA COMMISSION ON **POST**

CONFIDENTIAL PROFILE REPORT

AKA: N/A

DATE: 04/17/2019

D. POST CERTIFIED TRAINING *continued*

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
[redacted]									

***Meets Perishable Skills**

F. FOOTNOTES

NO FOOTNOTE ON FILE.

PLEASE REFER TO THE ENCLOSED EXPLANATION SHEET FOR ADDITIONAL INFORMATION.

COMMISSION ON POST – PROFILE REPORT

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EXPLANATION SHEET

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Birth Date / Sex:	Self-explanatory.
Race:	A = Asian B = African American (Black) N = Native American S = Spanish/Hispanic W = White O = Other

B. CERTIFICATES AWARDED

Cert:	Certificate serial number.
Type:	B = Basic I = Intermediate A = Advanced S = Supervisory M = Management E = Executive R = Reserve D = Public Safety Dispatcher SX= Specialized X (example: SA = Specialized Advanced)
Awarded:	Date certificate was issued.
Education:	Educational points or degree used for earning a certificate.
T:	Training points used for awarding the certificate.
T+:	Additional training points.
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Agency / Agency Name:	Agency code number and name where subject is currently working or previously worked.
F/P:	Time base: F = Full time P = Part time
P/U:	Wage status: P = Paid U = Unpaid
Seas:	Provisional or seasonal employment.

D. POST TRAINING: Courses attended or completed as indicated in POST database

Comp Date:	Date course ended.
Cat:	General course category (for POST use only).
CCN:	Course Control Number.
Hrs:	Hours completed in course.
Rmb:	Reimbursement indicator: R = Reimbursed *(before FY 83/84 reimbursable agency not necessarily reimbursed)* J = Job specific * = Job specific, SALARY NOT PAID Blank = None or no data available
Cmp:	Completion indicator: Blank or Y = Course completed N = Course not completed ? = Prior to 1979
Agency:	Agency where subject was employed at time of course enrollment.
School:	Training institute offering the course.
Course Name:	Course name as shown in POST database.

E. NON-CERTIFIED COURSES

This section will only appear if applicable.

F. FOOTNOTES

This section reserved for additional information.

POST PROFILE NAME:

TRUJILLO, CHRISTINA D.

CALIFORNIA COMMISSION ON **POST**

CONFIDENTIAL PROFILE REPORT

AKA: N/A

DATE: 04/17/2019

A. PERSONAL IDENTIFICATION

POST I.D.	Agency	Birth Date	Sex	Race
C10-G10	SACRAMENTO PD	[redacted]	F	S

B. CERTIFICATES AWARDED

Cert No.	Type	Awarded	Education	T	T+	Comments
133476	B	10/20/2008		47.00		
102256	I	05/05/2011	[redacted]			[redacted]
111105	A	05/05/2016		0.00	0.00	

Total Number of Certificates: 3

C. EMPLOYMENT

Hired From	To	R*	Rank	Rank Date	Agency	Agency Name	F/P	P/U	Seas
04/28/2007			PO	04/28/2007	34040	SACRAMENTO PD	F	P	

***Reason for Separation: 1 = Resignation, 2 = Discharge, 3 = Retirement, 4 = Death, 5 = Felony, 6 = Other, 7 = Promotion/Demotion**

D. POST CERTIFIED TRAINING

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
04/26/2007	A	2320-00100-06-002	933		Y	34040	SACTO PD		BASIC COURSE-INTENSIVE
[redacted]									
09/08/2008	K	6510-30866-08-001	8	X	Y	34040	DPD		PERIMETER/ESTABLISHING-CONTAINMENT OF SUSPECT
[redacted]									
05/18/2009	K	2320-21771-08-009	3		Y	34040	SACTO PD		FIRST AID/CPR REFRESHER
[redacted]									
05/10/2012	K	9560-22405-11-003	40		Y	34040	CSTI		* OFFICER SAFETY/FIELD TACTICS UPDATE
[redacted]									

D. POST CERTIFIED TRAINING *continued*

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
[redacted]									
11/17/2013	K	9180-25559-13-140	12	X	Y	34040	POST		FIRST AID/CPR (WEB)
[redacted]									
05/23/2014	K	5990-20801-13-008	8	X	Y	34040	FPD		CRISIS INTERVENTION
[redacted]									
10/09/2014	K	1268-21783-14-013	8	X	Y	34040	ISTM		TACTICAL LIFESAVER - 8 HOUR
[redacted]									
05/12/2016	K	9180-25559-15-317	12	X	Y	34040	POST		FIRST AID/CPR (WEB)
[redacted]									
05/08/2017	K	2320-20762-16-006	4	X	Y	34040	SACTO PD	*	CRISIS INTERVENTION BEHAV HEALTH TRAINING SB11
[redacted]									
11/16/2017	K	2320-20801-17-006	40		Y	34040	SACTO PD		CRISIS INTERVENTION
[redacted]									
02/26/2018	K	2320-21798-17-004	8	X	Y	34040	SACTO PD		FIRST AID/CPR UPDATE
[redacted]									

*Meets Perishable Skills

F. FOOTNOTES

NO FOOTNOTE ON FILE.

PLEASE REFER TO THE ENCLOSED EXPLANATION SHEET FOR ADDITIONAL INFORMATION.

COMMISSION ON POST – PROFILE REPORT

The Profile Report contains confidential information.

EXPLANATION SHEET

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Birth Date / Sex:	Self-explanatory.
Race:	**A** = Asian **B** = African American (Black) **N** = Native American **S** = Spanish/Hispanic **W** = White **O** = Other

B. CERTIFICATES AWARDED

Cert:	Certificate serial number.
Type:	**B** = Basic **I** = Intermediate **A** = Advanced **S** = Supervisory **M** = Management **E** = Executive **R** = Reserve **D** = Public Safety Dispatcher **SX**= Specialized X (example: SA = Specialized Advanced)
Awarded:	Date certificate was issued.
Education:	Educational points or degree used for earning a certificate.
T:	Training points used for awarding the certificate.
T+:	Additional training points.
Comments:	Comments regarding training or institute(s) where subject received education.
Total Number of Certificates:	Number of certificates awarded to subject as indicated in POST database.

C. EMPLOYMENT: Subject's employment history as indicated in POST database

Hired From:	Date subject was hired or sworn into the agency.
To:	Date subject left agency (if applicable).
R*:	Reason for separation as indicated by number in the Report description.
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Agency / Agency Name:	Agency code number and name where subject is currently working or previously worked.
F/P:	Time base: **F** = Full time **P** = Part time
P/U:	Wage status: **P** = Paid **U** = Unpaid
Seas:	Provisional or seasonal employment.

D. POST TRAINING: Courses attended or completed as indicated in POST database

Comp Date:	Date course ended.
Cat:	General course category (for POST use only).
CCN:	Course Control Number.
Hrs:	Hours completed in course.
Rmb:	Reimbursement indicator: **R** = Reimbursed *(before FY 83/84 reimbursable agency not necessarily reimbursed)* **J** = Job specific ***** = Job specific, SALARY NOT PAID **Blank** = None or no data available
Cmp:	Completion indicator: **Blank or Y** = Course completed **N** = Course not completed **?** = Prior to 1979
Agency:	Agency where subject was employed at time of course enrollment.
School:	Training institute offering the course.
Course Name:	Course name as shown in POST database.

E. NON-CERTIFIED COURSES

This section will only appear if applicable.

F. FOOTNOTES

This section reserved for additional information.

POST PROFILE NAME:

LUNDGREN, BRANDON

AKA: N/A

DATE: 04/23/2019

CALIFORNIA COMMISSION ON **POST**

CONFIDENTIAL PROFILE REPORT

A. PERSONAL IDENTIFICATION

POST I.D.	Agency	Birth Date	Sex	Race
C51-G61	SACRAMENTO PD	[redacted]	M	W

B. CERTIFICATES AWARDED

Cert No.	Type	Awarded	Education	T	T+	Comments
189177	B	01/09/2018		44.00	0.00	
137534	I	06/10/2018	[redacted]	0.00	0.00	[redacted]

Total Number of Certificates: 2

C. EMPLOYMENT

Hired From	To	R*	Rank	Rank Date	Agency	Agency Name	F/P	P/U	Seas
07/19/2015	11/22/2015	1	RII	07/19/2015	58000	YUBA CO SD	P	P	
06/11/2016			PO	06/11/2016	34040	SACRAMENTO PD	F	P	

***Reason for Separation: 1 = Resignation, 2 = Discharge, 3 = Retirement, 4 = Death, 5 = Felony, 6 = Other, 7 = Promotion/Demotion**

D. POST CERTIFIED TRAINING

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
[redacted]									
02/03/2017	K	5990-20801-16-016	8		Y	34040	FPD		CRISIS INTERVENTION
04/03/2017	K	2320-20762-16-003	4	X	Y	34040	SACTO PD	*	CRISIS INTERVENTION BEHAV HEALTH TRAINING SB11
[redacted]									
09/07/2017	K	2320-20801-17-004	40		Y	34040	SACTO PD		CRISIS INTERVENTION
[redacted]									
01/29/2018	K	2320-21798-17-001	8	X	Y	34040	SACTO PD		FIRST AID/CPR UPDATE
[redacted]									

***Meets Perishable Skills**

F. FOOTNOTES

NO FOOTNOTE ON FILE.

PLEASE REFER TO THE ENCLOSED EXPLANATION SHEET FOR ADDITIONAL INFORMATION.

COMMISSION ON POST – PROFILE REPORT

The Profile Report contains confidential information.

EXPLANATION SHEET

A. PERSONAL IDENTIFICATION: Subject's personal information as indicated in POST database (EDI system)	
POST ID:	Unique identification number assigned to subject by POST.
Agency:	Indicates the agency (or one of the agencies) where subject is currently employed. An "*" indicates that the subject is employed in more than one position within the same agency.
Birth Date / Sex:	Self-explanatory.
Race:	**A** = Asian **B** = African American (Black) **N** = Native American **S** = Spanish/Hispanic **W** = White **O** = Other

B. CERTIFICATES AWARDED	
Cert:	Certificate serial number.
Type:	**B** = Basic **I** = Intermediate **A** = Advanced **S** = Supervisory **M** = Management **E** = Executive **R** = Reserve **D** = Public Safety Dispatcher **SX**= Specialized X (example: SA = Specialized Advanced)
Awarded:	Date certificate was issued.
Education:	Educational points or degree used for earning a certificate.
T:	Training points used for awarding the certificate.
T+:	Additional training points.
Comments:	Comments regarding training or institute(s) where subject received education.
Total Number of Certificates:	Number of certificates awarded to subject as indicated in POST database.

C. EMPLOYMENT: Subject's employment history as indicated in POST database	
Hired From:	Date subject was hired or sworn into the agency.
To:	Date subject left agency (if applicable).
R*:	Reason for separation as indicated by number in the Report description.
Rank / Rank Date:	Indicates rank as translated by POST database and date subject made rank.
Agency / Agency Name:	Agency code number and name where subject is currently working or previously worked.
F/P:	Time base: **F** = Full time **P** = Part time
P/U:	Wage status: **P** = Paid **U** = Unpaid
Seas:	Provisional or seasonal employment.

D. POST TRAINING: Courses attended or completed as indicated in POST database	
Comp Date:	Date course ended.
Cat:	General course category (for POST use only).
CCN:	Course Control Number.
Hrs:	Hours completed in course.
Rmb:	Reimbursement indicator: **R** = Reimbursed *(before FY 83/84 reimbursable agency not necessarily reimbursed)* **J** = Job specific ***** = Job specific, SALARY NOT PAID **Blank** = None or no data available
Cmp:	Completion indicator: **Blank or Y** = Course completed **N** = Course not completed **?** = Prior to 1979
Agency:	Agency where subject was employed at time of course enrollment.
School:	Training institute offering the course.
Course Name:	Course name as shown in POST database.

E. NON-CERTIFIED COURSES
This section will only appear if applicable.

F. FOOTNOTES
This section reserved for additional information.

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MEDIA ADVISORY/NEWS RELEASE

For Immediate Release No. 20180319-026
Monday, March 19, 2018

29th Street Officer-Involved Shooting

This press release is a summary of the facts known at this time. This is an active investigation. The information provided in this press release is preliminary and subject to change. Additional details will be released as they become available.

On Sunday, March 18, 2018, at 9:13 p.m., officers from the Sacramento Police Department (SPD) were dispatched to the 7500 block of 29th Street regarding a subject breaking into vehicles. The caller stated that the male subject had broken car windows and was now hiding in a backyard. The caller described the subject as a male, 6'1", thin, wearing a black hoodie and dark pants.

SPD Officers arrived on scene at approximately 9:18 p.m. The Sacramento Sheriff's Department's helicopter (STAR) was on scene searching for the suspect as well. At approximately 9:25 p.m., STAR advised they observed a subject in a backyard and began to direct SPD officers to him. STAR advised the subject had just picked up a toolbar and broke a window to a residence. The helicopter then observed the suspect running south, towards the front of the residence, where he stopped and was looking into another car. STAR continued to update the officers and guided them to the suspect in the rear yard of a residence in the 7500 block of 29th Street. Officers entered the front yard and observed the suspect along the side of the residence. The officers gave the suspect commands to stop and show his hands. The suspect immediately fled from the officers and ran towards the back of the home.

Officers pursued the suspect and located him in the backyard of the residence. The suspect turned and advanced towards the officers while holding an object which was extended in front of him. The officers believed the suspect was pointing a firearm at them. Fearing for their safety, the officers fired their duty weapons striking the suspect multiple times. The involved officers held their position for approximately five minutes, until additional officers arrived. Officers approached the suspect, handcuffed him and began life saving efforts.

The suspect was pronounced deceased at the scene by fire personnel. The identity of the suspect will be released by the Sacramento County Coroner's Office once the next of kin has been notified.

Homicide detectives, Internal Affairs, and Crime Scene Investigation Units responded to the scene to begin the officer-involved shooting investigation. As part of the department's protocol, this incident is being investigated in conjunction with the Sacramento County District Attorney's Office, the Sacramento City Attorney's Office and the City's Office of Public Safety Accountability.

The two Sacramento Police Officers involved in this incident have two and four years with the Sacramento Police Department. However, both have four years prior law enforcement experience with other agencies before joining SPD. None of the officers involved were injured in

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MEDIA ADVISORY/NEWS RELEASE

For Immediate Release No. 20180319-027
Monday, March 19, 2018

Update to 29th Street Officer-Involved Shooting Incident

Incident Update

We would like to take this opportunity to provide an update on the incident that occurred in the 7500 block of 29th Street.

Detectives from the Sacramento Police Department (SPD) Homicide Unit, Crime Scene Investigators, and investigators from the Sacramento County Crime Lab have finished processing the scene. Due to the nature of their work, final results will not be available for some time. Yet, there are some preliminary findings that SPD would like to share with the public.

Based on the circumstances of this case, SPD is prohibited from releasing the identification of the suspect until next of kin notifications are completed by the Deputy Coroner's Office. However, our initial investigation has revealed that the suspect is a male black in his early twenties and has a familial association to the residence where the officer involved shooting took place. Shortly after the incident, SPD homicide detectives began working with the occupants of that residence and have remained in constant contact since.

During a neighborhood canvass, investigators identified at least three vehicles with damage that is believed to have been caused by the suspect. In addition, an adjacent and occupied residence had a sliding glass door shattered. Orbiting deputies of the Sacramento Sheriff's Department's law enforcement helicopter had witnessed the suspect shatter the door before engaging the SPD officers.

Prior to the shooting, the involved officers saw the suspect facing them, advance forward with his arms extended, and holding an object in his hands. At the time of the shooting, the officers believed the suspect was pointing a firearm at them. After an exhaustive search, scene investigators did not locate any firearms. The only item found near the suspect was a cell phone.

SPD acknowledges the seriousness of this incident and the impact it has on our community. We are committed to providing timely information, communicating openly, and working directly with our community so that they have a full understanding of what occured

Both of the involved officers were equipped with body-worn cameras. There is also video and audio footage from the law enforcement helicopter that assisted on the call. We are currently preparing that material to release to the public.

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MEDIA ADVISORY/NEWS RELEASE

For Immediate Release No. 20180321-028
Wednesday, March 21, 2018

Release of Audio/Video Related to Officer-Involved Shooting on 29th Street

On Sunday, March 18, 2018, at 9:13 p.m., officers from the Sacramento Police Department (SPD) were dispatched to the 7500 block of 29th Street regarding a subject breaking into vehicles. The caller stated that the male subject had broken car windows and was now hiding in a backyard. The caller described the subject as a male, 6', thin, wearing a black hoodie and dark pants. SPD Officers arrived on scene at approximately 9:18 p.m. This incident resulted in an officer-involved shooting.

Please follow the link below to view the original press release:

https://www.sacpd.org/newsroom/releases/liveview.aspx?release_id=20180319-026

Due to the severity of the event, Detectives conducted a thorough canvas of the neighborhood. During the canvas, investigators identified at least three vehicles with damage believed to have been caused by the suspect. In addition, an adjacent and occupied residence had a sliding glass door shattered. Orbiting deputies in the Sacramento Sheriff's Department's law enforcement helicopter had witnessed the suspect shatter the door and run from one property and jumped the fence into another property where the shooting occurred.

Prior to the shooting, the involved officers saw the suspect facing them, advance forward with his arms extended, and holding an object in his hands. At the time of the shooting, the officers believed the suspect was pointing a firearm at them. After an exhaustive search, scene investigators did not locate any firearms. The only items found near the suspect was a cell phone.

Please follow the link below to view the updated press release of the incident:

https://www.sacpd.org/newsroom/releases/liveview.aspx?release_id=20180319-027

The Sacramento Police Department (SPD) recognizes the significance of this incident and the impact it has on our community. We are committed to providing timely information and communicating openly with our community.

Today SPD will release video and audio material related to this incident. The material consists of two (2) body-worn camera videos, one (1) video from the Sacramento Sheriff's Department's helicopter (STAR) and two (2) audio files. The two (2) body-worn camera videos begin as the officers arrive on scene. The helicopter video footage begins with the suspect running from a backyard and jumping over a fence into the property where the shooting occurred. One audio file consists of the 9-1-1 call that our Communication Center received regarding the incident. The additional audio file contains dispatch radio traffic related to the event.

All video and audio being released has been redacted to ensure the confidentiality and privacy of those involved. The faces have been blurred and audio redactions are signified by muted audio with no accompanying sound.

This incident falls under the City Council policy on Police Use of Force. The material being released today has been identified as significant to this incident. The remainder of video and audio related to this incident will be released in the near future. The Police Department is releasing this material to provide information quickly to our community.

The material is now available to the media and citizens through the YouTube links below which will also be posted on the Department's website, Facebook page and Twitter account (@sacpolice):

https://www.youtube.com/playlist?list=PLR0Wtq8JGPQbAjx78D2ep85C7I3HOxpNC

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MEDIA ADVISORY/NEWS RELEASE

For Immediate Release No. 20180327-029
Tuesday, March 27, 2018

California Department of Justice to Assist in Investigation of Officer Involved Shooting

The Sacramento Police Department has requested the assistance of the State of California Department of Justice to assist with the investigation of the incident that occurred on March 18th, 2018, in the 7500 block of 29th Street.

We appreciate the help from the California Department of Justice. This partnership will provide an additional oversight and assist our agency with providing a thorough and comprehensive investigation of this incident.

Please refer to the attached press release from the State of California Department of Justice:

https://oag.ca.gov/news/press-releases/california-department-justice-steps-provide-independent-oversight-investigation

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MEDIA ADVISORY/NEWS RELEASE

For Immediate Release No. 20180416-034
Monday, April 16, 2018

Secondary Release of Video from 29th Street Officer Involved Shooting

Today, the Sacramento Police Department will be releasing additional audio and video material related to the officer-involved shooting of Stephon Clark that occurred on March 18, 2018 in the 7500 block of 29th Street. The material in today's release consists of 23 in-car camera (ICC) videos, 28 body-worn camera (BWC) videos, two 9-1-1 audio files and the remaining video from the Sacramento Sheriff Department's Helicopter (STAR).

The BWC and ICC videos contained in this release depict officers responding to the scene after the officer-involved shooting (OIS) occurred, and their activities upon arrival. The time frame of this material is from when the officers begin their response to when the Sacramento Fire Department declares Mr. Clark deceased. The helicopter footage begins at the end-point of the previous release to the end of the footage. The audio files consist of two 9-1-1 transfer calls from the California Highway Patrol.

City Council Policy on Police Use of Force requires the Sacramento Police Department to release video material associated with critical incidents to the public within 30 days. The material contained in today's release complies with that policy.

All video and audio being released has been redacted to ensure the confidentiality and privacy of those involved. The faces and/or identifying material has been blurred. Audio redactions are signified by muted audio with no accompanying sound.

https://www.youtube.com/playlist?list=PLR0Wtq8JGPQYK5AKUxnAlR69GZiP1N4J2

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MEDIA ADVISORY/NEWS RELEASE

For Immediate Release No. 20181025-122
Thursday, October 25, 2018

Sacramento Police Department Completes Investigation of Officer-Involved Shooting

The Sacramento Police Department (SPD) has completed a thorough investigation of the March 18 police shooting of Stephon Clark. Today we have submitted the results of that investigation to the Sacramento County District Attorney and the California Department of Justice for their review.

"Our role has been to conduct a thorough investigation and give the Sacramento County District Attorney and State of California Department of Justice the information they need to reach a decision," said Chief of Police Daniel Hahn. "We have taken this responsibility seriously, and we have delivered on our promise to thoroughly pursue the facts and report them."

During this seven-month investigation, beginning in the moments immediately following the shooting and lasting until mid-October, investigators interviewed numerous witnesses and processed a large amount of physical evidence from the scene. Investigators also examined many hours of video from officers' body-worn cameras, in-car cameras, and from a sheriff's department helicopter. Additionally, a significant amount of forensic evidence was analyzed in this case.

"We recognize that this incident has had a significant impact on our community, and that our investigation had to be as thorough and as open as it could be," said Chief Hahn. "That's why we released more information than we ever have before, and why we took the time needed to be sure we found every fact available to us. I believe Mr. Clark's family and our entire community deserve an accurate and comprehensive inquiry into the tragic events of March 18, and I believe we have done that."

On March 21, three days after the shooting, our department released body-worn camera videos of the shooting. On April 16, an additional fifty-two videos were released to the public. Releasing video of a critical incident this quickly is unprecedented, not only for our organization, but also, for any law enforcement agency in the nation. Our department also released the Sacramento County Coroner's Autopsy report on this case. On March 27, the Sacramento Police Department asked the State of California Department of Justice to aid with the investigation. This was done to assist our agency with a thorough and comprehensive investigation of this event, and to ensure that it was conducted with the greatest transparency possible. We recognize the tremendous efforts of the investigators from our department and the California Department of Justice who have worked extensively on this case.

Here is a timeline of significant dates related to this incident:

March 18: Officer-Involved Shooting.

March 21: SPD Released body-worn camera videos of the shooting and video from a Sacramento County Sherriff's Department helicopter.

March 27: The Sacramento Police Department asked the State of California Department of Justice to aid with the investigation. Additionally, investigators obtained a search warrant for Stephon Clark's cell phone.

March 29: Stephon Clark's cell phone was shipped to a private company to be analyzed.

April 4: SPD issued an immediate directive for the use of the body-worn camera.

April 16: SPD released fifty-two additional videos from the shooting (body-worn camera and in-car camera videos).

May 1: SPD released the Sacramento County Coroner's Autopsy Report.

July 10: Investigators received the results of the content inside Stephon Clark's cell phone.

July 26: SPD implemented a new foot pursuit policy.

August 9: Investigators obtained a search warrant related to follow-up from Stephon Clark's cell phone.

October 9: Investigators received a final crime lab report of forensic evidence. Additionally, investigators received results from a follow-up search warrant.

October 16: Investigators completed additional interviews.

Our department did not wait for the outcome of the investigation before making key policy changes intended to improve how the agency handles similar circumstances in the future. Since March, our department has strengthened our policy related to the use of body-worn cameras and implemented a policy designed to make all parties safer in the event of a foot pursuit.

"It is our responsibility to continually examine all of our policies and practices for any opportunity to improve how we police our community," Hahn said. "We are committed to this ongoing work as a permanent part of who we are as a department."

Sacramento Police Media Relations · (916) 808-0808 · pio@pd.cityofsacramento.org

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.

Done

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MEDIA ADVISORY/NEWS RELEASE

For Immediate Release No. 20190302-016
Saturday, March 02, 2019

Conclusion of Sacramento County District Attorney's Investigation

The Sacramento County District Attorney's Office has announced their investigation and review of the officer-involved shooting that occurred on March 18th, 2018, in the 7500 block of 29th Street is complete.

Today, the Sacramento County District Attorney's Office concluded that "The evidence in this case demonstrates that both officers had an honest and reasonable belief that they were in imminent danger of death or great bodily injury. Therefore, the shooting of Mr. Clark was lawful, and no criminal charges will be filed."

To review news and materials on the Stephon Clark case published by the Sacramento County District Attorney's Office, please **Click Here**

Click Here to view a timeline with investigative benchmarks related to this incident.

The Sacramento Police Department recognizes the significant impact this incident has had on our community. We understand the challenges that we face as we work together to heal our community, build trust and move forward. We are committed to building healthy neighborhoods in our city, where every person has an opportunity to thrive. We will continue to work together with our community to ensure our city is policed safely and effectively.

The Sacramento Police Department has conducted a preliminary review of this incident and has made key policy changes intended to improve how our agency handles similar circumstances in the future. Since March of 2018, our department has strengthened our policy related to the use of body-worn cameras and implemented a policy designed to make all parties safer in the event of a foot pursuit. **Click Here** for the summary of the preliminary review.

"It is our responsibility to continually examine all our policies and practices for any opportunity to improve how we police our community. We are committed to that on-going work as a permanent part of who we are as a department." -Chief Daniel Hahn

The State of California Department of Justice has not yet disclosed the findings of its independent investigation into this matter. Once their findings have been reported, we will conduct a final policy review covering whether the specific use of force during the incident complied with department policy. As soon as this review is complete, we will share information in compliance with Senate Bill 1421.

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MEDIA ADVISORY/NEWS RELEASE

For Immediate Release No. 20190305-019
Tuesday, March 05, 2019

Release of Material from March 18, 2018 Officer-Involved Shooting

On March 27, 2018, the State of California Department of Justice (DOJ) **announced** that they would be stepping in to provide independent oversight of the investigation into the officer-involved shooting that occurred on March 18th, 2018, in the 7500 block of 29th Street. DOJ entered this investigation at the request of Sacramento Police Chief Daniel Hahn.

On March 5, 2019, the State of California Department of Justice announced that: "After a thorough consideration of all relevant evidence and information, the Attorney General concludes that no criminal charges against the officers can be sustained."

To review the findings of the State of California Department of Justice, **Click Here**

In January of 2019, **California Senate Bill 1421** took effect, requiring law enforcement agencies to publicly disclose certain investigative records, including those related to officer-involved shootings.

We recognize the public release of criminal investigations comes with significant privacy concerns for those individuals involved. These records will contain information and material that is inherently personal and of a sensitive nature. The Sacramento Police Department supports transparency efforts, and the release of this report is done to ensure our compliance with Senate Bill 1421.

In an effort to mitigate some of the inadvertent consequences associated with the release of this report, and to avoid any unwarranted invasion of personal privacy, we have elected to take the following steps:

- The blurring of faces of all involved parties.
- Names and personal data or information of all complainants and witnesses.
- 116 photos from the scene and all photos (304) from the autopsy have not been included to prevent unwarranted invasion of personal privacy.

The records being released today include the following materials related to the investigation:

- The entire police report, with all attachments.
- All related Computer Aided Dispatch (CAD) call for service logs.
- Photos taken by Crime Scene Investigators.

All records disclosed have been reviewed and redacted to ensure the confidentiality and privacy of those involved. To access these records, and for further details regarding redactions made, please use the following link: https://www.cityofsacramento.org/Police/Transparency/Officer-Involved-Shootings/Incidents/March-18-2018#anchor_1551487074195

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MEDIA ADVISORY/NEWS RELEASE

For Immediate Release No. 20190305-020
Tuesday, March 05, 2019

U.S. Attorney and FBI Announce Review of Officer-Involved Shooting

On March 5, 2019, U.S. Attorney McGregor W. Scott and Special Agent in Charge Sean Ragan of the FBI's Sacramento Field Office announced: "Now that both state and local authorities have completed their investigations into the shooting of Stephon Clark, the U.S. Attorney's Office and the FBI, in conjunction with the Civil Rights Division of the U.S. Department of Justice, will examine whether the shooting involved violations of Mr. Clark's federal civil rights. That examination will involve a review of the substance and results of the state and local investigations, and any additional investigative steps, if warranted."

The Sacramento Police Department (SPD) welcomes the news that the FBI, US Attorney and the Civil Rights Division of the U.S. Department of Justice will conduct reviews of the investigation into the officer-involved shooting that occurred on March 18, 2018 in the 7500 block of 29th Street.

Our department pledged to our community that we would conduct a thorough investigation and deliver every bit of information available to the Sacramento District Attorney and the California Attorney General. We did that, and we now pledge our full cooperation with these federal authorities.

We welcome the expertise these law enforcement experts bring to the table, and we believe every layer of objective review helps our community have confidence in the eventual findings.

"Every set of independent eyes on this case adds to our understanding and our ability to improve how we police our community," said Sacramento Police Chief Daniel Hahn. "We have made a commitment that we will continually improve how we train our officers and how we respond to critical incidents and this is another step in that process."

Once their findings have been reported, we will conduct a final policy review covering whether the specific use of force during the incident complied with department policy. As soon as this review is complete, we will share information in compliance with Senate Bill 1421.

SPD #18-82449 INVESTIGATIVE BENCHMARKS

03/18/18 Officer-Involved Shooting Call-Out / Investigation started.

All body-worn cameras and additional videos were collected and downloaded for later analysis.

Sacramento County Crime Lab requested to process scene for trajectory evidence.

03/19/18 Sacramento County Crime Lab processed involved officers' handguns.

03/20/18 Evidence processing on involved vehicles completed.

Stephon Clark's autopsy was conducted at the Sacramento County Coroner's Office.

03/21/18 Sacramento County Crime Lab completed involved officers' handguns.

Additional witness identified and interviewed.

03/22/18 Major case prints obtained from Stephon Clark.

03/23/18 Additional area surveillance video obtained from the neighborhood.

Detectives obtained information that Stephon Clark's Probation Officer received text messages from him prior to the shooting. Detectives attempted to obtain information and interview his Probation Officer.

03/27/18 Department of Justice was assigned to perform a parallel investigation. Their work space was identified, and logistics started to get investigators access to all needed work areas and computer programs.

Search warrant for Stephon Clark's cell phone was signed by a Sacramento Superior Court Judge. Detectives contacted FBI for potential assistance with unlocking/downloading of Stephon Clark's cell phone.

Stephon Clark's toxicology results were received.

Investigators began the review of over 100 body-worn camera videos.

03/28/18	State of California Death in Custody Form (BCIA 713) completed and sent to the Department of Justice.
03/29/18	Stephon Clark's cell phone was shipped to a third-party company (Cellebrite) to try and unlock the password protection.
04/02/18	Detectives met with DOJ agents and briefed them on the case.
04/05/18	Detectives interviewed Stephon Clark's Probation Officer.
04/10/18	Detectives continued to review body-worn camera videos.
04/11/18	Detectives wrote a search warrant for Stephon Clark's Facebook account.
04/16/18	Additional officer interviews were conducted as a result of body-worn camera video review.
04/17/18	Search warrant for Stephon Clark's Facebook account signed by a judge and served on Facebook.
05/08/18	Stephon Clark's prior Sacramento County jail phone calls/emails were downloaded. The review of over 500 calls and emails began this week. Detectives received results from the search warrant served on Stephon Clark's Facebook account.
05/10/18.	SPD Detectives and DOJ Agents met with SPD Forensic Investigators who provided a preliminary overview of the scene diagrams, trajectory for review.
06/04/18.	DOJ Agents contacted a family member of Stephon Clark in Elk Grove, CA to attempt an interview. The family member refused to be interviewed without an attorney. DOJ agents contacted the family member's attorney and scheduled the interview for the week of 6/25/18. DOJ Agents contacted two additional family members of Stephon Clark to attempt an interview. Both refused the interview without their attorney present. DOJ Agents contacted the attorney of these family members and scheduled the interview for 06/05/18.

06/05/18	DOJ agents interviewed two family members of Stephon Clark at their residence.
06/20/18	DOJ Agents contacted Attorney Crump and requested Dr. Omalu's autopsy report. DOJ Agents attempted to confirm a time to interview a family member of Stephon Clark during the week of 6/25/18, voice message left.
06/21/18	SPD Detectives authored a search warrant for Stephon Clark's probation file and sent it to the DA's Office for review/approval.
06/27/18	Search warrant signed for limited information from Stephon Clark's probation file.
06/28/18	Served search warrant on Sacramento County Probation for Stephon Clark's probation file.
07/02/18	SPD received Stephon Clark's probation file as a result of the search warrant dated 6-27-18.
07/03/18	Detectives were advised that Cellebrite was successful in accessing and downloading Stephon Clark's cell phone; company sent cell phone and content back to SPD.
07/10/18	Detectives received Stephon Clark's cell phone back from Cellebrite. DOJ and SPD detectives conducted independent download reports of the content. DOJ made another attempt to schedule an interview with a family member of Stephon Clark. Contact was made with the attorney-no interview scheduled.
07/11/18	Review and summary of Stephon Clark's cell phone report began by detectives; the PDF of the cellphone report is over 1300 pages.
07/18/18	DOJ received a call from the attorney of a family member of Stephon Clark, who requested dates in August for an interview. Several potential dates in August were provided. No interview was scheduled.
08/01/18	DOJ made another attempt to schedule an interview with a family member of Stephon Clark. Contact was made with the attorney's office, but no interview scheduled. Tentative dates were set for 8/13/18 or 08/14/18.

08/03/18	Sacramento County Crime Lab report released for DNA evidence in Toyota Camry.
08/09/18	Detectives obtained a search warrant for subscriber records from (3) separate cell phone carriers related to numbers identified from Stephon Clark's cell phone.
08/14/18	Detectives received subscriber records from a cell phone carrier resulting from a search warrant dated 8-9-18 (Sprint).
08/16/18	Detectives received subscriber records from a cell phone carrier resulting from a search warrant dated 8-9-18 (Verizon).
08/17/18	Detectives interviewed the registered owner of the Toyota Camry.
08/17/18	Sacramento County Crime Lab report released for the crime scene (3D Scan and bullet strikes-trajectory).
08/21/18	Detectives conducted (4) additional witness interviews after having analyzed the cell phone report and cell phone records.
10/02/18	Sacramento County Crime Lab report released for shell casings/bullet comparisons to Officers' firearms.
10/03/18	DOJ compiled all reports, photographs, notes, and other pertinent information from the Sacramento County Coroner's Office concerning Stephon Clark's Autopsy.
10/04/18	Sacramento County Crime Lab report released for physical evidence (Stephon Clark's clothing/metal security bars, glass comparisons and paint transfer comparison, etc).
10/09/18	Sacramento County Crime Lab report released for DNA from the Ford Explorers.
10/09/18	Sacramento County Crime Lab report released for the brick (inside white Explorer) and earbuds, chap stick and cinderblock.
10/09/18	Detectives received subscriber results from a cell phone carrier (T-Mobile) from a search warrant.
10/15/18	Detectives conducted additional officer interviews.

10/25/18	Detectives delivered the investigation to: Sac County DA's Office-Special Investigations and Public Integrity Unit CA DOJ Sacramento City Attorney's Office SPD Professional Standards Unit
12/05/18	DOJ received a letter from the San Diego County Medical Examiner's Office with an independent review of the Sacramento County Autopsy.
1/17/19	DOJ delivered their investigation to SPD.

Preliminary Review

Incident - Officer-Involved Shooting
Date of Incident - March 18, 2018

This review took place at the SPD Communications Center on Tuesday, February 12, 2019 at 2pm.

Field Operations

- Recommendations
  - Acquire additional crime scene privacy shields
  - Deploy privacy shields regardless of scene location

Communications Center

- Recommendations
  - Anticipate fielding calls criticizing the event and organization - including callers wishing to voice concerns regarding the incident
  - Develop a process for handling these types of incoming calls after a high profile event ***(Complete - put together a script for personnel to refer to when these types of calls come in. Created a workgroup to take non call for service related incoming calls after an event. This work group includes 16 volunteers trained to field concerns and complaints)***

Investigations

- Recommendations
  - Purchase equipment necessary to analyze projectile trajectory at crime scenes
  - Clarify the Public Safety Statement process for field supervisors ***(Complete - distributed Roll Call Training Bulletin on 01/08/2019 and distributed laminated cards detailing Public Safety Statements)***
  - Purchase equipment to access cell phone content with a court order during investigations ***(Complete - purchased necessary equipment)***

Policy Considerations

- Recommendations
  - Develop a foot pursuit policy ***(Complete - G.O. 580.13 signed by Chief Hahn 07/26/2018)***
  - Address muting of Body Worn Cameras ***(Complete - Emergency Order issued 05/01/18 and General Order 525.07 BWC policy revision signed 01/16/2019)***

Training Considerations

- Recommendations
    - Provide additional training on foot pursuits ***(Complete - added foot pursuit/perimeter class during Continued Professional Training 2019 which includes a Foot Pursuit policy discussion)***
    - Provide additional training on rendering first aid to injured suspect(s) ***(In progress - added to the Basic Academy and In-Service scenario training)***

Peer Support

- Recommendations
    - Provide additional training to Peer Support regarding guidelines for interacting with involved personnel post event ***(Complete - training provided & topic will be covered with field supervisors during 2019 SPD Supervisor Training sessions)***

PIO Response

- Recommendations
    - Record future High Profile Event press briefings and share internally/externally ***(Complete - equipment purchased to facilitate in the field recording)***

Sacramento County
District Attorney's Office

ANNE MARIE SCHUBERT
District Attorney

Stephen J. Grippi
Chief Deputy

Michael A. Neves
Assistant District Attorney

MEMORANDUM

DATE: March 2, 2019

TO: Chief Daniel Hahn
Sacramento Police Department
5770 Freeport Boulevard, Suite 100
Sacramento, CA 95822

FROM: Sacramento County District Attorney's Office

RE: Officer-Involved Shooting Case No. SPD 18-82449
Shooting Officers: Terrence Mercadal #752
Jared Robinet #520
Person Shot: Stephon Alonzo Clark (DOB 8/10/95)

The District Attorney's Office has completed an independent review of the above-referenced officer-involved shooting. Issues of civil liability, tactics, and departmental policies and procedures were not considered. We only address whether there is sufficient evidence to support the filing of a criminal action in connection with the shooting of Stephon Clark. For the reasons set forth, we conclude that the shooting was lawful.

The District Attorney's Office received and reviewed written reports and other items, including:

- Sacramento Police Department (SPD) report number 18-82449;
- California Department of Justice (CAL DOJ) report BI-SA2018-00012;
- 9-1-1 audio recordings;
- Dispatch recordings and logs;
- Body-worn camera, helicopter, in-car camera, surveillance, and crime scene video recordings;
- Photographs and diagrams;
- Audio and video recordings of witness interviews;
- Sacramento County District Attorney Laboratory of Forensic Services Toxicology, Blood Alcohol, Controlled Substances Analysis, Forensic Biology, Physical Evidence Examination, and Crime Scene Reports;
- Cellebrite Extraction Report and phone records;
- Report of Outside Expert David Blake;
- Sacramento County Coroner's Report;
- Report of Case Review by Gregory Reiber, M.D.; and
- County of San Diego Medical Examiner's Department letter.

FACTUAL SUMMARY

On March 18, 2018, David R. and his girlfriend Jacqueline S. were living in a trailer parked in the driveway of 7571 29th Street. David R.'s two Ford Explorers, a white one and a dark one,[1] were parked on the east side of 29th Street, just in front of the trailer.

Figure 1 -- Aerial photograph taken on March 19, 2018, showing 29th Street at Ellwood Avenue with relevant houses labeled. David R.'s trailer can be seen in the driveway of 7571 29th Street. The involved vehicles had been removed at this point.

At approximately 9:00 p.m., David R.'s friend Michael C. and Jacqueline S. were standing in the driveway talking when they observed a male subject walk westbound from Ellwood Avenue, cross 29th Street, and approach a gold Toyota Camry parked on the west side of the road in front of 7570 29th Street. This male subject was wearing a black hooded sweatshirt with the hood pulled tight over his head.[2] The male subject walked around the back of the Camry to the passenger side, banged on the passenger window, and broke it with something they could not see. The male subject entered the vehicle and sat down.

The Toyota Camry belonged to Shynice T. When she left her vehicle, it was secure and had no broken windows. She did not know Stephon Clark or anyone else who lived nearby. Upon later examination, a metal window security grate was found on the ground adjacent to the passenger side of the vehicle.

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[1] One of the Ford Explorers was described by different witnesses as purple, burgundy, maroon, or black. The paint on the vehicle was very faded and in poor condition. For ease, it will be referred to as the dark Explorer.

[2] Jacqueline S. described the sweatshirt as plain. She thought the subject could have been Hispanic, but she did not get a good look at his face. Michael C. indicated the subject was a black male.

Figure 2 -- CSI photograph of Shynice T.'s Camry showing damage and metal security grate found adjacent on ground

After seeing the male subject break the Camry's window, Michael C. entered his own vehicle and drove away. Jacqueline S. entered her trailer where David R. was inside. A few moments later, David R. and Jacqueline S. heard a bang. David R. had a camera with a live feed that monitored his white Explorer.[3] David R. checked the monitor but did not see anything.

Around that time, Saxon R. drove onto 29th Street from Meadowview Road and observed the dark Explorer parked along the curb of 29th Street. He noticed what appeared to be broken window glass on the ground. Saxon R. saw the driver's door was open and a male subject was in the car with his legs sticking out the driver's door. The male was wearing black pants. Saxon R. thought the person was breaking into the car.[4]

About a minute later, David R. heard another bang, this one sounding much closer to his trailer. David R. looked at his monitor and saw someone standing by his white Explorer. David R. exited just outside his trailer and saw a male subject standing on the driver's side of his vehicle. The glass from the driver's door window had been broken out. The male subject just stared at him. David R. thought the individual might be a black male but could not see his face because he was wearing a black hoodie that was up on his head. David R. thought there might have been red writing on the back of the hooded sweatshirt. The male was wearing black pants that had white on them. David R. did not see anything in the male's hands and did not know what the male used to break his car window.

David R. called back into the trailer for Jacqueline S. to hand him his gun. David R. said this loud enough so that the subject would hear him and it would hopefully scare the person off. Instead, the male subject did not move and just stood there looking at David R.

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[3] This camera was a live-feed monitor and did not have recording capabilities.

[4] Saxon R. did not stop or call the police.

David R. went back into his trailer and grabbed a baseball bat. He exited the trailer and walked toward his truck telling the male subject to get away from his car. The male subject then ran across to the west side of 29th Street, proceeded north, and hid behind the garage at 7566 29th Street. David R. followed him. When David R. reached that house, the male took off and jumped the fence into the backyard of 7566 29th Street. The male peeked over the fence several times. David R. became aware of the damage to his dark Explorer, as well as the Camry across the street, and called 9-1-1.

Figure 3 -- CSI photograph of David R.'s dark Explorer showing broken driver's window

Figure 4 -- CSI photograph of David R.'s white Explorer showing broken driver's window

SPD's Communications Center received David R.'s call at 9:10 p.m. He reported a male subject was going down the street breaking car windows. David R. told the operator the subject had broken the windows on two of his trucks and the window of a car across the street from him. He indicated the subject was hiding in a backyard at 7566 29th Street. David R. described the subject as a male in a black hooded sweatshirt, wearing pants with a white stripe or dot design. David R. reported that he could hear the subject jiggling a fence and dogs were barking.

At 9:12 p.m., the call for service was broadcast over SPD's radio to district patrol officers. The information relayed over the radio was of a "car clout"[5] at 7566 29th Street, involving a male subject wearing a black hoodie who had broken some car windows and was hiding in the backyard at that address. The dispatcher indicated that the complainant still had a visual of the suspect.

At 9:13 p.m., the Sacramento Sheriff's Department (SSD) helicopter, STAR, advised on SPD's radio that they would assist, and they were en route to the area of 7566 29th Street. At 9:17 p.m., Officers Terrence Mercadal and Jared Robinet were dispatched to the call for service. Officer Mercadal's call sign that night was "1 Charles 57" and Officer Robinet's was "1 Charles 54." An SPD dispatcher radioed that the subject was further described as a male, six feet tall, thin build, and wearing a black hoody and dark pants. STAR arrived at the scene at 9:18 p.m., just ahead of Officers Robinet and Mercadal, who also arrived in their respective marked patrol vehicles at 9:18 p.m. Officers Robinet and Mercadal were in full uniform. SSD Deputy Gomez was the observer inside STAR.

[5] Car clout is a term used to describe the act of breaking into a vehicle.

Officers Mercadal and Robinet contacted David R. on 29th Street. He told them he had chased the subject away and pointed out the backyard where the subject had fled. The officers could see two vehicles on 29th Street, closer to Ellwood, with their windows broken out and broken glass on the ground.

Upon STAR's arrival at the scene, Deputy Gomez began using the helicopter's infrared camera to search for the suspect. He began searching the yard of 7566 29th Street and could not see any heat sources other than two dogs. He also saw a shed but could not tell if the subject was inside. He continued searching the area while Officers Robinet and Mercadal contacted the resident at 7566 29th Street and checked the backyard.

That residence, and the other houses on the west side of 29th Street, backed up to a large field. Deputy Gomez searched the field to the west and saw a vehicle parked on the northwest side of the field. This vehicle was emitting a heat source and appeared to be occupied. He advised Officers Mercadal and Robinet of this vehicle.[6] Officers Mercadal and Robinet headed back to their patrol vehicles to drive over to that area.

Deputy Gomez continued using the infrared camera and located a subject, later determined to be Stephon Clark, standing at what appeared to be a glass door in the backyard of 7570 29th Street. This residence was the second house south of 7566 29th Street, where Officers Robinet and Mercadal searched the backyard. At approximately 9:25 p.m., Deputy Gomez activated his onboard video recorder, radioed an update about the location of this subject, and continued his observations. Officers Mercadal and Robinet walked down the street approaching that area.

Deputy Gomez saw Clark looking into the glass door in the backyard of 7570 29th Street and then saw Clark pick up an object from directly north of the door. Clark then swung the item at the door, breaking the glass. Eighty-nine-year-old Bill W. lived at 7570 29th Street. He was watching television when his rear sliding glass door shattered. Upon later examination, it appeared that the door was shattered with a cinder block that came from the backyard fireplace.

Deputy Gomez radioed his observations to the other officers. He then saw Clark run southbound and jump the fence into the next yard, 7572 29th Street. Deputy Gomez radioed that Clark was running toward the front yard, but then realized that Clark was walking and looking into another vehicle. This vehicle was parked along the north side of the residence at 7572 29th Street in the side yard section.

Officer Mercadal approached the north side of the residence from 29th Street and looked down the driveway. It was very dark, with only sporadic lighting coming from street lights creating shadowy areas, and vehicles blocked his view. Officer Mercadal observed Clark standing behind a dark sport-utility vehicle parked along the side of the house. Officer Mercadal gave Clark loud commands to show his hands because Officer Mercadal could not see whether Clark was holding anything. Clark turned away from the officers and began running westbound. Officer Mercadal yelled at Clark, "Stop! Stop!" Clark continued running and turned south into the backyard out of Officer Mercadal's sight.

[6] Investigators later believed that this vehicle was not related to the incident.

Officer Mercadal called out, "Over here, Jared" and began chasing after Clark. Officer Robinet heard Officer Mercadal yelling at the suspect, so Officer Robinet ran towards the residence and followed Officer Mercadal into the backyard. There was a narrow path between the northern side of the house and the vehicles that were parked there. Officer Mercadal went around the vehicles and through an opening in a short fence and started to go around into the backyard. He had lost sight of Clark, so he slowed down to tactically approach the corner into the backyard.

There was no lighting in the backyard, including no rear porch light. The moon was a new moon, with only 2% of it illuminated, and weather conditions were mostly cloudy. Officer Mercadal was using the tactical light affixed to his duty weapon for illumination, and Officer Robinet was using his handheld flashlight.[7]

As the officers reached the northwest corner of the house in the backyard, Officer Mercadal came around the corner, leaving a position of cover to look into the yard. Officer Mercadal later described to investigators that as he came around the corner, he could see Clark with the hood of his sweatshirt pulled up and his arms extended out in front of him at chest level consistent with a shooting position. Officer Mercadal saw a metallic reflection or flash of something coming at him from Clark's position, which he thought was a muzzle flash from a firearm, and believed that Clark had shot at him. Officer Mercadal yelled, "Gun," and ducked back behind the corner of the house for cover.

Officer Robinet had also gone around the corner at approximately the same time as Officer Mercadal. Officer Robinet later explained to investigators that as he went around the corner, he saw Clark standing at what he estimated was approximately 15-20 feet away with his hands in an isosceles position,[8] with his hands punched out in front of him holding an object. Officer Robinet was next to Officer Mercadal on his left side. Officer Robinet also saw what appeared to be light reflecting off a metallic object in Clark's hands, and could not tell exactly what it was, but feared it was a firearm based on the way Clark was holding it. Upon hearing Officer Mercadal call out "Gun," Officer Robinet instinctively returned to cover behind the northwest corner of the house.

Officer Mercadal attempted to confirm what he thought he observed by poking his head around the corner. He saw that Clark had moved ten feet or more in the officer's direction and was continuing to advance towards them. Robinet also looked around the corner and saw Clark still in a shooting stance. Robinet felt Clark had the drop on them and was surprised he had not heard gunshots. To protect himself and Officer Mercadal, he fired at Clark. Officer Mercadal saw a bright metallic flash of light in Clark's hands and thought Clark was approaching and shooting at them. Officer Mercadal ducked using the corner of the house as cover, knelt on his left knee, and fired. Officer Mercadal thought he was returning fire because he believed they were being fired upon and shot to stop the threat.

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[7] The tactical light on Officer Robinet's firearm had stopped working earlier while they were at 7566 29th Street.
[8] An isosceles shooting stance is a two-handed technique in which one hand holds a pistol or revolver while the other hand wraps around the first hand in support. Both arms are held straight, with the elbows locked. Viewed from above, the arms and chest of the shooter appear as an isosceles triangle, thus giving the stance its name.

Both officers later indicated they ceased firing after they saw Clark go down. Both initially thought they had fired about five times each.[9] Deputy Gomez broadcast at 9:26 p.m. that shots had been fired.

Clark fell in an area of the backyard just north of a picnic table on a concrete patio, south of the lawn area. Grass was overgrown immediately adjacent to Clark's position, which made it difficult to see Clark from where the officers were located. The officers gave Clark verbal commands to show his hands. They could only see Clark's right hand; his left hand was tucked under his body. Clark did not move. Officers Mercadal and Robinet held their position at the northwest corner of the residence until additional officers arrived. As they waited, Officer Robinet kept cover on Clark while Officer Mercadal performed a tactical reload,[10] then did his own tactical reload.

Officers Taylor and Trujillo arrived on scene at approximately 9:31 p.m. They approached Officers Mercadal and Robinet, and they discussed getting a body bunker[11] to safely approach Clark, fearing that Clark still had a gun. Sergeant Morris arrived shortly thereafter. Clark had not moved or responded to the officers by that point. They approached Clark and provided medical aid. Cardiopulmonary resuscitation (CPR) was started at approximately 9:33 p.m. and continued until Sacramento Fire Engine 16 and Medic 57 arrived. Fire personnel pronounced Clark deceased at the scene at approximately 9:42 p.m.

Scene

The scene at 7572 29th Street and the surrounding houses were secured as responding officers arrived.

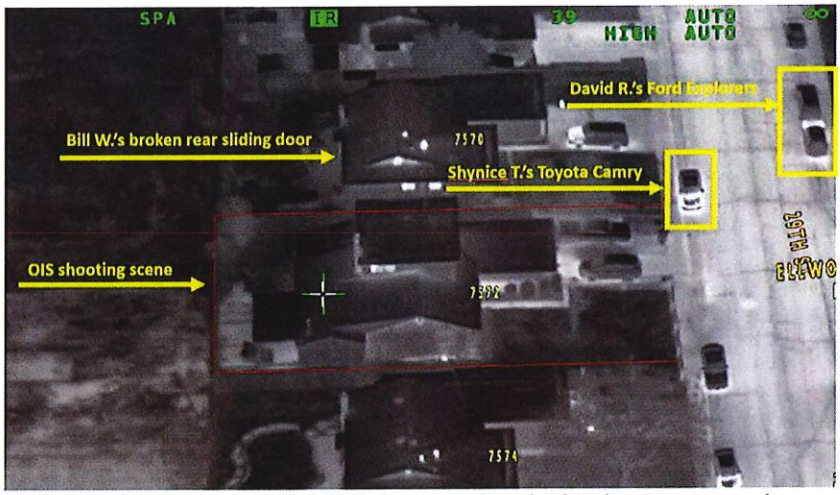

Figure 5 -- Screen shot from Sheriff's helicopter infrared video showing scene and location of vehicles

[9] At the scene, Officer Robinet told Sergeant Morris that he did not know exactly, but he thought he had fired about five times. Officer Mercadal told Sergeant Morris he thought he had fired five or six times.

[10] A tactical reload involves removing a partially used magazine from a firearm, even though it may still contain some rounds, to insert a fully loaded magazine.

[11] A body bunker is a portable bullet-resistant shield.

At the end of the driveway at 7572 29th Street on the north side of the residence was a six-foot wooden fence lying on the ground making the backyard accessible to the public. A black Chevrolet Yukon was parked on the north side of residence.[12] Numerous unattached metal window security grates were placed on the north side of the house similar to the one located near the Camry.[13] There was a three-foot tall wooden fence just before reaching the grass portion of the backyard with a wooden gate that was unlocked and open providing access to the backyard. There was a concrete area with a covered patio, couches and chairs, and a picnic table under the covered patio. The backyard also had a free-standing brick fireplace.

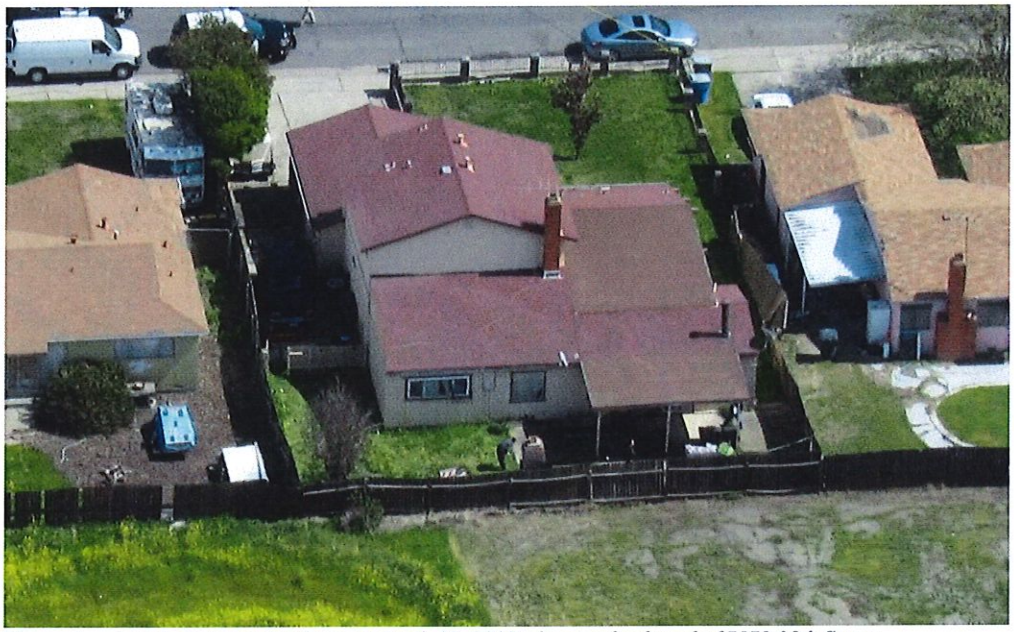

Figure 6 -- Aerial photograph taken on March 19, 2018, showing backyard of 7572 29th Street

[12] This vehicle was registered to a member of Clark's family.

[13] The residents later explained that the metal window security grates on the house that been replaced, and the original grates, which had been removed from the windows, had been left along the side of the house.

Figure 7 -- CSI photograph taken during daylight of backyard of 7572 29th Street. The green cone denotes Officer Robinet's approximate position at the time of the shooting. The red cone denotes Officer Mercadal's approximate position at the time of the shooting.

Figure 8 -- CSI photograph taken during daylight of backyard at 7572 29th Street showing approximate viewpoint of officers

Figure 9 -- CSI photograph taken during daylight of backyard at 7572 29th Street showing area under patio cover

Figure 10 -- CSI photograph of backyard during daylight at 7572 29th Street showing south side of house

Clark was wearing a black hooded pullover sweatshirt. The front of the sweatshirt had a screen-print design of "The North Face Since 1968" in gray lettering with a red line above the wording and another red line within the wording. The hood covered his head. He was also wearing a white t-shirt and black Crysp Denim sweatpants. The sweatpants had white stripes running

down both the outside and the inseam of the legs. Photographs of an identical sweatshirt and an identical pair of sweatpants were found on the internet:

Figure 11 -- Photo found on internet of same type of sweatshirt Clark was wearing.

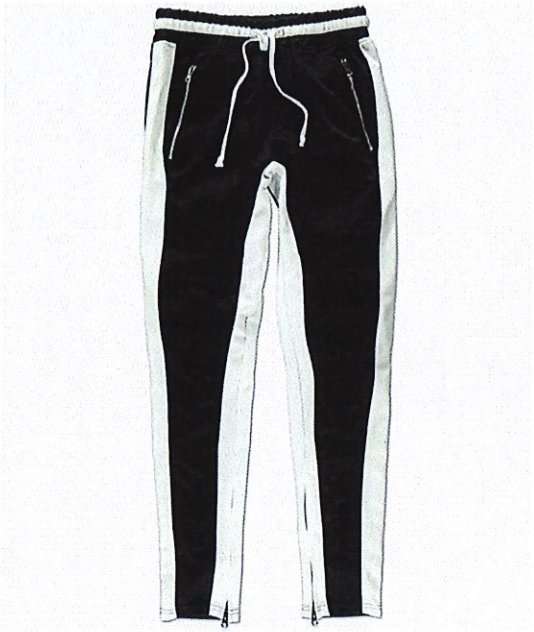

Figure 12 -- Photo found on internet of same type of sweatpants Clark was wearing

No firearm was located in the backyard during the subsequent investigation, or along the route that Clark took after David R. confronted him. A white Apple cellular iPhone in a black and pink case was located on the concrete near his head.[14]

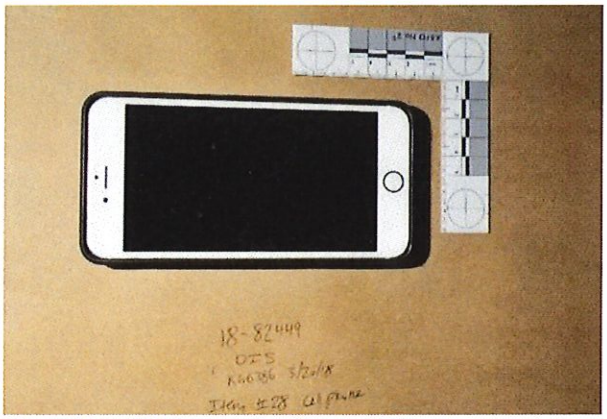

Figure 13 -- CSI photograph of front of iPhone recovered next to Clark

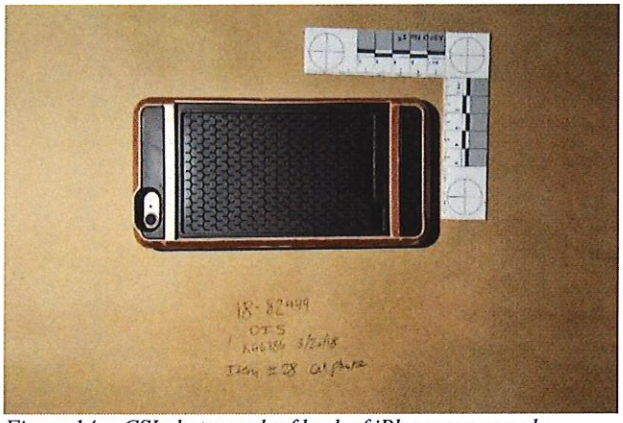

Figure 14 -- CSI photograph of back of iPhone recovered next to Clark

[14] Body-camera video showed that the phone had initially been under Clark's right hand just next to his head but was moved slightly by an officer when they initially started to examine Clark, secure him, and render aid.

A pair of headphones and an orange prescription bottle that contained 1.04 grams of marijuana were on the ground just north of Clark's body. Ten 9mm casings and ten .40 caliber casings were located in the backyard.[15]

Clark had moved at least 15 feet towards the officers from the south side of the picnic bench to where he was ultimately shot.

Figure 15 -- CSI photograph showing distance of approximately 15 feet from area under porch overhang on south side of picnic bench where Clark could be seen on body-camera footage to where Clark had moved towards officers when he was shot

[15] Officer Mercadal was equipped with a .40 caliber Sig Sauer P226. Officer Robinet was equipped with a 9mm Glock Model 19.

He was within approximately 20 feet of the officers when he was shot.

Figure 16 -- CSI photograph showing distance of approximately 16 feet corner to edge of concrete

Tommy and Sequita T., Clark's grandparents, reside at 7572 29th Street. Clark had been living with them. Clark would often enter the house through the backyard after knocking on the windows to wake them up. On March 18, 2018, Clark had left earlier that evening[16] and they did not expect him to return until around 10 or 11 p.m. They were not aware that Clark had returned to the neighborhood or even that he had been in the backyard that evening until after the shooting.

When interviewed on March 18, 2018, Tommy T. indicated he was lying in bed when he heard someone beating on his bedroom window.[17] He thought the person was trying to break his window. Thompson then heard someone trying to call his name, "Tommy T.," from the backyard.[18] He saw flashlights shining through his window and called the police. Tommy T. was interviewed again on March 19, 2018. He told an investigator he had heard knocking on the window and then heard three or four shots. He said that was all that happened and that he did not remember anything else. When interviewed again on June 5, 2018, by CAL DOJ investigators he said Clark knocked on his window and called out his name.[19] He said he then

[16] Sequita T. was not clear whether she thought Clark left at approximately 5 p.m. or at approximately 8 p.m.
[17] Tommy T.'s bedroom is on the first floor in the northwest corner of the house.
[18] Video evidence shows that Clark ran past and did not knock on Tommy T.'s bedroom window during this time frame.
[19] This interview was recorded. A transcript provided by CAL DOJ notes Tommy T. indicated that when Clark

heard gunshots and saw lightning from the shooting like fireworks. He heard no voices except for Clark's. Tommy T. indicated that Clark would sometimes come to his window and knock on it, and Tommy T. would push the remote to open the garage door so Clark could enter the house.

When interviewed on March 19, 2018, Sequita T. indicated she was at her computer when she heard four gunshots coming from close by and saw a bright light. She immediately ducked to the floor and crawled to her seven-year-old granddaughter (Clark's sister) and laid with her on the floor. She had not heard any sounds prior to the gunshots. Sequita T. was interviewed again by CAL DOJ investigators on June 5, 2018. She indicated that when she heard the gunshots, she also saw flashes of light in the window to the backyard. When describing Clark's personality, she said he made people laugh and she did not see any change in his mood over that weekend. Apart from marijuana, she was not aware of Clark using any illegal drugs. She also was not aware of any domestic violence issues involving Clark.

Investigators examined Bill W.'s residence at 7570 29th Street. Investigators found that the rear sliding glass door, which provided entry from the backyard into the residence, was broken, with broken glass on the concrete step underneath the broken door. A broken concrete cinder block was located on the patio near the step leading into the residence, next to pieces of broken glass. A white metal gutter pipe was located in the dirt, just north of the concrete patio and broken sliding glass door.

Figure 17 -- CSI photograph of Bill W.'s broken rear sliding glass door at 7570 29th Street with cinder block on ground. A gutter pipe is also visible on the ground. The broken sliding glass door had been covered with cardboard at the time this photo was taken.

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knocked on his window, Clark said, "Come and see." However, the recording is more consistent with his name "Tommy T." Furthermore, the CAL DOJ investigator repeats the statement back as "Tommy T.," and Tommy T. confirms, "Tommy T." The notation "Come and see" appears to be a transcription error.

No property was reported missing from any of the vehicles. The two Ford Explorers and Toyota Camry were processed for latent fingerprints. None of the fingerprints lifted matched Stephon Clark. DNA testing linked Clark to blood samples taken from the Toyota Camry, a swab from the steering wheel of David R.'s dark Ford Explorer, a swab from the interior front driver door panel of David R.'s white Ford Explorer, and from a swab from a brick located on the passenger floorboard of David R.'s white Ford Explorer.

Glass samples were obtained from each of the three damaged vehicles, as well as the broken sliding glass door at 7570 29th Street. Two glass fragments collected from the Coroner's body bag were indistinguishable from the glass sample collected from the driver side floorboard from David R.'s dark Ford Explorer. Six glass fragments recovered from the red brick located on the floorboard of the white Ford Explorer were found to be similar to the glass collected from the driver's seat of the same vehicle. Three glass fragments collected from the cinder block located in the backyard of 7570 29th Street were indistinguishable from the glass collected from below the broken sliding glass door at 7570 29th Street.

A paint sample collected from the front passenger side door of the Toyota Camry was similar to the paint sample collected from the metal window security grate located on the ground next to the Camry and to paint reference samples collected from the exterior window trims from the residence at 7572 29th Street.

Videos

SSD's STAR helicopter's infrared camera recorded overhead footage of the incident. The recording begins after Deputy Gomez observed Clark break the glass door at 7570 29th Street. Times listed were taken from the time source indicated in the upper left-hand corner in the recorded footage. The times listed are approximate. Direction can be identified by the arrow indicating north in the upper left-hand corner.

In the STAR video, at 21:25:45, Deputy Gomez broadcasts, "Just broke the window, running south, running to the south." At that time, Clark can be seen running in a southerly direction in the backyard of the residence at 7570 29th Street. Clark jumps the fence into the backyard of the residence at 7572 29th Street.

Figure 18 -- Screen capture from STAR video showing Clark jumping the fence from 7570 29th Street to 7572 29th Street

Clark appears to walk toward the front yard of 7572 29th Street. At 21:26:12, Clark can be seen looking into the driver's side rear window of a vehicle parked in the north side yard of 7572 29th Street.

Figure 19 -- Screen capture from STAR video showing Clark looking into a vehicle along the north side of 7572 29th Street with Officers Mercadal and Robinet visible on the street

At 21:26:23, Officer Mercadal approaches the driveway of 7572 29th Street. Officer Mercadal has his firearm down, held in his right hand, pointed in a westerly direction.

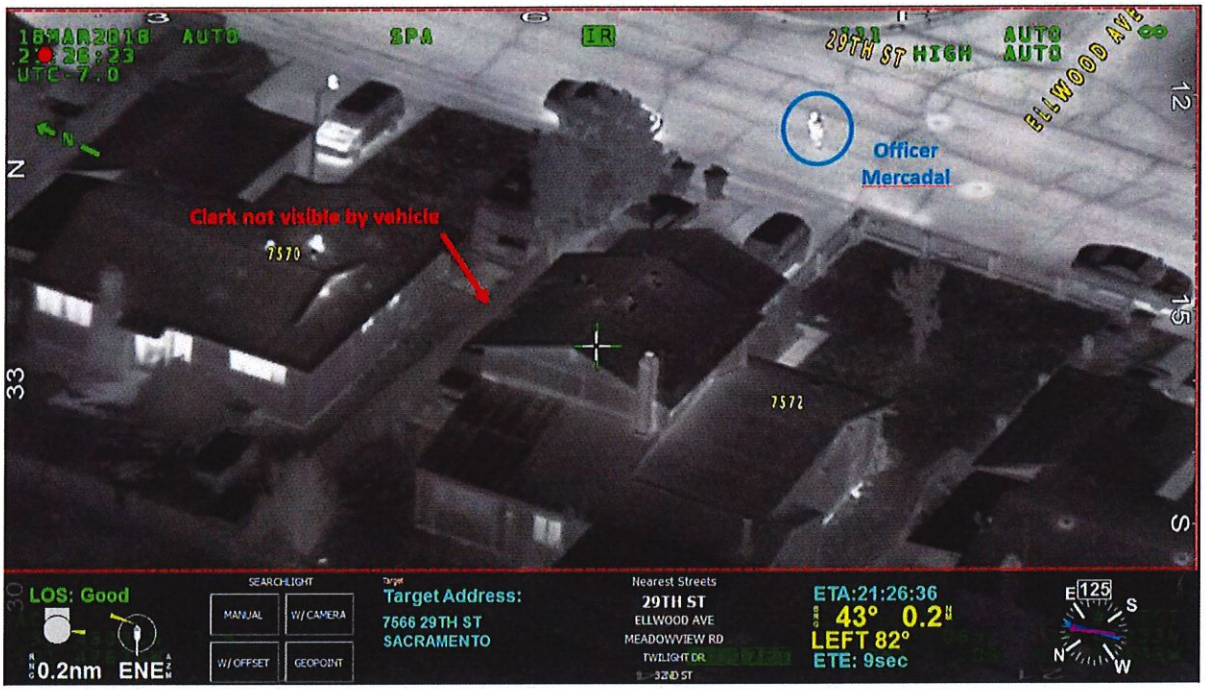

Figure 20 -- Screen capture from STAR video showing Officer Mercadal approaching Clark from the street. Clark's position on the side of the house is blocked from the helicopter camera's view

At 21:26:29, Clark can be seen running westbound from Officer Mercadal and then southbound into the backyard of the residence.

Figure 21 -- Screen capture from STAR video showing Clark running towards backyard as Officer Mercadal approaches

Officer Robinet then runs from a southerly direction into the driveway of the residence. At 21:26:34, Deputy Gomez broadcasts, "Okay, let's get a perimeter on this guy. He's running south, he is going to hit this field."

Figure 22 -- Screen capture from STAR video showing Clark running towards the south end of the backyard. Officer Robinet is visible approaching from the driveway, whereas Officer Mercadal's position along the side of the house is not visible

Clark runs beyond the midpoint of the backyard, takes steps in a southwesterly direction, then runs under the patio cover and out of view from the helicopter's camera.

Figure 23 -- Screen capture from STAR video showing Clark just before he goes under the patio cover and out of view

At 21:26:35, Officers Mercadal and Robinet run westerly through the north side yard of the residence toward the backyard where Clark was. At 21:26:43, Officers Mercadal and Robinet run beyond the northwest corner of the house and a few feet into the backyard. The officers look in a southerly direction, where Clark was last seen in the video.

Figure 24 -- Screen capture from STAR video showing the officers as they initially run into the backyard. Clark is not visible under the patio cover

The officers then take cover at 21:26:45 behind the northwest corner of the residence.

Figure 25-- Screen capture from STAR video showing officers taking cover behind the corner of the house

Because of the helicopter's continuous circular orbit, Clark is not seen on the helicopter video again until 21:26:48, when Clark can be seen moving in a northerly direction along the west wall of the residence towards the officers.

Figure 26 -- Screen capture from STAR video showing Clark visible again now moving in northerly direction towards the officers

As Clark is moving in the direction of the officers, gunfire from the officers can be seen. Clark falls to his knees, then hands, then onto his chest, coming to rest in a westerly direction. At 21:26:54, Deputy Gomez broadcast, "Shots fired, shots fired."

At 21:27:09, Officer Mercadal broadcast, "We're going to need additional units, come in from the west to east of this yard." At 21:27:18, Deputy Gomez broadcast the address and asked for dispatch to request the Fire Department. The SPD Communications Center broadcast, "Copy, Fire starting." Officers Mercadal and Robinet maintain a position at the northwest corner of the residence, holding Clark at gunpoint. After SPD Communications Center inquired if it was safe for the Fire Department to enter, at 21:28:12, Officer Mercadal responded that it was not. He also noted that he and Officer Robinet were okay and had not been hit. Other officers arrived at the scene. The video thereafter depicts the officers approaching Clark, rendering aid, and securing the scene.

Both Officer Mercadal and Officer Robinet were wearing department-issued body-worn cameras (BWC). These Axon cameras recorded video at 30 frames per second. SPD synchronized Officer Mercadal's and Officer Robinet's video recordings and it appears the timestamp in the video on Officer Robinet's camera is one second behind the timestamp on Officer Mercadal's. CAL DOJ sent the BWC video recordings to the County of Santa Clara Crime Laboratory for enhancement. The audio was enhanced by increasing overall volume and decreasing noise or non-speech sounds. Video frames were processed to increase brightness and enlarge frame size.

Times listed were taken from the time source indicated in the recorded footage.[20] The times listed are approximate.

Officer Robinet's BWC footage starts at 04:18:39, and Officer Mercadal's at 04:18:56. The officers contact David R., who points them in the direction of 7566 29th Street. STAR can be heard overhead. The officers walk away from David R. and toward the residence at 7566 29th Street.

The videos show the officers asking the resident at 7566 29th Street if they can check her backyard for a person who broke some car windows and may have jumped over her fence. Officer Mercadal asks her to stay inside her house for safety purposes. They check the backyard. After determining that the shed was locked and secured, and seeing no one in the backyard, they exit the yard.

At 04:25:26, Officer Robinet approaches his patrol unit and Officer Mercadal walks in the direction of his patrol unit. Seconds later, the officers start walking, then running, southbound along 29th Street. At 04:26:06, Officer Mercadal uses his flashlight to illuminate the front area and north side yard area of 7574 29th Street. Officer Robinet can be seen standing on the west sidewalk of 29th Street, just south of the southeast corner of the fence in front of 7572 29th Street. At 04:26:13, Officer Mercadal starts walking northbound in the street near the west sidewalk toward 7572 29th Street. Officer Mercadal uses his flashlight to illuminate the front of 7572 29th Street as he walks in front of the driveway of the residence.

At 04:26:24, as he approaches the driveway of the residence, Officer Mercadal says, "Over here, Jared. Jared." Officer Mercadal starts walking westerly onto the driveway of the residence and in the direction of the north side yard. Officer Mercadal has his firearm drawn in his right hand and positioned at chest level. Officer Mercadal illuminates the north side yard of the residence as he walks toward it. At 04:26:32, Officer Mercadal yells, "Hey, show me your hands. Stop. Stop. 57, south." At this point, Officer Mercadal was running westerly in the north side yard of the residence. Officer Mercadal continues to run westbound through the north side yard with his firearm extended at chest level. At 04:26:42, Officer Mercadal runs past the northwest corner of the residence and takes a few steps into the backyard. Officer Mercadal looks in Clark's direction. Clark is standing near the southwest corner of the residence, under the patio cover. He is on the opposite side of the yard from the officers, and there is a picnic bench visible between him and the officers. Clark appears to be facing in a northerly direction, towards the officers' position.

[20] The Axon cameras' timestamp utilizes Zulu Time. Under the Coordinated Universal Time ("UTC"), "Z" (phonetically "Zulu") refers to UTC minus zero hours. Seven hours are deducted from Zulu Time to show Pacific Daylight Saving Time. Pacific Daylight Saving Time commenced on Sunday, March 11, 2018, at 2:00 a.m.

Figure 27 -- Screen shot from Officer Mercadal's BWC with Clark circled visible across yard

For an instance, there is a flash of light emitting in close proximity to Clark.

Figure 28 -- Screen shot from Officer Mercadal's BWC with light in proximity to Clark circled

After chasing Clark into the backyard of 7572 29th Street, a flash of light emitting in close proximity to Clark is also visible in Officer Robinet's BWC footage at 04:26:41.

Figure 29 -- Screen shot from Officer Robinet's BWC with light in proximity to Clark circled

In frames from Officer Mercadal's BWC, at 04:26:43 Clark is still standing under the patio cover near the southwest corner of the residence, south of the picnic table.

Figure 30 -- Screen shot from Officer Mercadal's BWC with Clark circled

Figure 31 -- Screen shot from Officer Mercadal's BWC with Clark circled

CAL DOJ prepared close up screen shots of Clark from enhanced versions of the above two frames from Officer Mercadal's BWC. The CAL DOJ investigator noted that in the enhanced photos Clark appears to have raised his lower arms and hands to his chest area, consistent with the officers' descriptions.

At 04:26:43, immediately following the flash of light, Officer Mercadel yells, "Show me your hands. Gun." After reviewing the recording with enhanced audio, SPD and CAL DOJ investigators noted that Clark responded, "Fuck you."[21]

At 04:26:44, Officers Mercadal and Robinet take cover behind the northwest corner of the residence. At 04:26:46, while behind the northwest corner of the residence, Officers Mercadal and Robinet have their respective firearms drawn, positioned at chest level, and pointed in a southerly direction. At 04:26:47, Officer Robinet uses his flashlight to illuminate the area under the patio cover. At this time, Clark is no longer where he was earlier, south of the picnic table. Clark has advanced toward the officers. The white stripes of his sweatpants are visible.

[21] The officers in their interviews after the shooting indicated that they did not hear Clark say anything during their encounter with him.

Figure 32 -- Screen shot from enhanced version of Officer Mercadal's BWC with Clark circled

Figure 33 -- Close up from previous screen shot showing Clark no longer behind the picnic bench and advancing towards officers' position

At 04:26:47, Officer Mercadal yells, "Show me your hands. Gun, gun, gun." At 04:26:48, the sounds of gunshots start. Smoke is visible emitting from the area of the officers' firearms. Vegetation in the yard, which was overgrown, blocks the view of rounds striking Clark and Clark falling to the ground.

At 04:26:54, Officer Mercadal broadcasts, "57, shots fired, suspect down." At 04:26:58, Officer Mercadal yells, "Show me your hands." Officer Robinet says, "Let's see your hands." At 04:27:06, Officer Mercadal broadcasts, "57, he is down. No movement. We're going to need additional units, come in from the west to east of this yard." At 04:27:16, Officer Robinet says, "Let's see your hands." At 04:27:20, Officer Mercadal asks Officer Robinet, "You alright? You hit?" Officer Robinet says, "Yeah, I'm good." Officer Mercadal says, "Alright." At 04:27:26, Officer Robinet says, "He was still pointing . . ." Officer Mercadal says, "Oh, shit." Officer Robinet says, " . . . when I saw him again . . . you alright, dude?" Officer Mercadal says, "Yeah, I'm alright. I don't think I'm hit or anything." The officers continue to hold Clark at gunpoint. At 04:27:42, Officer Robinet says, "I got him at gunpoint, dude." Officer Mercadal says, "Alright, you want to, what you want to do?" Officer Robinet says, "Do a tactical reload, okay?" Officer Mercadal says, "Alright, copy." Officer Robinet says, "I think I shot about five times." At 04:27:45, Officer Mercadal started a reload. At 04:27:55, Officer Robinet broadcasts, "Standby." Officer Mercadal broadcasts, "Standby on that, he's still down, he's not moving, we can't see the gun." At 04:27:58, Officer Mercadal completed a reload and returned to hold Clark at gunpoint.

At 04:28:04, Officer Robinet says, "You good?" Officer Mercadal says, "Yeah, I'm good." Officer Robinet says, "Alright, I'm going to reload." Officer Mercadal says, "Alright, go, I got you, go." Officer Robinet says, "You got a light on him?" Officer Mercadal says, "Got him." At 04:28:12, Officer Mercadal broadcasts, "Negative, neither one of us is hit, we're okay, suspect's down."

The officers provide directions for how other officers can find their location. Officers Taylor and Trujillo arrive. At 04:29:05, Officer Taylor asks, "You have the gun?" Officer Robinet says, "We haven't secured it. We are not moving until we have more." Officer Mercadal says, "We don't have it. Do you see it, Jared?" Officer Robinet says, "No, I don't see it." Officer Trujillo asks, "He hasn't moved at all?" Officer Robinet says, "He hasn't moved at all." The officers discuss how to safely approach Clark. At 04:29:50, Officer Trujillo yells to Clark, "We need to know if you're okay. We need to get you medics, but we cannot go over to get you help unless we know you don't have your weapon." In describing to other officers what happened, at 04:30:27, Officer Mercadal says, "He came up, and then he, he kinda approached us, hands out, and then fell down." Officer Robinet says, "Yeah, he was, he was" and then can be seen extending at least one of his arms in front of his chest, in a shooting position. There is further discussion about how to tactically approach Clark. Sergeant Morris arrives on scene. At 04:31:30, Sergeant Morris asks, "What'd he have on him?" Officer Robinet extends both of his arms in front of his chest, in a shooting position and says, "Like this, something in his hands, it looked like a gun from our perspective." At 04:31:50, Officers Mercadal, Sergeant Morris, Officer Robinet, and Officer Taylor started walking towards Clark. At 04:31:52, as the officers approach Clark, Robinet states, "Oh fuck." In the process of handcuffing Clark, officers turned him on his right side, and the cellular phone can be seen near his face. Clark is secured, and CPR is started.

Sergeant Morris inquires as to which officers fired. After learning both Officers Mercadal and Robinet fired their weapons, he directs them to the front of the residence. Officers Mercadal and Robinet walk to the front of the residence and onto the sidewalk. At 04:33:35, Officers Mercadal, Robinet, and another officer were standing in front of 7570 29th Street when someone says, "Mute." Officer Mercadal's and Officer Robinet's BWC microphones mute.

ShotSpotter[22] technology in the area captured twenty rounds fired. Times listed are the time the system calculated the trigger was pulled based on environmental conditions at the time of the event. These times precede the time at which the system notified the ShotSpotter operator because of small radio, computational, and network delays. The first shot was fired at 21:26:48.925. The last shot was fired at 21:26:53.428. The twenty rounds were fired by the officers in approximately 4.5 seconds.

Blood Alcohol and Toxicology:

Toxicology testing of samples taken at Clark's autopsy were positive for alprazolam (Xanax), alpha-hydroxyalprazolam (alprazolam metabolite), codeine, hydrocodone, etizolam, ethanol, cannabinoids (delta-9-THC, 11-hydroxy-THC, 11-nor-9-carboxy-THC), and benzoylecgonine (cocaine metabolite). Nicotine, cotinine, diphenhydramine, and promethazine were also detected.[23]

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[22] ShotSpotter is a company that has contracted with SPD to provide a network of sensors in various locations within the City of Sacramento to detect when a gun is fired. Sensors analyze the sound waves of loud noises to determine location and whether the sounds are consistent with gunfire versus that of other loud noises, such as fireworks or vehicle backfires. The information is sent to a ShotSpotter analyst for a final review before being passed along to officers on the street.

[23] A sample of femoral blood taken at Clark's autopsy was tested by the Sacramento County District Attorney's Office Laboratory of Forensic Services on March 22, 2018, and showed an ethanol result of .08%. A toxicology analysis on March 27, 2018, of his femoral blood sample resulted in the following findings:

Delta-9-THC	16 ng/mL (+- 3 ng/mL)
11-Hydroxy-THC	2.3 ng/mL (+- .5 ng/mL)
11-nor-9-Carboxy-THC	236 ng/mL (+- 54 ng/mL)
Benzoylecgonine	60 ng/mL (Cocaine metabolite) (+- 11 ng/mL)
Codeine	120 ng/mL (+- 16 ng/mL)
Alprazolam (Xanax)	82 ng/mL (+- 16 ng/mL)
Etizolam	5.8 ng/mL (+- .5 ng/mL)

The testing indicated that nicotine, diphenhydramine, and promethazine may be present, and a portion of the sample was sent to Central Valley Toxicology for additional testing. The Laboratory of Forensic Services also tested a sample of Clark's urine and confirmed the presence of codeine and hydrocodone. A sample of vitreous fluid was tested and found 32 ng/mL of alprazolam (+- 6 ng/mL). Testing of a liver sample confirmed the presence of alprazolam, etizolam, and codeine. Testing of a sample of chest blood confirmed 12 ng/mL of codeine (+- 2 ng/mL).

Testing results by Central Valley Toxicology on April 5, 2018, of the portion of the femoral blood sample showed a blood ethyl alcohol level of .08% and toxicology results as follows:

Benzoylecgonine	0.05 mg/L [5 ng/mL]
Codeine (free)	0.12 mg/L [120 ng/mL]
Alprazolam	0.076 mg/L [76 ng/mL]

This testing was negative for promethazine.

Testing results by NMS Labs on April 23, 2018, of femoral blood showed a blood alcohol concentration of .091% and toxicology results as follows:

Autopsy

An autopsy was conducted by Sacramento County Coroner Forensic Pathologist Dr. Keng-Chih Su. He determined that the cause of Clark's death was multiple gunshot wounds. Dr. Su found that Clark had been shot seven times. Clark had gunshot wounds to his neck, right arm, chest, left thigh, and three wounds to his back. Dr. Su noted that he numbered the gunshot wounds for purposes of identification during the autopsy, but the manner he listed them did not represent a chronological order in which the wounds were received.

Regarding gunshot wound #1, the bullet entered at the right lateral neck, eight inches below the top of the head and one-and-a-half inches inferior to the right external auditory meatus. The bullet perforated the soft tissue of the posterior neck and exited at the left lateral neck, nine inches below the top of the head, two-and-a-half inches inferior and one inch posterior to the left external auditory meatus. The direction of this wound was right to left, slightly downward, and front to back.

Regarding gunshot wound #2, the bullet entered at the right lateral posterior arm, eight inches below the top of the head and close to the top of the shoulder. The bullet fractured the right humerus and terminated there. The direction of the wound was right to left and downward.

Regarding gunshot wound #3, the bullet entered at the right back/scapular area, 14 inches below the top of the head and five-and-a-half inches to the right of the midline. The bullet penetrated the soft tissue of the back, perforated, and terminated at the left scapula. The direction of the wound was right to left, back to front, and slightly upward.

Regarding gunshot wound #4, the bullet entered at the right lateral chest in the axillary area, 15 inches below the top of the head and between the middle and posterior axillary lines. The bullet perforated the right lateral third rib, upper lobe of the right lung, left anterior second rib, and terminated at the left lateral chest wall. The direction of the wound was right to left, slightly back to front, and upward.

Regarding gunshot wound #5, this bullet entered at the right lateral back, 19 ½ inches below the top of the head and at the posterior axillary line. The bullet perforated the right seventh rib and lower lobe of the right lung, lacerated the thoracic aorta and left ventricle of the heart, perforated the lower lobe of the left lung and left fifth intercostal space, and exited at the left lateral chest, 18 inches below the top of the head and at the middle axillary line. The direction of the wound was right to left, back to front, and slightly upward.

Alprazolam	90 ng/mL
Alpha-Hydroxyalprazolam	33 ng/mL
Codeine (free)	200 ng/mL
Hydrocodone (free)	5.9 ng/mL
Delta-9 Carboxy THC	300 ng/mL
Delta-9 THC	22 ng/mL
Promethazine	8.1 ng/mL
Etizolam	7.2 ng/mL

These results were also positive for cotinine and nicotine.

Regarding gunshot wound #6, this bullet entered at the right back/flank area, 20 inches below the top of the head and four inches to the right of the midline. The bullet fractured the posterior right tenth and eleventh ribs and terminated at the thoracic spine at T12. The direction of the wound was right to left, slightly back to front, and horizontal.

Regarding the gunshot wound #7, the bullet entered the left anterior thigh, 24 inches above the bottom of the left heel. The bullet perforated the soft tissue of the left thigh, and exited at the left lateral buttock, 32 inches above the bottom of the left heel. The direction of the wound was front to back and upward.

Chief Forensic Pathologist Jason Tovar and Pathologists Dr. Brian Nagao and Dr. Katherine Raven reviewed the autopsy and concurred with Dr. Su's findings. All three doctors signed the autopsy report along with Dr. Su. In addition, Sacramento County Coroner Kimberly Gin sought independent review from forensic pathologist Dr. Gregory Reiber. All five doctors are board certified forensic pathologists and combined have over fifty years of experience in the field of forensic pathology.

Dr. Bennet Omalu, a pathologist hired by the legal team representing Clark's family, presented findings at a press conference on March 30, 2018. The Sacramento Police Department attempted to obtain a copy of Dr. Omalu's report but was advised that he had not prepared one. Dr. Reiber, in his review of Dr. Su's report and photographs taken during the autopsy, noted that it was clear Clark was struck by seven bullets, not by eight as described by Dr. Omalu. To Dr. Reiber, it was obvious that the exit of the fifth gunshot wound described by Dr. Su was mistaken by Dr. Omalu for an entrance wound on the left side of the chest. Dr. Reiber found this a significant error, as it led to incorrect conclusions by Dr. Omalu regarding the relative positions of Clark and the shooting officers during the event.

Dr. Reiber further found that the illustrative trajectory for gunshot wound #3 supported Dr. Su's conclusion that there was injury only to soft tissues of the back and to the left scapula without spinal injury as asserted by Dr. Omalu in his press conference statements. Additionally, Dr. Reiber found that it was clear from the written and photographic documentation that gunshot wound #7 in the left thigh was delivered from the front. He also found it clear that the other wounds were primarily to Clark's right side, some being directly to the side (#1, #2, and #4) and others being to the right side of the back (#3, #5, and #6). Dr. Reiber wrote, "The predominant right-to-left angles of wounds 1, 3, 4, 5, and 6, along with the slight front-to-back angle of wound 1, do not support the assertion that Clark was shot primarily from behind as asserted by Omalu in his press conference statements."

Dr. Reiber analyzed the STAR helicopter video and found that it allowed correlation of the locations of Clark and the officers with the locations and directions of the gunshot wounds. He wrote:

> As officers are stopped at the northwest corner of the house, Clark can be seen walking between the picnic table and the house, toward the officers' position (1:02 to 1:04 [referring to times in a release of the video by SPD]); he is facing their location during this short interval. During this time a flash can be seen from the officers' position,

consistent with a shot being fired. Clark can be seen then turning west around what appears to be a picnic table on the patio, at which time his right side becomes exposed to the officers' position (1:04). Very quickly Clark is [sic] can be seen taking a crouching position and then going down, first to a hands-and-knees position, head facing west and right side to the north, exposed to the officers' position. During this part of the event, more flashes indicate gunshots from the officers' position (1:04+ to 1:05). Clark then quickly collapses to a prone position, head still west and right side facing north, with elbows out. Additional flashes can be seen during this part of the event, both from the officers' position and from beyond Clark's position on the patio, indicating further gunfire and four bullet ricochets from the patio (1:05+ to 1:09). Once he is in a hands-and-knees position, Clark's back is partly exposed to the officers' position and his back becomes more exposed to the officers' gunfire once he is prone.

This leads to the conclusion that gunshot wound 7 to the left thigh was most likely the first shot, sustained either as Clark was walking toward the officers' position with his left thigh raised, or possibly in the crouching position. Considering the officers' shooting position, the upward wound path through Clark's left thigh indicates that it was extended from the hip so that, at the time the bullet struck, his thigh was roughly parallel to the ground rather than perpendicular to the ground as it would be in a full standing position. For this wound to have been sustained after he was already down, in a prone position, would require a ricochet shot. For a ricochet bullet from the officers' position to then travel directly front-to-back into his thigh at the upward angle shown at autopsy, and not create a very atypical entrance wound (clearly not show by the autopsy) from the bullet being already deformed, is considered an untenable possibility. However untenable, this appears to be Omalu's conclusion as to how this injury was sustained, from his viewing of the video evidence, as related at the press conference.

The fact that the other gunshots hit Clark primarily from right to left, is also very well explained by correlation of the documented autopsy findings and Clark's position as shown in the STAR helicopter video. At no time does the video show Clark to have the left side of his body facing the officers' position as shots are fired, nor does the video show him turning around from a left-facing position, still upright, and putting his back squarely toward the officers as there were further shots fired which then dropped him.

Dr. Reiber found the video evidence provided clear refutation of Dr. Omalu's description of Clark's positioning during the shooting.

The San Diego County Medical Examiner's Department, at the request of the California Department of Justice, also reviewed the Sacramento County Coroner's investigation. San Diego's Chief Medical Examiner found that the Sacramento County Coroner's investigation "was comprehensive, professional, well documented, and correct in its conclusion."

Contacts with Law Enforcement

On March 1, 2018, at 12:47 a.m., SPD's Communications Center received a 9-1-1 call. The caller reported that a male subject had dragged a female subject down a hallway in an apartment at the location. Salena M. lived in that apartment with her two children. Stephon Clark was the father of these children and had been living there with them for a couple of months.

Officers responded and contacted the 9-1-1 caller. He indicated that he knocked on the door of the apartment after hearing a woman scream for help. He looked through a window and saw a male black adult straddling a female black adult on the floor, holding her arms down and yelling in her face. A small child was crying next to the two subjects.

Officers knocked on the door of the apartment. After a significant delay, Clark and Salena M. finally answered. Salena M. and Clark denied any arguing. Because Salena M. did not appear to have been recently crying and had no visible injury, officers departed the location.

On March 16, 2018, at 11:52 p.m., SPD's Communication Center received a 9-1-1 call. Salena M. asked a neighbor to call the police stating her boyfriend hit her. Upon arrival, officers spoke with Salena M. Her statement to a responding officer was recorded on the officer's body-worn camera.

Salena M. reported that she and Clark were arguing and that Clark struck her four to five times on the face. Salena M. said Clark punched her with a closed fist and slapped her. Clark then threw Salena M.'s head against a wall and choked her with both hands. Salena M. went into a closet, sat down, and cried for 10-15 minutes by herself. Clark entered the closet, picked her up, and took her to the bed. When she would not respond to him, he started hitting her again and called her derogatory names. When Clark went back to the closet to get some clothes, she ran out the door of their residence and contacted the neighbor who called the police.

Officers observed a 3" diameter hole in the wall where Salena M. stated Clark had hit her head. The impact had enough force to crack the drywall around the hole. Long brown strands of hair were stuck on the wall around the hole.

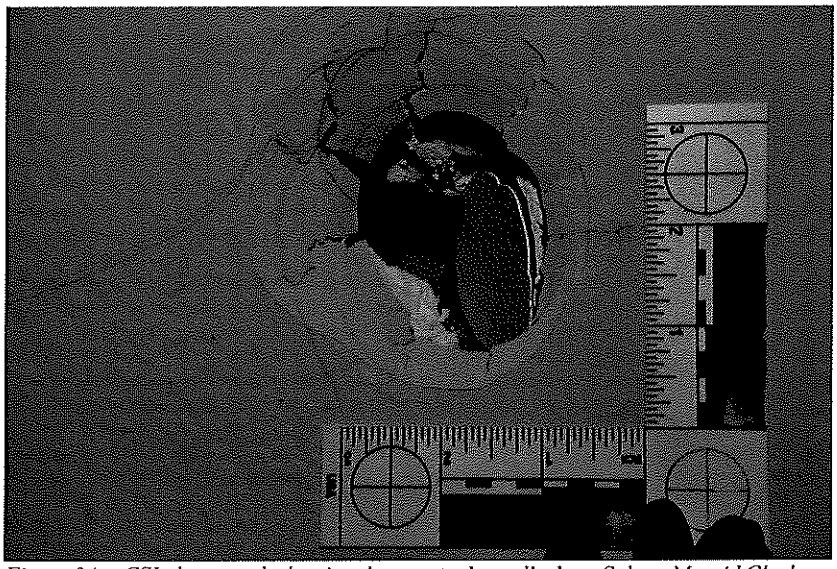

Figure 34 -- CSI photograph showing damage to the wall where Salena M. said Clark threw her head. Long, brown strands of hair are visible in and around the hole.

Salena M. appeared traumatized and distraught to the officers. She was crying and breathing at a fast rate. The left side of her face was swollen, including under her left eye, cheekbone, and lip.

Clark was not there when police arrived. It was noted that Clark could be arrested on probable cause for domestic violence under Penal Code section 273.5 from this incident. A warrants and records check run on Clark after March 17, 2018, would have indicated that Clark could be arrested for a domestic violence assault on Salena M. regarding the incident on March 16, 2018.

While talking to responding officers, Salena M. referenced the last time the police were at her residence in response to a call from a neighbor on March 1, 2018, she and Clark were hiding and did not initially answer the door. Salena M. admitted to lying to officers that day denying any injury because she was scared of Clark. She stated that Clark had beaten her up on that occasion as well, resulting in a welt on the back of her leg.

Probation

At the time of this incident, Clark was on four grants of probation (two cases were for domestic violence, one case was for loitering for prostitution, and one case was for robbery). His probation conditions included that he obey all laws. Violating his probation in the robbery case could have resulted in him serving time in state prison; violating his probation in the other cases could have resulted in him serving time in county jail. A warrants and records check run on Clark would have also indicated that he could be arrested for violating probation as a result of the incident on March 16, 2018. Salena M. was the victim of Mr. Clark's two prior domestic violence convictions.

Cell Phone

Salena M. was contacted by SPD investigators by telephone on March 20, 2018. She stated she had not talked with Clark since the police were dispatched to her house on Friday evening (March 16, 2018). Salena M. stated that Clark had exchanged text messages with her. Salena M. indicated the white Apple iPhone recovered next to Clark's body was hers, but that Clark had been using it. She said she did not know the passcode.[24]

The iPhone was sent to Cellebrite, a company that specializes in data extraction, transfer, and analysis of cellular phones and mobile devices, so it could be unlocked and downloaded. The contents of the phone provided by Cellebrite were forensically analyzed by SPD investigators. CAL DOJ investigators conducted an additional download of the phone itself. The redundant examination of the phone was done to ensure accuracy.

Relevant information from Clark's phone from March 16, 2018, leading up to the shooting on March 18, 2018, is summarized below. This summary does not include all calls, messages, or phone activity.

Between March 16, 2018, at 11:52 p.m. (when the call for service regarding the domestic violence incident was received by SPD's Communication Center) and 12:23 p.m. on March 17, 2018, Clark placed 76 outgoing calls to Salena M. On some of those calls, Clark blocked his caller ID by dialing "*67" and then the number. It appears that none of the calls were connected for more than a few seconds.

Within Clark's phone were several images that appear to be "screen captures" of a text message conversation between Clark and Salena M. The texts do not appear in Cellebrite's message log (like most of the data below). The screen captures appear as follows (light gray text bubbles are messages from Salena M., blue text bubbles are messages from Clark, dark gray boxes denote information redacted for privacy):

[24] Salena M. agreed to come to SPD headquarters for an interview later that day, but she did not arrive to her scheduled interview. Over the course of the next several months, CAL DOJ investigators attempted to schedule a follow up interview with Salena M. via her attorney, but those efforts were not successful.

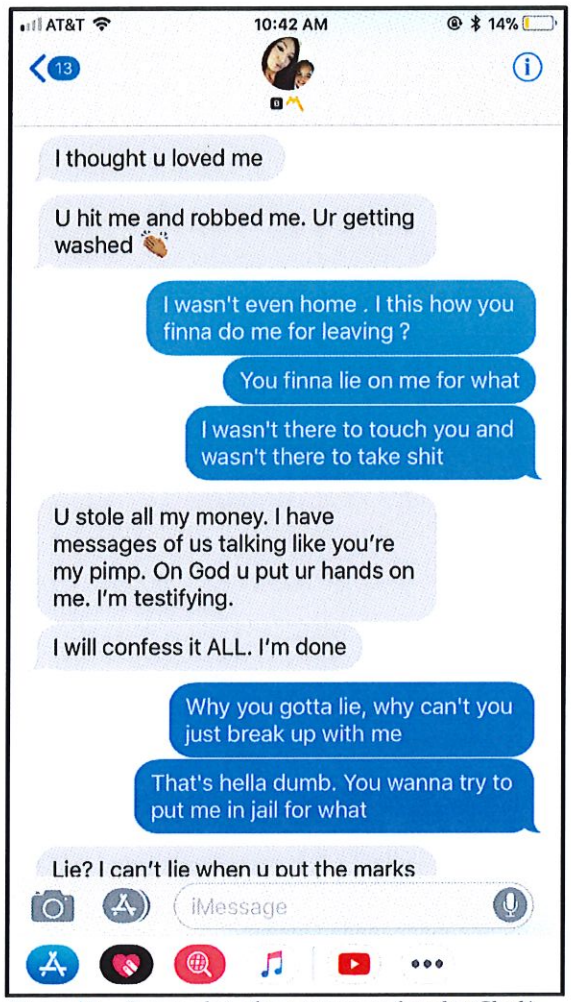

Figure 35 -- Screen shot of text messages found in Clark's phone

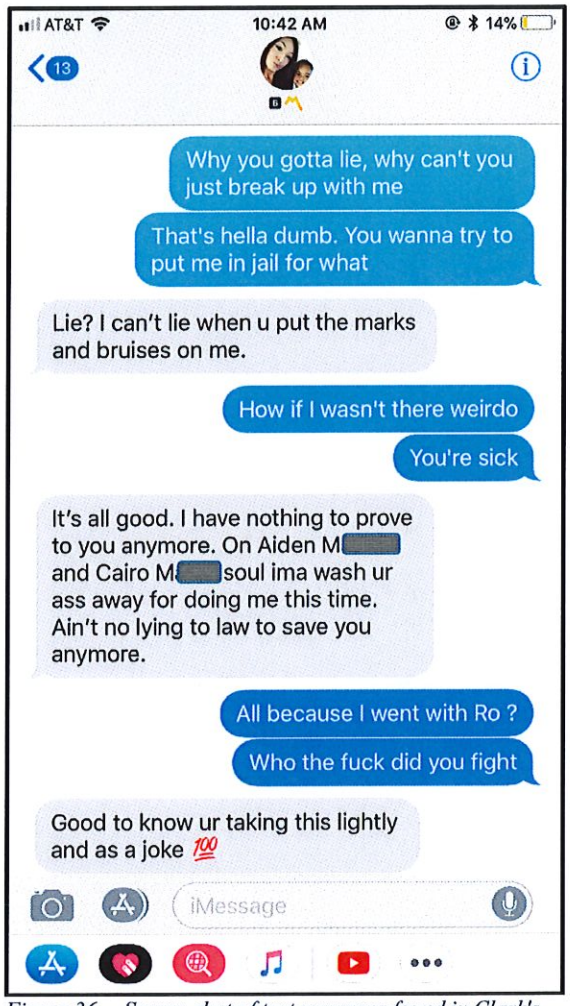

Figure 36 -- Screen shot of text messages found in Clark's phone

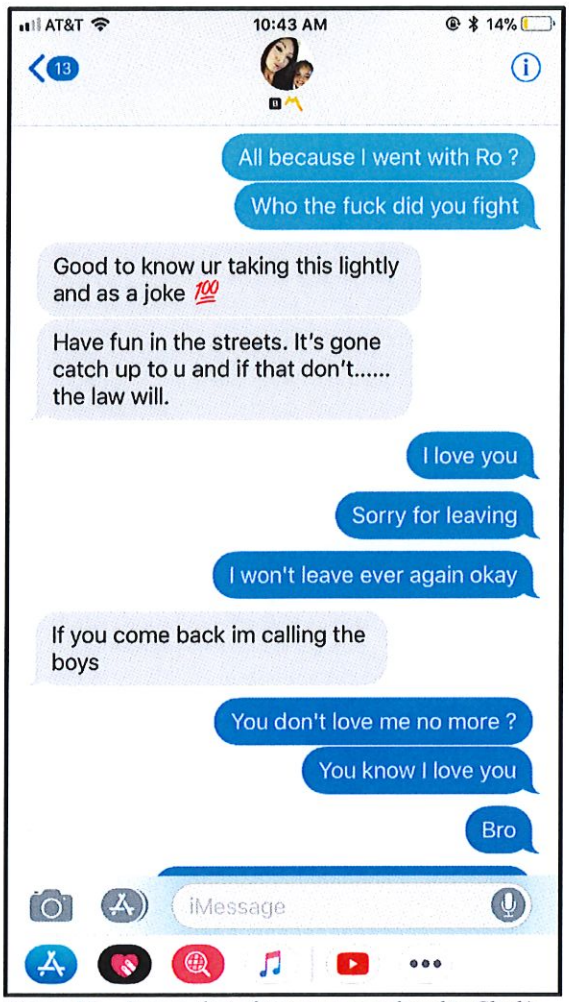

Figure 37 -- Screen shot of text messages found in Clark's phone

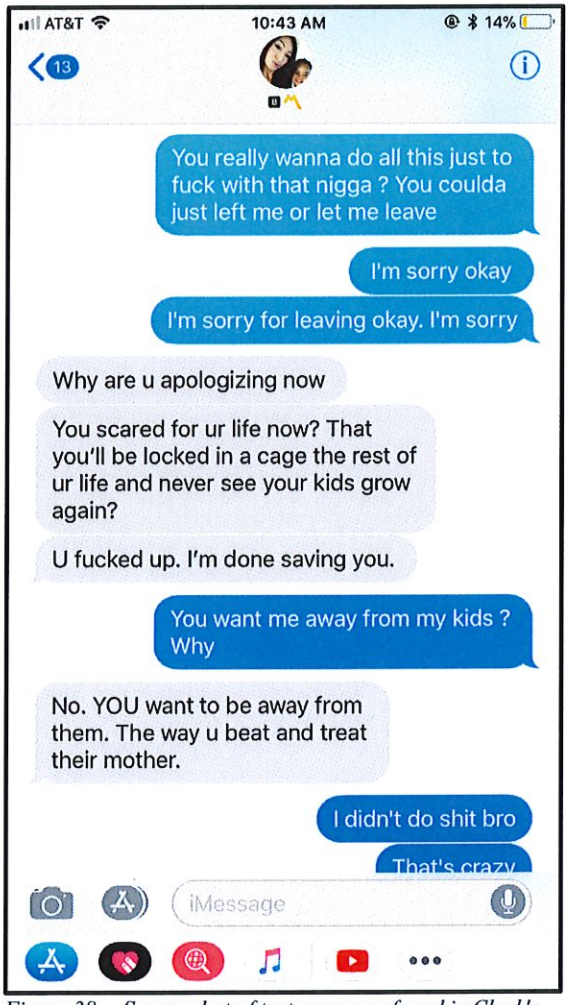

Figure 38 -- Screen shot of text messages found in Clark's phone

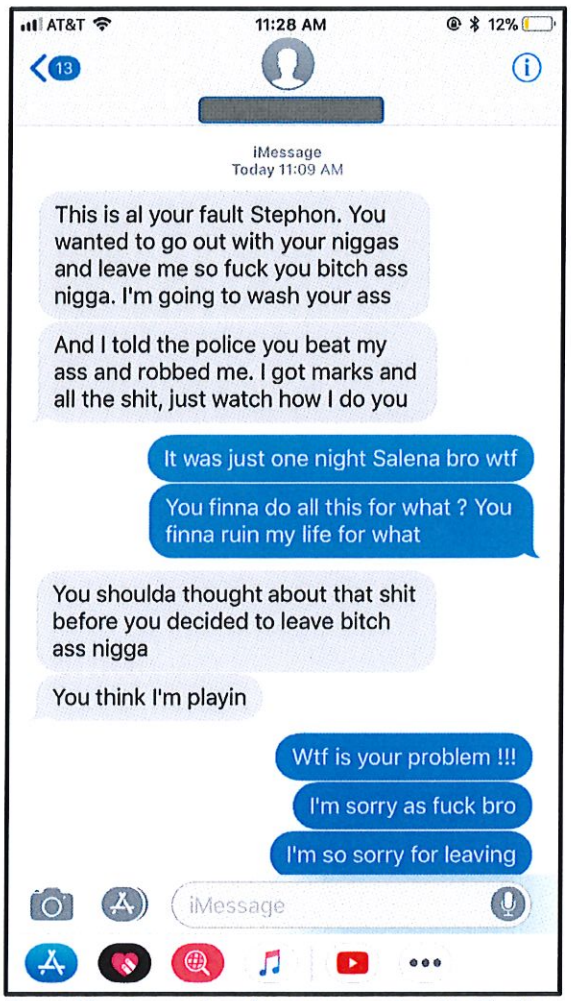

Figure 39 -- Screen shot of text messages found in Clark's phone

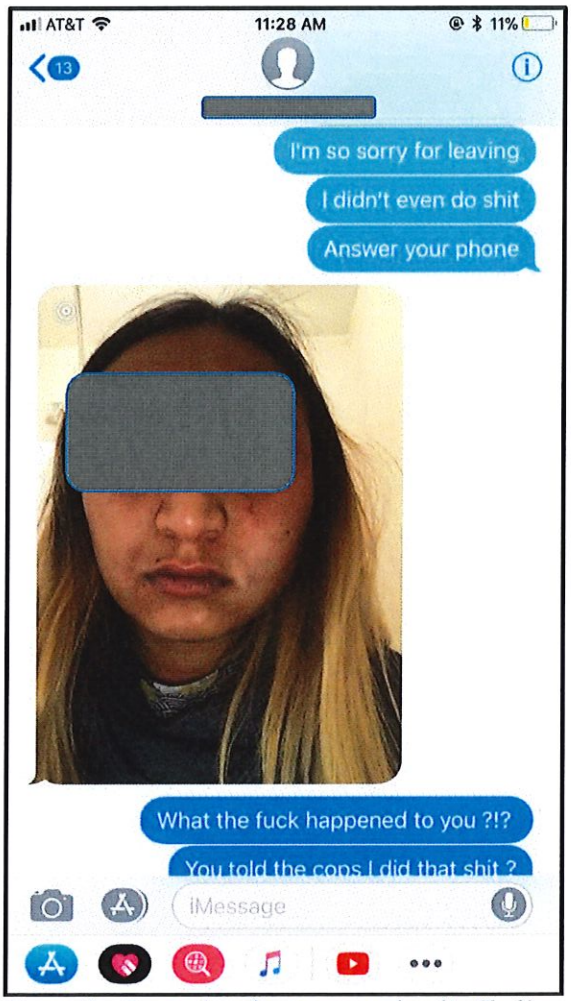

Figure 40 -- Screen shot of text messages found in Clark's phone

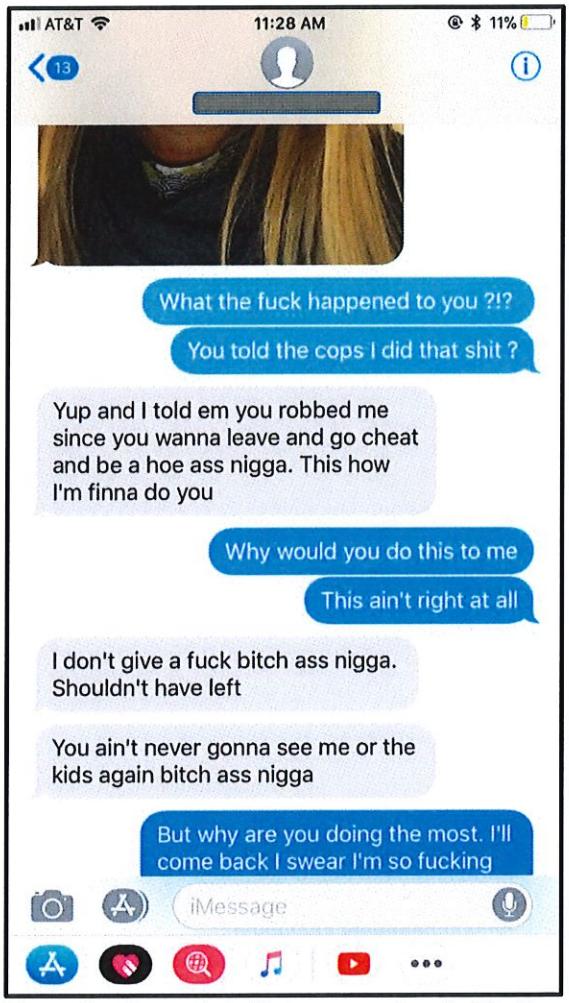

Figure 41 -- Screen shot of text messages found in Clark's phone

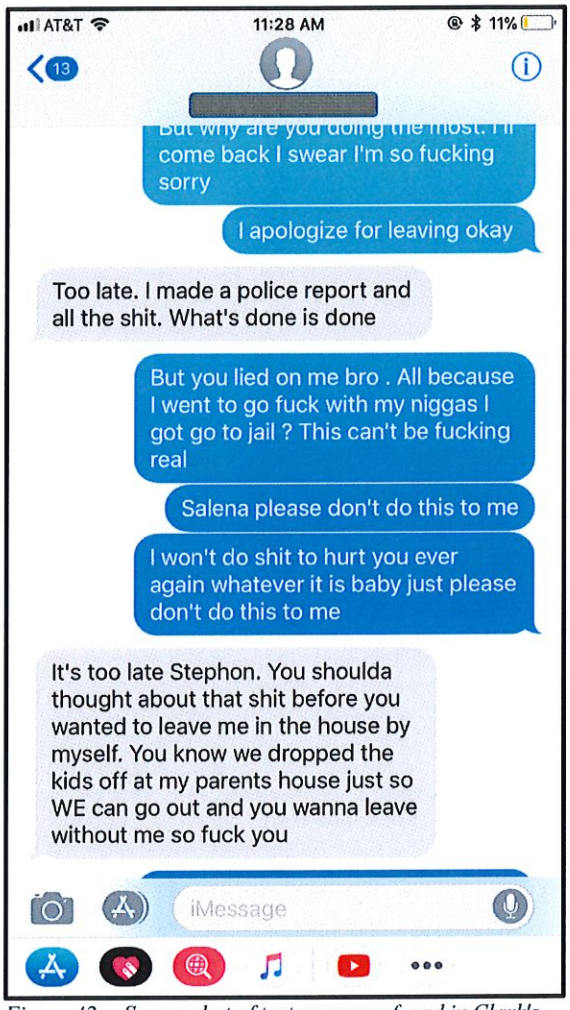

Figure 42 -- Screen shot of text messages found in Clark's phone

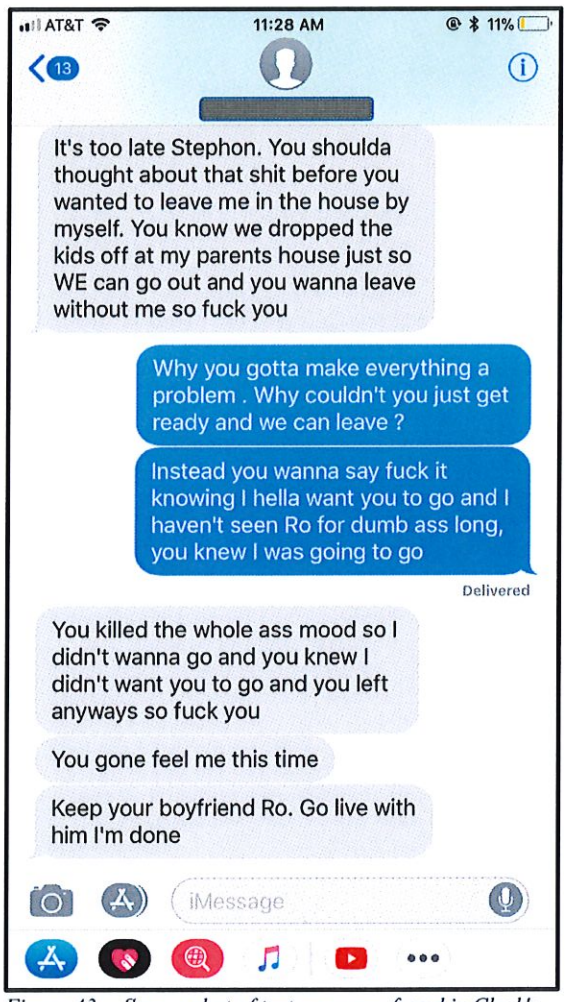

Figure 43 -- Screen shot of text messages found in Clark's phone

While in custody on November 15, 2017, Clark had phone calls with Salena M. that were recorded by the jail monitoring system. He had told her that if their relationship ended, he would want to see his children daily. He emphasized to her if they were not together, he would want to be part of his children's lives and not to keep them away from him.

Screen captures of an additional text message exchange between Clark and Salena M. were also located in the phone. These text messages did appear in the Cellebrite download. According to the download, this exchange began on March 17, 2018, at 12:19 p.m. The screen captures follow:

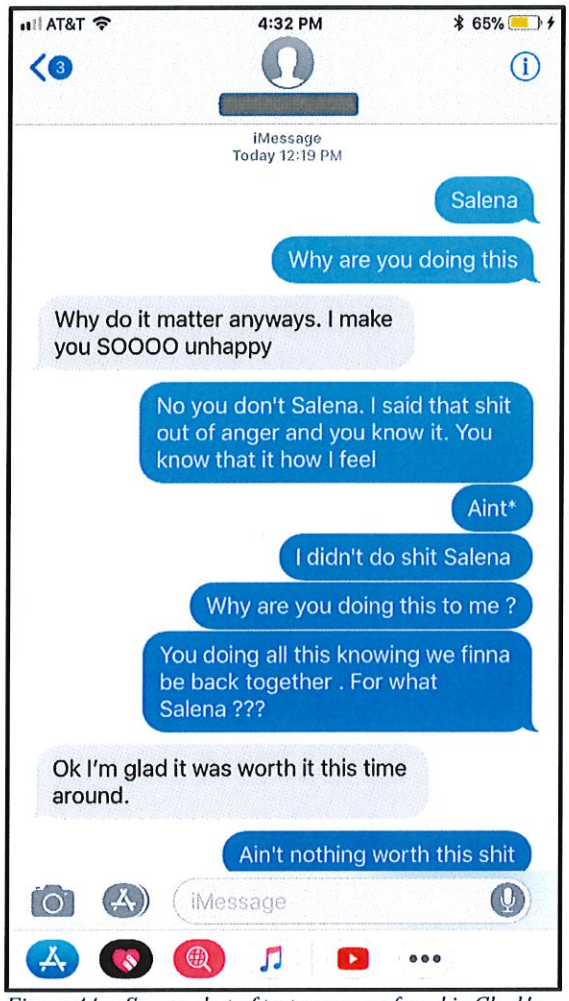

Figure 44 -- Screen shot of text messages found in Clark's phone

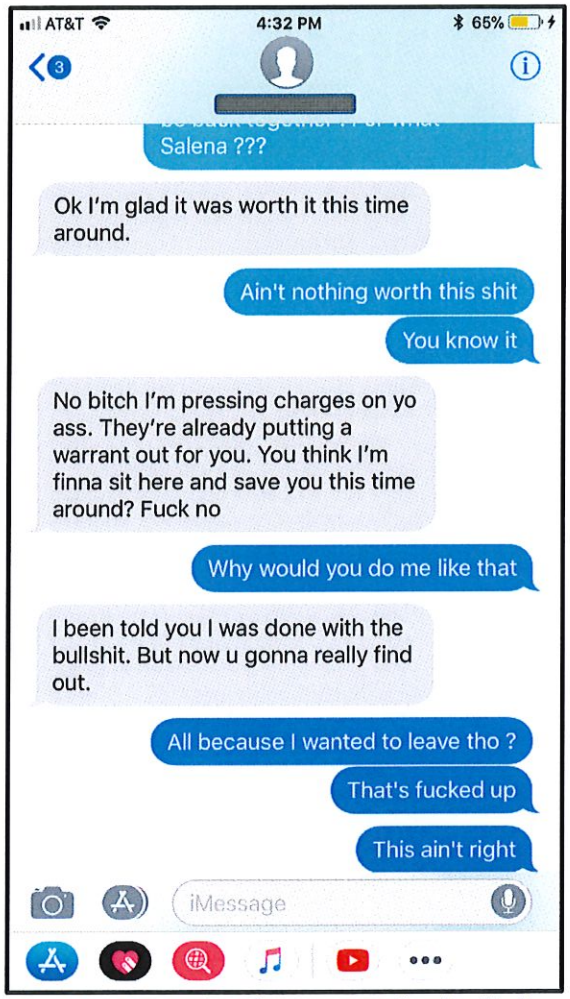

Figure 45 -- Screen shot of text messages found in Clark's phone

At 12:32 p.m., Clark attempted to call Salena M. The call lasted 4 seconds. The activity log from Cellebrite's report showed two additional messages at the end of this exchange. "Outgoing" indicates a message sent by Clark.

3207	Instant Messages	Outgoing	3/17/2018 12:39(UTC-7)	Thanks
3208	Instant Messages	Outgoing	3/17/2018 12:39(UTC-7)	You successfully let me know you don't love me.

On March 17, 2018, at 1:01 p.m., Clark began searching the internet for "Sacramento district attorney."

3209	Searched Items	Unknown	3/17/2018 13:01(UTC-7)	sacramento district attorney
3210	Web History	Unknown	3/17/2018 13:01(UTC-7)	sacramento district attorney - Google Search
3211	Searched Items	Unknown	3/17/2018	sacramento district attorney

			13:01(UTC-7)	
3212	Web History	Unknown	3/17/2018 13:01(UTC-7)	sacramento district attorney - Google Search
3213	Searched Items	Unknown	3/17/2018 13:01(UTC-7)	sacramento district attorney
3214	Web History	Unknown	3/17/2018 13:02(UTC-7)	Sacramento County District Attorney - Home

At 1:14 p.m., Clark attempted to call Salena M. again. The call appears to have lasted three seconds. Clark then sent an outgoing audio file, the contents and destination of which are not known.

At 1:36 p.m., the following text message exchange commenced between Clark and Salena M. "Incoming" indicates a message received on Clark's phone, in this case from Salena M.

3219	Instant Messages	Outgoing	3/17/2018 13:36(UTC-7)	Please don't do this

At 1:37 p.m., Clark sent a message to his probation officer.

3220	Instant Messages	Outgoing	3/17/2018 13:37(UTC-7)	Hey it's Stephon Clark

Beginning at 1:38 p.m., Salena M. texted Clark and a further exchange occurred:

3221	Instant Messages	Incoming	3/17/2018 13:38(UTC-7)	U didn't listen to me when I was begging you not to beat me . Smh but now it's please don't do this. Been told you I was giving up

3228	Instant Messages	Outgoing	3/17/2018 14:01(UTC-7)	What the fuck are you talking about ? You doing all this knowing we finna be back together ! Why ?
3229	Instant Messages	Outgoing	3/17/2018 14:01(UTC-7)	We're inseparable and you know
3230	Instant Messages	Outgoing	3/17/2018 14:02(UTC-7)	I just know, you know you made a mistake taking shit this far

"Smh" is a commonly used abbreviation in text messages for "Shaking my head."

At 2:01 p.m., Clark attempted to contact his probation officer again. Because it was the weekend and his probation officer was not on duty, Clark's communications were not reviewed until after the shooting.

Clark's web history shows that at 2:06 and 2:07 p.m., he was at the "Sacramento DA: Domestic Violence" and "Sacramento DA: Resources" websites.

Between 2:36 p.m. and 2:46 p.m., the text conversation with Salena M. continued. A screen capture of this exchange was found in the phone:

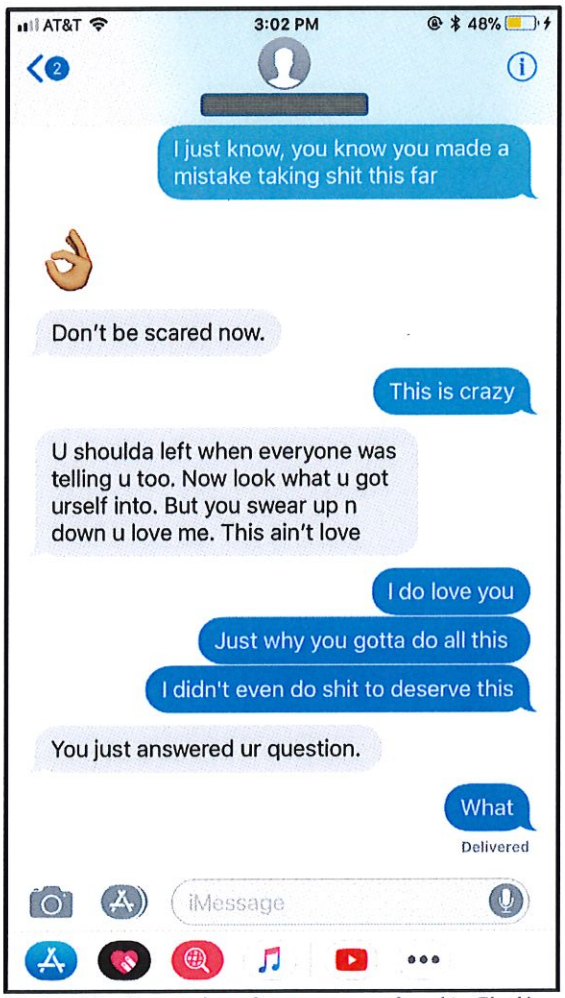

Figure 46 -- Screen shot of text messages found in Clark's phone

At 2:55 p.m., Clark entered the following "note" into his phone:

> My name is Stephon Clark. This email is regarding an incident that happened on the night of March 16th, 2018. I'm not one hundred percent sure there was a report made but that is what Salena [M.] has told me and I'm really innocent and I want to defend myself without incarceration. I say this because Salena [M.] and I have had a domestic dispute before that resulted in a misdemeanor corporal injury to a spouse and we have a 'Peace Order' for that case. From my understanding, of she so much as calls from a verbal argument, I can be violated

and in this case she admits to harming herself in the attachments which are text messages from her today, March 17th, 2018. She has told me that she told the police that I harmed her and I wasn't even present. I also have a group of friend that can verify my whereabouts.

The dispute started because she didn't want to go out with me and my friends because my friend was bringing a couple of girls and Salena had a problem with that so she said she didn't want to go anymore. I went out with my friends anyways and left while she was at home. She was upset that I was getting dressed and told me, "I'm going to wash your ass this time". I ignored it and left anyways. She called me and said I wasn't allowed back home and she was calling the cops so I stayed the night out. The next morning, I get all of these texts from her telling me that she called the cops and made a police report and all of this.

Once again, I'm not sure if she really made this fake report but She's done this before so I'm pretty scared I'm going to be put in jail.

My spouse Salena [M.] told me she made a police report against me claiming I hit her and stole from her, this is not the first time she's called the police on me and lied on me about multiple things. Her younger brother has even been there on a couple offs incidents when she called the police on me lying all because I made a video of her and her brother told the cops the truth and they let me go minutes later. Im not sure if there was a report filed but that is what she's telling me so here is some proof of my innocence . I'm sure you guys have proof that this is her cell number in the messages in my attachments. Thank you so much.

Feel free to contact me in regards to this matter.

Clark then included his cell phone number and email address, as well as Salena M.'s cell phone number. There is no record that Clark ever sent this message to either the Sacramento County District Attorney's Office or Probation Department.

At 3:07 p.m., Clark attempted to call his probation officer. The call log shows the call lasted zero seconds.

At 3:24 p.m., Clark made an outgoing call to Amauria H. This call lasted 19 minutes and 13 seconds. When later contacted by investigators, Amauria H. indicated she was in a relationship with Clark for approximately a year, which ended a year prior to his death. She had not seen him since December 2017, but they talked on and off.

At 3:35 p.m., Clark sent a message to Salena M.

4174	Instant Messages	Outgoing	3/17/2018 15:35(UTC-7)	Baby momma pants

At 3:44 p.m., Clark received an incoming call from Amauria H. that lasted 6 minutes and 30 seconds.

At 4:23 p.m., Clark sent a message to one of his contacts:

4189	Instant Messages	Outgoing	3/17/2018 16:23(UTC-7)	I need a zip

"Zip" is a term commonly used to refer to an ounce of marijuana.

At 5:17 p.m., Clark's web history shows he accessed the Sacramento Police online reporting system and the "narrative" page.

At 5:26 p.m., Clark sent a message to his probation officer.

4247	Instant Messages	Outgoing	3/17/2018 17:26(UTC-7)	I have to talk to you. It's urgent

At 6:58 p.m., Clark texted and attempted to call Salena M.:

4259	Instant Messages	Outgoing	3/17/2018 18:58(UTC-7)	I miss you guys already I can't do this . What do you want me to do to make shot right again ?
4260	Call Log	Outgoing	3/17/2018 18:59(UTC-7)	00:00:02

At 7:30 p.m., Clark placed two outgoing calls and then received at 7:38 p.m. an incoming call from Amauria H. The incoming call lasted 3 minutes and 15 seconds.

At 7:57 p.m., the texts with Salena M. resumed:

4269	Instant Messages	Incoming	3/17/2018 19:57(UTC-7)	Now u wanna make it right. When it's too late. After you done beat my ass called me all types of faggots bitches, a liar a cheater all this extra shit. Miss me with this fake shit. I'm already knowing you'll tell me anything to make me not testify against you and I'm not falling for it no more.

				This is what you chose.
4270	Instant Messages	Outgoing	3/17/2018 19:59(UTC-7)	On God that ain't what it is . You know I genuinely love you and my kids. This isn't our end baby
4271	Instant Messages	Incoming	3/17/2018 20:00(UTC-7)	Ok
4272	Instant Messages	Outgoing	3/17/2018 20:00(UTC-7)	How you finna tell me I don't miss you ?
4273	Instant Messages	Outgoing	3/17/2018 20:00(UTC-7)	You know I do. I wanna cuddle
4274	Instant Messages	Outgoing	3/17/2018 20:00(UTC-7)	Can I come home please
4275	Instant Messages	Outgoing	3/17/2018 20:01(UTC-7)	Let me make shit right please
4276	Instant Messages	Incoming	3/17/2018 20:03(UTC-7)	Lol
4277	Instant Messages	Incoming	3/17/2018 20:05(UTC-7)	U beat my cos u wanted to go out with ur friend SOO bad. And you're so miserable w me. But now u wanna come "home".
4278	Instant Messages	Incoming	3/17/2018 20:05(UTC-7)	Where was ur head at when I was begging you to make shit right last night
4279	Instant Messages	Incoming	3/17/2018 20:05(UTC-7)	😠😈
4280	Instant Messages	Outgoing	3/17/2018 20:05(UTC-7)	What the fuck are you talking about
4281	Instant Messages	Outgoing	3/17/2018 20:06(UTC-7)	Why we can't make shit right ? You knew I wasn't going to fucking leave Salena
4282	Instant Messages	Outgoing	3/17/2018 20:06(UTC-7)	You knew
4283	Instant Messages	Outgoing	3/17/2018 20:06(UTC-7)	So why you take this shit this far

From 8:08 p.m. to 8:12 p.m., Clark attempted to call Amauria H. four times. All of these calls lasted zero seconds.

At 8:24 and 8:26 p.m., Clark attempted to contact Salena M.:

4288	Call Log	Outgoing	3/17/2018 20:24(UTC-7)	00:00:03
4289	Instant Messages	Outgoing	3/17/2018 20:26(UTC-7)	Salena

Between 8:36 p.m. and 8:48 p.m., Clark placed five calls to Amauria H. The first four calls each lasted two seconds or less. The last call lasted 28 seconds.

At 8:48 p.m., the texts with Salena M. continued:

4295	Instant Messages	Incoming	3/17/2018 20:48(UTC-7)	I tried but there was no hearing me out. You rather beat my ass to get ur way. You took my ring and started going for ur shit, but I knew u wasn't gone leave. And if u didn't leave no telling what else you would have done to me. My face is already fucked up.
4296	Instant Messages	Outgoing	3/17/2018 20:49(UTC-7)	I didn't take shit from you and I didn't hit you Salena
4297	Instant Messages	Outgoing	3/17/2018 20:49(UTC-7)	Stop saying that shit
4298	Instant Messages	Incoming	3/17/2018 20:50(UTC-7)	You contradict urself in all these messages.
4299	Instant Messages	Outgoing	3/17/2018 20:51(UTC-7)	Are you really done with me Salena ?
4300	Instant Messages	Incoming	3/17/2018 20:55(UTC-7)	Have that same energy you did with me last night in the court room.
4301	Instant Messages	Outgoing	3/17/2018 20:56(UTC-7)	Yes or no Salena

At 8:59 p.m., Clark began researching suicide. The following rows labeled "Searched Items" depict the words Clark typed into the search engine. The rows labeled "Web History" depict the website Clark visited as a result of his searches:

4302	Searched Items	Unknown	3/17/2018 20:59(UTC-7)	how much bleach can i drink before i die
4303	Web History	Unknown	3/17/2018 20:59(UTC-7)	how much bleach can i drink before i die - Google Search
4304	Searched Items	Unknown	3/17/2018 20:59(UTC-7)	how much bleach can i drink before i die
4305	Web History	Unknown	3/17/2018 20:59(UTC-7)	How long would it actually take to die after drinking bleach? - NoStupidQuestions
4306	Searched Items	Unknown	3/17/2018 21:02(UTC-7)	easiest ways to kill yourself
4307	Web History	Unknown	3/17/2018 21:02(UTC-7)	easiest ways to kill yourself - Google Search

4308	Searched Items	Unknown	3/17/2018 21:02(UTC-7)	easiest ways to kill yourself
4309	Web History	Unknown	3/17/2018 21:02(UTC-7)	What is the quickest and easiest way to kill yourself? - Quora
4310	Web History	Unknown	3/17/2018 21:02(UTC-7)	What is the quickest and easiest way to kill yourself? - Quora

At 9:03 p.m., Salena M. responded to Clark's last questions (at lines 4299 and 4301: "Are you really done with me Salena?" and "Yes or no Salena"):

4311	Instant Messages	Incoming	3/17/2018 21:03(UTC-7)	Yes

Clark then immediately continued his research on suicide:

4312	Searched Items	Unknown	3/17/2018 21:03(UTC-7)	whats carbon monoxide
4313	Web History	Unknown	3/17/2018 21:03(UTC-7)	whats carbon monoxide - Google Search
4314	Searched Items	Unknown	3/17/2018 21:03(UTC-7)	whats carbon monoxide
4315	Searched Items	Unknown	3/17/2018 21:05(UTC-7)	what makes carbon monoxide
4316	Web History	Unknown	3/17/2018 21:05(UTC-7)	what makes carbon monoxide - Google Search
4317	Searched Items	Unknown	3/17/2018 21:05(UTC-7)	what makes carbon monoxide
4318	Searched Items	Unknown	3/17/2018 21:07(UTC-7)	what pills can you die from
4319	Web History	Unknown	3/17/2018 21:07(UTC-7)	what pills can you die from - Google Search
4320	Searched Items	Unknown	3/17/2018 21:07(UTC-7)	what pills can you die from
4321	Web History	Unknown	3/17/2018 21:07(UTC-7)	5 common, over-the-counter medicines that could kill you if you take too much - News 5 Cleveland
4322	Web History	Unknown	3/17/2018 21:08(UTC-7)	Most Commonly Overdosed Drugs |

At 9:10 p.m., Clark text messaged multiple people requesting Xanax or Valium:

4323	Instant Messages	Outgoing	3/17/2018 21:10(UTC-7)	Who got Xans ?
4324	Instant Messages	Outgoing	3/17/2018 21:10(UTC-7)	Or Valium

4325	Instant Messages	Outgoing	3/17/2018 21:11(UTC-7)	Who got Xans ?
4326	Instant Messages	Outgoing	3/17/2018 21:11(UTC-7)	Ro
4327	Instant Messages	Outgoing	3/17/2018 21:11(UTC-7)	Who had those Xans ? I need some
4328	Instant Messages	Incoming	3/17/2018 21:11(UTC-7)	6 a pop yellows
4329	Instant Messages	Outgoing	3/17/2018 21:11(UTC-7)	They real ?
4330	Call Log	Outgoing	3/17/2018 21:12(UTC-7)	00:01:11
4331	Instant Messages	Incoming	3/17/2018 21:13(UTC-7)	Shit Katie only had a couple but I can find out
4332	Instant Messages	Outgoing	3/17/2018 21:16(UTC-7)	Oxy ?

At 9:17 p.m., Clark continued his research on suicide:

4333	Searched Items	Unknown	3/17/2018 21:17(UTC-7)	Oxycodone kills you ?
4334	Web History	Unknown	3/17/2018 21:17(UTC-7)	Oxycodone kills you ? - Google Search
4335	Searched Items	Unknown	3/17/2018 21:17(UTC-7)	Oxycodone kills you ?
4336	Web History	Unknown	3/17/2018 21:17(UTC-7)	Oxycodone kills you ? - Google Search
4337	Searched Items	Unknown	3/17/2018 21:17(UTC-7)	Oxycodone kills you ?
4338	Web History	Unknown	3/17/2018 21:17(UTC-7)	Oxycodone overdose: How much amount of oxycodone to OD?
4339	Searched Items	Unknown	3/17/2018 21:18(UTC-7)	how many xanax can kill you
4340	Web History	Unknown	3/17/2018 21:18(UTC-7)	how many xanax can kill you - Google Search
4341	Searched Items	Unknown	3/17/2018 21:18(UTC-7)	how many xanax can kill you
4342	Call Log	Incoming	3/17/2018 21:18(UTC-7)	00:00:58
4343	Instant Messages	Incoming	3/17/2018 21:18(UTC-7)	Nada lol. Already tried
4344	Web History	Unknown	3/17/2018 21:20(UTC-7)	If I will take 30 tablets of xanax, what are the side effects?

The incoming call above that occurred at 9:18 p.m. lasting 58 seconds came from an area code 530 number. Clark sent a text message to the same number with his address while continuing his research and again communicating with this number:

4347	SMS Messages	Outgoing	3/17/2018 21:22(UTC-7)	7572 29th st

4354	Web History	Unknown	3/17/2018 21:24(UTC-7)	Xanax and Alcohol: A Combination that Could Kill
4355	SMS Messages	Outgoing	3/17/2018 21:28(UTC-7)	7572 29th st
4356	Call Log	Outgoing	3/17/2018 21:28(UTC-7)	00:00:09

4358	Web History	Unknown	3/17/2018 21:29(UTC-7)	How much Xanax will it take to reliably kill you? - Quora

4360	Web History	Unknown	3/17/2018 21:31(UTC-7)	What are the benefits of taking Xanax? - Quora

4381	Web History	Unknown	3/17/2018 21:33(UTC-7)	What are the benefits of taking Xanax? - Quora
4382	Web History	Unknown	3/17/2018 21:33(UTC-7)	What are the benefits of taking Xanax? - Quora

4401	Searched Items	Unknown	3/17/2018 21:38(UTC-7)	yellow xanax bars mg
4402	Web History	Unknown	3/17/2018 21:38(UTC-7)	yellow xanax bars mg - Google Search
4403	Searched Items	Unknown	3/17/2018 21:38(UTC-7)	yellow xanax bars mg
4404	Web History	Unknown	3/17/2018 21:39(UTC-7)	Xanax (Alprazolam) Drug Information: Description, User Reviews, Drug Side Effects, Interactions - Prescribing Information at RxList
4405	Web History	Unknown	3/17/2018 21:40(UTC-7)	Xanax (Alprazolam) Drug Information: Description, User Reviews, Drug Side Effects, Interactions - Prescribing Information at RxList
4406	Web History	Unknown	3/17/2018 21:40(UTC-7)	Xanax (Alprazolam) Drug Information: Description, User Reviews, Drug Side Effects, Interactions - Prescribing Information at RxList

At 9:45 p.m., the person using the 530 number exchanged calls with Clark and then sent him a text message, apparently as the person arrived at Clark's house.

4407	Call Log	Incoming	3/17/2018 21:45(UTC-7)	00:00:03
4408	Call Log	Outgoing	3/17/2018 21:46(UTC-7)	00:00:01
4409	Call Log	Incoming	3/17/2018 21:46(UTC-7)	00:00:00
4410	SMS Messages	Incoming	3/17/2018 21:46(UTC-7)	Im here

At 10:03 p.m., Clark asked Salena M. if she wanted him to kill himself:

4413	Instant Messages	Outgoing	3/17/2018 22:03(UTC-7)	You want me to kill myself ?
4414	Instant Messages	Outgoing	3/17/2018 22:05(UTC-7)	Salena
4415	Instant Messages	Outgoing	3/17/2018 22:05(UTC-7)	I'm not playin, don't do this

Clark then took the following photo and sent it and the following text message to Salena M.:

4418	Instant Messages	Outgoing	3/17/2018 22:07(UTC-7)	
4419	Instant Messages	Outgoing	3/17/2018 22:08(UTC-7)	Let's fix our family or I'm taking all of these

The markings on these pills are consistent with alprazolam (Xanax).

At 10:09 p.m., Clark called Amauria H. This call lasted 35 seconds.

4420	Call Log	Outgoing	3/17/2018 22:09(UTC-7)	00:00:35

At 10:11 and 10:12 p.m., Salena M. responded to Clark's message "Let's fix our family or I'm taking all of these" with the following:

4421	Instant Messages	Incoming	3/17/2018 22:11(UTC-7)	Do it idgaf

4422	Instant Messages	Incoming	3/17/2018 22:12(UTC-7)	I knew u was gone blow my money on drugs anyways.

The phrase "idgaf" is commonly used in text messaging as an abbreviation for "I don't give a fuck." These were the last messages Clark received from Salena M.

Clark then searched for information specific to the "R039" printed on the pills in the photo above:

4423	Searched Items	Unknown	3/17/2018 22:13(UTC-7)	yellow xanax ro39
4424	Web History	Unknown	3/17/2018 22:13(UTC-7)	yellow xanax ro39 - Google Search
4425	Searched Items	Unknown	3/17/2018 22:13(UTC-7)	yellow xanax ro39
4426	Web History	Unknown	3/17/2018 22:13(UTC-7)	R O 39 Yellow - Pill Identification Wizard | Drugs.com

Between 11:47 p.m. on March 17 and 12:03 a.m. on March 18, Clark placed 19 outgoing calls to Amauria H. It does not appear any of these calls were answered.

On March 18, 2019, Clark received a message from an individual noted as "Jun" in his contacts:

4450	Instant Messages	Incoming	3/18/2018 04:07(UTC-7)	What made you text me

"Jun" was later identified as Janelle T., who resided in Nevada. When contacted by investigators, she stated she was the former girlfriend of Clark. She said Clark contacted her by phone that day, and she had not heard from him since April of 2017. Clark wanted to catch up on their relationship. He told her he was at his grandmother's house with his family.

Very little activity occurred on the phone the morning of March 18. Relevant phone information begins at 2:18 p.m. Clark sent a text message to the same 530 number he had contacted the previous evening:

4462	SMS Messages	Outgoing	3/18/2018 14:18(UTC-7)	Ow many more bars you got ?

At 2:21 p.m., Clark conducted more research:

4467	Web History	Unknown	3/18/2018 14:21(UTC-7)	Pill Identification Wizard | Drugs.com
4468	Searched Items	Unknown	3/18/2018 14:21(UTC-7)	how many yellow xanax bars can i take

4469	Web History	Unknown	3/18/2018 14:21(UTC-7)	how many yellow xanax bars can i take - Google Search
4470	Searched Items	Unknown	3/18/2018 14:21(UTC-7)	how many yellow xanax bars can i take

At 2:50 p.m., Clark exchanged messages with Janelle T.

4472	Instant Messages	Incoming	3/18/2018 14:50(UTC-7)	What's your catch behind it
4473	Instant Messages	Incoming	3/18/2018 14:51(UTC-7)	because this happens all the time.
4474	Instant Messages	Outgoing	3/18/2018 14:53(UTC-7)	Just seeing you is the catch baby nelly

At 2:55 p.m., Clark sent messages again requesting Xanax, which included one to the same 530 number:

4475	Instant Messages	Outgoing	3/18/2018 14:55(UTC-7)	I need more
4476	SMS Messages	Outgoing	3/18/2018 14:55(UTC-7)	I need you to pull back up
4477	Instant Messages	Incoming	3/18/2018 14:58(UTC-7)	Ok hold on da
4478	Instant Messages	Incoming	3/18/2018 14:58(UTC-7)	Rq
4479	Instant Messages	Outgoing	3/18/2018 14:59(UTC-7)	Yours and his
4480	Instant Messages	Incoming	3/18/2018 14:59(UTC-7)	Mine
4481	Instant Messages	Outgoing	3/18/2018 14:59(UTC-7)	I need all Xans bitch
4482	Instant Messages	Outgoing	3/18/2018 14:59(UTC-7)	Yours and his
4483	Instant Messages	Incoming	3/18/2018 14:59(UTC-7)	Ok

At 3:37 p.m., Clark attempted to call Janelle T.

4490	Call Log	Outgoing	3/18/2018 15:37(UTC-7)	00:00:00

At 4:49 p.m., Clark made two more short outgoing calls to the 530 number:

4508	Call Log	Outgoing	3/18/2018 16:49(UTC-7)	00:00:02
4509	Call Log	Outgoing	3/18/2018	00:00:05

			16:49(UTC-7)	

At 4:07 p.m., Clark conversed with Janelle T. One of those calls was nearly 12 minutes. The calls were followed by a text message from Clark.

4510	Call Log	Outgoing	3/18/2018 16:50(UTC-7)	00:11:52
4511	Call Log	Outgoing	3/18/2018 17:02(UTC-7)	00:00:00
4512	Call Log	Outgoing	3/18/2018 17:02(UTC-7)	00:00:00
4513	Call Log	Outgoing	3/18/2018 17:02(UTC-7)	00:00:00
4514	Instant Messages	Outgoing	3/18/2018 17:03(UTC-7)	We need a conversation. We need you figure this out

In the mist of this conversation, Clark dialed Salena M.'s phone with a "*67" first (Caller ID blocking):

4515	Call Log	Outgoing	3/18/2018 17:04(UTC-7)	00:00:08

Janelle T. then responded to Clark's text, and their contacts continued:

4516	Instant Messages	Incoming	3/18/2018 17:05(UTC-7)	We don't need a conversation, I don't want nothing to do with you
4517	Instant Messages	Outgoing	3/18/2018 17:05(UTC-7)	Baby I made a mistake posing you bro my bm
4518	Call Log	Outgoing	3/18/2018 17:05(UTC-7)	00:00:00
4519	Call Log	Outgoing	3/18/2018 17:06(UTC-7)	00:00:00
4520	Call Log	Outgoing	3/18/2018 17:06(UTC-7)	00:00:00
4521	Instant Messages	Outgoing	3/18/2018 17:07(UTC-7)	Jun
4522	Instant Messages	Outgoing	3/18/2018 17:07(UTC-7)	Barn just here me out

At 5:08 and 5:09 p.m., Clark attempted two calls to Salena M. Each lasted zero seconds. In her interview with detectives, Salena M. stated that Clark had tried to call and FaceTime (video chat) her at about 5:00 p.m. on March 18, 2018, but she had missed his call.

At 5:10 p.m., Clark attempted to call Janelle T. The call lasted zero seconds.

At 5:13 p.m., Clark texted Janelle T.:

4529	Instant Messages	Outgoing	3/18/2018 17:13(UTC-7)	What show palace toy wokrb?

At 5:39 p.m., Clark began sending text messages asking for "weed" and "bars." "Bars" is commonly used to refer to Xanax pills.

4559	Instant Messages	Outgoing	3/18/2018 17:39(UTC-7)	Sell me some weed
4560	Instant Messages	Incoming	3/18/2018 17:40(UTC-7)	I'm running around how kuvu
4561	Instant Messages	Incoming	3/18/2018 17:40(UTC-7)	Much
4562	Instant Messages	Outgoing	3/18/2018 17:48(UTC-7)	You got bars ?

4573	Instant Messages	Outgoing	3/18/2018 18:48(UTC-7)	Bars ?
4574	Instant Messages	Incoming	3/18/2018 18:49(UTC-7)	Bro no

At 7:00 p.m., Clark sent messages to Amauria H. and attempted to call her:

4576	SMS Messages	Outgoing	3/18/2018 19:00(UTC-7)	Wya
4577	Instant Messages	Outgoing	3/18/2018 19:01(UTC-7)	Baby

4579	Call Log	Outgoing	3/18/2018 19:04(UTC-7)	00:00:05

"Wya" is commonly used in text messages as an abbreviation for "Where you at?"

Clark received two messages from a different 530 area code number.

4580	Instant Messages	Incoming	3/18/2018 19:20(UTC-7)	Miss you dick
4581	Instant Messages	Incoming	3/18/2018 19:25(UTC-7)	Lmk when I can play with Selena & you again

Clark exchanged messages with Amauria H.

4582	Instant Messages	Incoming	3/18/2018 19:36(UTC-7)	Home
4583	Instant Messages	Outgoing	3/18/2018 19:55(UTC-7)	Uber here no swap

4584	Instant Messages	Incoming	3/18/2018 20:05(UTC-7)	After Jaylen goes to sleep
4585	SMS Messages	Outgoing	3/18/2018 20:07(UTC-7)	Baby
4586	Instant Messages	Incoming	3/18/2018 20:07(UTC-7)	Am I blocked my messages aren't going through
4587	SMS Messages	Outgoing	3/18/2018 20:07(UTC-7)	You blocked me ?
4588	Instant Messages	Incoming	3/18/2018 20:08(UTC-7)	Hello

Amauria H. told investigators that she talked to Clark the night he died. They got into an argument because she would not go see him. He texted her at around six o'clock on March 18th wanting her to come see him, but she was trying to get her son to go to sleep. Her son's name is Jaylen. She indicated she texted him back later but did not receive a reply.

At 8:08 p.m., Clark's phone shows a connection to a Wi-Fi network:

4589	Wireless Network: Location (2)	Unknown	3/18/2018 20:08(UTC-7)	SSId: xfinitywifi BSSId: 00:0D:67:76:56:BE

At 8:08 p.m., Clark sent a message to Janelle T.:

4590	Instant Messages	Outgoing	3/18/2018 20:08(UTC-7)	Nell

Also at 8:08 p.m., Clark sent a message to Amauria H.:

4591	Instant Messages	Outgoing	3/18/2018 20:08(UTC-7)	Wya

Also at 8:08 p.m., Clark received a message from a number that did not appear in his Contacts and which did not otherwise appear in the phone's history:

4592	SMS Messages	Incoming	3/18/2018 20:08(UTC-7)	You not getting my replies cause I'm blocked

At 8:09 p.m., the phone noted location activity. The GPS coordinates listed are for the apartment complex where he lived with Salena M. This type of location information does not indicate the phone was at that location precisely at the time noted. This activity on the phone appears to be related to the deletion of a location reminder.

4593	Locations	Unknown	3/18/2018 20:09(UTC-7)	(38.616399, -121.519853) com.apple.locationd.bundle-/System/Library/LocationBundles/CarDNDLocationServices.bundle

At 8:15 p.m., Clark exchanged messages with Amauria H.:

4594	SMS Messages	Incoming	3/18/2018 20:15(UTC-7)	Home I said I'd come after ju went to sleep my mom about to leave
4595	SMS Messages	Incoming	3/18/2018 20:15(UTC-7)	Wth
4596	SMS Messages	Incoming	3/18/2018 20:15(UTC-7)	My messages aren't going through
4597	SMS Messages	Outgoing	3/18/2018 20:15(UTC-7)	Come now then .

At 8:16 p.m., Clark's phone connected to a wireless network named with Tommy and Sequita T.'s last name. That was the last activity on Clark's phone prior to the shooting. There is no evidence that the phone sent or received any calls or messages or that Clark took any photos or recorded any video during his encounter with the officers.

USE OF FORCE AND HUMAN FACTORS ANALYSIS

The District Attorney's Office requested that David Blake of Blake Consulting & Training Group assess the use of force and human factors involved in this incident. He provides consultation and expert witness services in police practices, use of force, and human performance science consisting of perception, attention, reaction time, and memory.

Blake is a retired California peace officer with over 20 years of law enforcement experience at both the state and federal levels, including the Livermore Police Department, the San Francisco Bay Area Rapid Transit Police Department, and the Lawrence Livermore National Laboratory Protective Force Division. He has a Master of Science degree in Psychology and is currently a doctoral candidate in Performance Psychology. Blake is certified as a Force Science Analyst by the Force Science Institute.[25] He is a Human Performance Science instructor with the Human Performance Training Institute,[26] and is contracted as a Law Enforcement Practices/Use of Force Expert with Martinelli & Associates.[27] Blake is a California Peace Officer Standards and Training instructor with certifications for Firearms, Arrest and Control, Force Options Simulator, and Reality Based Training. He has been retained as an expert in police practices, use of force, and human factors in California, Texas, Missouri, and New Mexico. Blake is a member of the International Association of Chiefs of Police, American Psychological Association, International Law Enforcement Educators & Trainers Association, Academy of Criminal Justice Sciences, and

[25] The Force Science Institute is a team of physicians, psychologists, behavioral scientists, attorneys, and other professionals who study areas associated with human factors, including human movement, action/reaction times, how the mind works during rapidly unfolding events, and decision-making under stress to provide information on human behaviors to those who are tasked with evaluating and investigating the behavior of individuals involved in those types of events.

[26] The Human Performance Training Institute provides specialized human performance training to the law enforcement, military, aviation, and government communities. The program educates students to assess threat, and to avoid or mitigate errors that lead to accidents or incidents in the work place.

[27] Martinelli & Associates is a training and consulting firm specializing in forensic investigations and law enforcement practices.

the Human Factors & Ergonomics Society. He has also published articles on performance psychology, tactics, and officer safety considerations in various scientific and professional periodicals.

Blake concluded that Officers Mercadal and Robinet reasonably perceived and had probable cause to believe Clark was an immediate deadly threat causing them to fear death or serious bodily injury. Their act of using deadly force, based upon the totality of the circumstances and in response to Clark pointing what they perceived to be a weapon, while also posturing in a recognized shooting position, was reasonable.

Blake noted several objective factors supporting why the officers reasonably perceived that Clark had a handgun and was about to or was shooting at them. First, the BWC frames that DOJ enhanced provide indications that Clark moved in a manner consistent with an isosceles shooting stance as reported by both officers. Second, the BWC videos show evidence of a significant light flash proximal to the shooting, which could be the muzzle flash Officer Mercadal reported perceiving. Third, the BWC videos show that Clark closed the distance on the officers and, based on the orientation of his legs and the variation of his pants' white stripes between frames, that Clark continued to present in a shooting stance with his cellular phone. Fourth, in the STAR video, it appears that when Clark begins to fall forward, both of his hands are positioned together in front of him in a manner consistent with an isosceles shooting stance. Fifth, the officers' behaviors and spontaneous statements are similar, which lends credibility to their individual perceptions and investigatory statements. This includes: (a) Officer Mercadal yelling "Show me your hands" and "Gun," which demonstrates that he believed Clark had a gun; (b) both officers moving quickly to cover appearing to respond to the same threat perception; (c) seconds after the shooting asking each other if they had been hit by gunfire; (d) asking each other if they could see Clark's suspected handgun from their position of cover after the shooting; (e) their heavy breathing proximal to the shooting and for some time afterward consistent with stimulant hormones released after an acute fear response; and (f) their spontaneous statements and descriptions at the scene how Clark presented as if he had a weapon.

Both officers fired their rounds in approximately 4.5 seconds. Officer Robinet fired his first five rounds in approximately 1.4 seconds, delayed for approximately 0.8 seconds, then fired five more rounds in approximately 1.5 seconds. Officer Mercadal fired ten rounds in approximately 2.1 seconds.

Clark moved from a standing to a prone position in approximately 1.8 seconds while shots were being fired. This includes the short period where he crawled forward on his hands and knees. How a body falls to a prone position is unpredictable and can include turning, twisting, and bending at the waist. The STAR video and Clark's final resting place demonstrates that he turned his right side to officers and fell forward on his hands and knees while the officers fired. Blake noted that as an instructor he has witnessed over 100 simulated shootings in a controlled environment in which impact location is determined using laser-based shots or marking cartridges. Officers rarely stop firing immediately upon a body falling and often fail to see certain important aspects of an event that occurs right in front of them. Often, the shots are to the side and back based on the suspect's falling movement.

As can be seen in the STAR video, Officer Robinet stopped firing approximately 0.8 seconds after Clark entered a full prone position, but before Clark ceased all movement. Officer Mercadal stopped firing approximately 1.5 seconds after Clark entered a prone position and approximately 0.5 seconds after he ceased all movement. Laboratory studies have shown that even in a controlled environment, when officers know there is going to be a stimulus to stop firing, officers have fired up to four rounds after the stimulus, with some taking 1.5 seconds to stop. Officers are taught to continue firing until the threat has ceased, which is sometimes trained as when movement has stopped or the suspect has entered the prone position. However, when that perception is ultimately realized varies. Several factors should be considered as affecting perception and response time, such as the weapon in front of the officer's face becoming an obstruction to view impairing reaction time, the ability to perceive a change downrange while the officer is focusing his or her attention on aligning the weapon and firing, and issues specific to these circumstances that could have affected perception and response time, such as vision adaptation (e.g., night vision), debris in the air from the first shots causing reflection from lights, and physiological arousal, attention, and perception (e.g., tunnel vision).

LEGAL ANALYSIS

A peace officer who has reasonable cause to believe a person has committed a public offense or is a danger to others may use reasonable force to detain or arrest the person, to prevent the person's escape, or to overcome the person's resistance. (California Penal Code section 835a; CALCRIM 2670.) An officer who detains or arrests a person does not need to retreat or stop his or her efforts if the person resists or threatens resistance. Moreover, using reasonable force does not make the officer an aggressor or cause him or her to lose the right to self-defense. (California Penal Code section 835a.) The person being detained or arrested has a duty to permit himself or herself to be detained, and the person must refrain from using force or any weapon to resist arrest. (*People v. Allen* (1980) 109 Cal.App.3d 981, 985; California Penal Code section 834a; CALCRIM 2670, 2671, 2672.)

In the present matter, Officers Mercadal and Robinet were responding to a citizen's 9-1-1 call reporting that an individual had broken into several vehicles. Upon arrival at the scene, they contacted the reporting party, observed damage to vehicles consistent with an automobile burglary, and were pointed in the direction where the suspect fled. While searching for the suspect, they were advised by a Sheriff's deputy observing in a helicopter above that the suspect was in a nearby yard attempting to break into a residence. They were further advised that the suspect had smashed the rear sliding glass door of this residence with an object. The suspect then fled from that yard over a fence into an adjoining residential backyard. The officers at this point were unaware of the suspect's identity or his relationship to that home or its homeowners. The suspect presented a potential danger to the residents of that home.

Video evidence from the helicopter and the officers' BWCs establishes that the suspect who broke the sliding glass door at Bill W.'s residence was the same person who fled into the backyard of 7572 29th Street, later determined to be Stephon Clark. DNA and physical evidence also establishes that Clark was the individual who broke into Shynice T.'s Toyota Camry and David R.'s Ford Explorers.

Thus, the officers had sufficient probable cause to arrest Stephon Clark for the felony offenses of attempted residential burglary, auto burglary, and vandalism. The presence of the uniformed officers walking in the neighborhood shining their lights, as well as the police helicopter overhead, provided notice to Clark that Mercadal and Robinet were police officers investigating his activities. Having just committed these offenses and knowing officers were there, and then being ordered to stop by one of the officers, Clark had a duty to submit himself to their detention. He failed to do so.

A peace officer, as well as any person, may use deadly force under circumstances where it is reasonably necessary for self-defense or defense of another. (California Penal Code sections 196, 197.) California law permits the use of deadly force if the person actually and reasonably believed he or another was in imminent danger of death or great bodily injury. It is the reasonable appearance of danger to the officer, and his honest belief in that danger, which is controlling. If an officer actually believes that deadly force is necessary and that belief is reasonable under the circumstances, the officer's actions are lawful even if it is later determined that the danger did not actually exist. (CALCRIM 505, 507; *People v. Toledo* (1948) 85 Cal.App.2d 577; *People v. Jackson* (1965) 233 Cal.App.2d 639.) Further, the officer need not prove that he had the right to use deadly force. Rather, it is the prosecution which must prove that the officer did not have that right. The question therefore becomes whether the evidence proves, beyond a reasonable doubt, that Officers Mercadal and Robinet did not have an honest, reasonable belief that they were in imminent danger of death or great bodily injury.

In this case, the officers actually believed that their lives were in imminent danger. Both officers described in their interviews to investigators that Clark presented himself in a manner causing them to believe that he was pointing a handgun at them. Officer Mercadal said that as he came around the corner into the backyard, he could see Clark with his arms extended out in front of him at chest level consistent with a shooting position. Officer Mercadal saw a metallic reflection or flash of something coming at him from Clark's position, which he thought was a muzzle flash from a firearm, and he believed that Clark had shot at him. Officer Robinet said that as he went around the corner, he saw light reflecting off a metallic object Clark was holding in his hands in an isosceles shooting position. Officer Robinet feared the object was a firearm based on the way Clark was holding it. After ducking for cover and upon looking around the corner a second time, Officer Robinet saw Clark still in the position consistent with a shooting stance. Thinking that Clark had the drop on them, to protect himself and his fellow officer, Robinet fired at Clark. At approximately the same time, Officer Mercadal saw a bright metallic flash of light in Clark's hands and thought Clark was approaching and shooting at them. Officer Mercadal thought he was returning fire because he believed they were being fired upon and shot to stop the threat.

Objective evidence contemporaneous to the shooting and immediately afterwards demonstrates that their beliefs in the need to use deadly force were actual and honest at the time of the shooting. The BWC videos from both officers support their statements that they saw a flash of light emitting within close proximity to Clark just prior to the shooting. Furthermore, under the law, spontaneous statements made at the time of a startling event or while still in a state of surprise or shock from an incident are considered reliable and trustworthy. This is because the person making the statement would not have had the chance to reflect upon the startling event and fabricate a purposefully false statement.[28]

[28] See California Evidence Code section 1240.

After coming around the corner into the backyard, when Clark was standing faced toward the officers, Officer Mercadal called out to Clark, "Show me your hands." Officer Mercadal then spontaneously yelled, "Gun." In addition, Officer Mercadal instinctively sought cover. In the STAR video, it appears that Officer Mercadal grabs Officer Robinet and helps pull him to cover. These are the actions of individuals who actually believe that they are faced with an imminent threat.

Rounding the corner again, the officers saw that Clark had advanced upon their position. Officer Mercadal again called out to Clark, "Show me your hands." Officer Mercadal then spontaneously yelled, "Gun, gun, gun." The urgency in his voice manifests both in his tone and his repetition to his fellow officer of the warning that he has observed what he believes to be a gun in Clark's hand. The officers then began firing. These are again the actions of individuals who actually believe they are faced with an imminent threat.

Thereafter, Officers Mercadal and Robinet engaged in further activities consistent with their actual belief. Within moments after firing, the officers checked themselves and each other for injuries, thinking that Clark had or could have fired at them. Both can be heard on their BWC videos having labored breathing, which also demonstrates the physical stress they experienced of believing their lives were in danger. They also conducted tactical reloads to insure their firearms were fully loaded in case they needed to shoot again. They remained in a position of cover for several minutes after the shooting while waiting for backup. They asked for a body bunker because they were concerned Clark could still shoot them as they approached. They discussed whether they could see Clark's gun from their position of cover. Additionally, before they even approached Clark and discovered the cell phone, Officer Robinet described to other officers who had just arrived how Clark had his hands out in front of his body consistent with a shooting position. Officer Robinet's verbal reaction upon approaching Clark and discovering the phone shows his shock and surprise that Clark did not have a gun.

In addition to having an honest belief in imminent danger, Officers Mercadal's and Robinet's beliefs were reasonable under the circumstances.

Clark broke into three vehicles but did not remove any property. In plain view of a police helicopter that had been circling overhead for several minutes, Clark shattered the rear sliding glass door into a residence. Instead of entering that house, he quickly ran away through the yard and over the fence. Unbeknownst to officers, he had jumped into his grandparents' yard where he had been staying. Clark did not appear to be trying to escape the police at that point, because he could have run directly into the backyard to try to gain entry into the house. Instead, he went to the side yard and lingered by one of his family member's vehicles with officers searching for him. There, he looked into a back window of this car, as if he was preparing to burglarize another vehicle. Once Officer Mercadal called out to him and approached, Clark ran into the backyard.

After crossing the yard, Clark chose to stop running even though he would have known that there were no fences blocking either side of his grandparents' house. After crossing the backyard, while the officers were turning the northwest corner of the yard, Clark could have easily run along the south side of the house, where he had a clear path to 29th Street and further flight. (See p. 10, Figure 10.)

Instead, Clark turned towards the officers. Clark would have seen that the officers had their guns drawn on him. Officer Mercadal yelled at Clark in a loud voice, "Show me your hands." Officer Mercadal then yelled, "Gun" and dove for cover. Clark would have heard these words from his position and would have seen the officers retreat behind the corner of the house. Clark did not call out to officers identifying what was in his hand or that he was not armed. Clark did not raise his hands above his head. Clark did not act in a manner showing he was submitting to their authority. Instead, Clark advanced upon their position.

Regardless of Clark's true intentions, his actions would cause a reasonable officer under the circumstances to believe he had shifted from flight to fight. Further, the act of taking a shooting stance and advancing towards the officers would be perceived by a reasonable officer as an imminent threat. The STAR and BWC videos clearly show that Clark advanced towards the officers.

The BWC videos from both officers show a flash of light emitting within close proximity to Clark just before Officer Mercadal calls out "Gun." These flashes of light are consistent with the officers' descriptions of seeing light reflecting off a metallic object in Clark's hand or a muzzle flash from a firearm. Given Clark's positioning and an emission of light consistent with reflection from a metallic object in his hands or a muzzle flash, the officers' belief in the need to use deadly force would be considered reasonable.

SPD and DOJ investigators noted that Clark responded to Officer Mercadal's command to "Show me your hands" by yelling, "Fuck you." DOJ investigators and expert David Blake also noted frames from the BWC videos that appear to show Clark moving his hands and arms to a position consistent with a shooting stance. Whether Clark uttered those specific words and whether the video shows Clark's arms in front of his chest are not necessary for our analysis given all of the other circumstances presented in this case. However, this evidence would be available to a jury in evaluating the officers' belief that deadly force was necessary.

Finally, Clark's state of mind would be evidence available for a jury to consider in evaluating whether he acted in a manner consistent with the officers' descriptions and beliefs. Toxicology testing shows that Clark was in an impaired state. Multiple controlled substances and a significant level of alcohol were detected, which would have affected his judgment. His cell phone demonstrates that he was emotional about the ending of his relationship with Salena M. and he was concerned about returning to custody. Comments by Salena M. in text messages indicated that she had filed a police report against him for a domestic violence incident that occurred less than 48 hours prior to the shooting. He wrote a note in his phone which appears to be a draft email apparently intended for law enforcement in which he attempted to address the domestic violence case. In this draft email he stated, "I'm pretty scared I'm going to be put in jail." He also attempted to contact his Probation officer. Clark was fearful of going back to jail and not being able to see his children again.

The contents of Clark's phone further demonstrate that he was researching and threatening to commit suicide. The day before the shooting, after repeatedly trying to call Salena M. and engaging in a series of text messages arguing about their relationship and the recent domestic violence incident, Clark asked her if he should kill himself. He sent her a photograph of numerous Xanax pills, threatening to overdose on them. He conducted numerous internet

searches on various ways to commit suicide, including "What pills can you die from" and "How many Xanax can kill you." He also visited websites with such information as "Xanax and Alcohol: A Combination that Could Kill" and "How much Xanax will it take to reliably kill you?" During the time frame of these internet searches, Clark also texted various numbers looking for "Xans," Valium, and oxycodone. The text messages confirm he met someone to obtain drugs. Clark's toxicology showed a combination of Xanax (alprazolam) and alcohol among other drugs.

Instead of continuing to flee, Clark advanced toward the officers in a manner that, given the circumstances of an active chase with a criminal suspect into a backyard after ignoring numerous commands, would be seen by officers as aggressive and threatening. Furthermore, Clark took a shooting position while holding a metallic object out in front of his body. Clark did not have this phone in his hands moments before, as can clearly be seen in the STAR video as he jumped the fence and walked up to the vehicle in the side yard. Under these conditions, taking his phone out and pointing it at officers like he was holding a gun would lead officers to believe he had a gun and was about to fire upon them.

In *Graham v. Connor* (1989) 490 U.S. 386, the United States Supreme Court emphasized that the reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with 20/20 hindsight and must allow for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation. (*Graham, supra,* 490 U.S. at pp. 396-397.) "'What constitutes "reasonable" action may seem quite different to someone facing a possible assailant than to someone analyzing the question at leisure.'" (*Martinez v. County of Los Angeles, supra,* 47 Cal.App.4th at p. 343 (quoting *Smith v. Freland* (6th Cir. 1992) 954 F.2d 343, 347).)

Under these facts, it cannot be said that Officers Mercadal and Robinet were unreasonable in their beliefs that Clark had a gun and was about to shoot them. While it is tragic that Clark in fact was holding a cellular phone, the law judges the officers' actions based upon the reasonable perception of the threat. The evidence proves that Officers Mercadal and Robinet acted lawfully under the circumstances.

CONCLUSION

Based on the circumstances of this incident, Officers Mercadal and Robinet had an honest and reasonable belief that they were in imminent danger of death or great bodily injury. Therefore, they acted lawfully in shooting Clark to defend themselves. Accordingly, we will take no further action in this matter.

cc: Xavier Becerra, Attorney General of California
Sacramento Police Detective Jeffrey Griggs #670
Sacramento Police Officer Terrence Mercadal #752
Sacramento Police Officer Jared Robinet #520
Francine Tournour, Office of Public Safety Accountability
Kimberly Gin, Sacramento County Coroner's Office

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Officer-Involved Shooting: Stephon Clark

Summary of Legal Review

The District Attorney's Office has completed its legal review of the Sacramento Police Department officer-involved shooting of Stephon Clark that occurred on March 18, 2018. In addition to the full report, the following is a summary of the findings of our legal review.

The Role of the District Attorney

As a matter of policy, this office has been asked and has agreed to review police use of force incidents that involve death or serious injury in Sacramento County. The role of the District Attorney's office in officer-involved shootings is limited to one question: **Is there sufficient evidence to charge any involved officer with a crime?**

The District Attorney's Office does not evaluate or provide an opinion on whether officers could have taken some other action, their tactical decisions, agency procedures or civil liability. These are valid areas of concern, but they are not part of our review.

In this case, the Attorney General has agreed to perform his own independent review of this shooting. In our review, you will see that evidence was collected by the Sacramento Police Department, the District Attorney's Office (including our crime laboratory), and the Attorney General's Office (Department of Justice). While we have each agreed to share all the evidence we discover, our offices have not shared the analysis of this evidence or our conclusions.

Circumstances of the Shooting

An extensive and thorough review of the evidence in this case shows the following:

On Sunday, March 18, 2018, at 9:10 pm a citizen called 911 to report that an individual was walking down 29th Street breaking car windows, including smashing windows on two of the 911 caller's own cars. This 911 caller also stated that the suspect jumped a fence and was currently hiding at a specified address on 29th Street. The evidence shows that Stephon Clark was that individual. The subsequent investigation revealed no evidence that Stephon Clark took any property from the cars.

Sacramento Police Officers Mercadal and Robinet responded to this call. In addition, the Sacramento Sheriff's Department helicopter unit notified the Sacramento Police Department dispatcher that they were available to assist. Sheriff's Deputy Gomez was the observer in the helicopter and updated dispatch on what was seen from the air.

After contacting the citizen who called 911 and observing broken windows on two vehicles, the officers began searching the backyard the suspect was last seen entering. None of the Sacramento police officers or Sheriff's deputies involved in this incident had any knowledge that Stephon Clark was the suspect or that his grandparents lived on 29th street.

Deputy Gomez spotted an individual (later determined to be Stephon Clark) looking into a sliding glass door in the backyard of a neighboring 29th Street home. Deputy Gomez saw this individual swing a large object and break the glass door. He broadcast these observations and turned on the helicopter's onboard video camera. An 89-year-old man was living in this home and was watching TV when his rear sliding door was smashed with a cinder block.

Deputy Gomez then saw Mr. Clark jump a fence into an adjoining residential backyard. Deputy Gomez directed Officers Mercadal and Robinet to that location. Officers Mercadal and Robinet's body worn cameras had already been activated and were recording.

One of the officers spotted Mr. Clark looking into the windows of a dark SUV parked alongside of a home on 29th street. As the officers approached Mr. Clark, Officer Mercadal yelled loudly, "Stop. Stop. Show me your hands." Mr. Clark immediately ran along the side of the house turning into the backyard. The officers could not see around the back corner of the house. While unknown to any of the officers, this was the home of Stephon Clark's grandparents.

The backyard was dark with no exterior lighting. The only lighting was from the officers' flashlights. As the officers rounded the corner of the house into the backyard, both officers saw Mr. Clark facing them, standing in a shooting position behind a picnic table. Both officers saw a flash of light coming from Mr. Clark's position. Officer Mercadal believed he was being fired upon. Still frames captured from the body worn cameras show Stephon Clark behind the picnic table. A flash of light can be seen consistent with the timing and position described by the officers.

Officer Mercadal yelled, "Show me your hands. Gun." Both officers immediately took cover behind the corner of the house.

As the officers peered around the corner of the house a second time, Mr. Clark was advancing toward them in a shooting stance. The helicopter video confirms that Stephon Clark was advancing on the officers. Officer Mercadal yelled, "Show me your hands. Gun, gun, gun." Both officers then fired multiple shots, striking Stephon Clark seven times. The total time shots were fired was 4.5 seconds.

The body worn cameras also captured the officers' conduct immediately after the shooting. The officers yelled, "Show me your hands" and "Let's see your hands." Officer Mercadal asked Officer Robinet, "You alright? You Hit?" Officer Robinet responded, "Yeah, I'm good." Mercadal said, "Yeah, I'm alright. I don't think I'm hit or anything."

The officers then discussed how to safely approach Mr. Clark to remove the gun. Upon examination, it was discovered that the object Stephon Clark was holding was a cellphone, not a gun.

Autopsy and Toxicology Results

The autopsy of Stephon Clark conducted by the Sacramento County Coroner's Office determined that the cause of Mr. Clark's death was multiple gunshot wounds. These conclusions were supported by four board certified pathologists employed by the Sacramento County Coroner's Office, including the Chief Forensic Pathologist. Toxicology results confirmed the presence of alcohol, *Xanax* (alprazolam), codeine, marijuana, hydrocodone and a metabolite of cocaine.

Sacramento Coroner Kim Gin obtained an independent review of this case by Dr. Gregory Reiber. Dr. Reiber confirmed the findings of the Sacramento County Coroner's Office. Additionally, the Attorney General sought an independent review of the autopsy findings from the San Diego Medical Examiner. San Diego's Chief Medical Examiner found that the Sacramento County Coroner's investigation "was comprehensive, professional, well documented, and correct in its conclusion."

Dr. Bennet Omalu, a pathologist hired by the Clark family, conducted his own autopsy of Mr. Clark and presented his findings at a press conference on March 30, 2018. Dr. Omalu did not provide a written report of his findings. Opinions he expressed at this press conference are not supported by the autopsy evidence, the conclusions of the six pathologists or the video evidence in this case.

Crime Lab Examination

The Sacramento County District Attorney's Office Laboratory of Forensic Services conducted extensive forensic examination in this case. This includes crime scene investigation, firearms, trace evidence (glass and paint), and DNA analysis.

DNA testing linked Stephon Clark to evidence collected from all three cars broken into that evening.

Glass and paint analysis further connected Mr. Clark to the broken windows on these vehicles. Glass comparison also confirmed that a cinder block was used to break the rear sliding glass door of the home on 29th Street.

Contents of Stephon Clark's Cellphone

Both the Sacramento Police Department and the California Department of Justice conducted a forensic analysis of Mr. Clark's cellphone. That analysis uncovered evidence that centered around a domestic violence incident that occurred less than 48 hours before the shooting. The contents of the cellphone showed that Mr. Clark was very concerned about the ending of his relationship with Salena M., not being able to see his children again, and going back to jail.

The contents of the cellphone also revealed that Mr. Clark searched the internet for information related to suicide the day before and the day of the fatal shooting.

The cellphone evidence would be admissible in court to explain Mr. Clark's state of mind and his conduct before and during the shooting.

March 16, 2018, Incident

On Friday, March 16, 2018, the mother of Stephon Clark's children, Salena M., asked a neighbor to call the police stating her boyfriend hit her. The neighbor called 911 and the police responded.

Salena M. told police that Stephon Clark had hit her several times in the face, punched her with a closed fist, choked her, and threw her head against a wall. Officers saw a 3" hole in the wall with long brown strands of hair attached to it. Photographs were taken, documenting Salena's M.'s injuries as well as the damage to the wall.

While Mr. Clark was not there when officers arrived, the Sacramento Police Department documented there was probable cause to arrest him for this incident. A law enforcement computer check would have shown that Mr. Clark was "arrestable" for this offense and for violating the terms of his probation.

Mr. Clark was on three grants of misdemeanor probation at the time, including two cases of domestic violence. Salena M. was the victim of Mr. Clark's two prior domestic violence convictions. He was also on felony probation for robbery.

March 17-18, 2018

In the 12-hour period following the domestic violence incident, Stephon Clark attempted to call Salena M. 76 times. None of those calls lasted more than a few seconds. However, several text messages were exchanged between them.

These text messages reveal that Mr. Clark was very concerned that Salena M. had reported the domestic violence incident to the police, that he was going to be sent back to jail and he would never see his children again. Salena M. stated she had reported the incident to the police and that she would testify against him in court.

The following is one example of numerous text messages in these exchanges:

Salena M.: "You scared for your life now? That you'll be locked in a cage the rest of ur life and never see your kids grow again?"

Mr. Clark: "You want me away from my kids? Why"

In addition to text messages with Salena M., Stephon Clark attempted to contact his probation officer during this time. He also wrote a note in his phone which appears to be a draft email to law enforcement denying this recent accusation of domestic violence, stating, "I'm pretty scared I'm going to be put in jail."

Throughout the evening of March 17th, Mr. Clark searched the internet on terms related to suicide. All of these texts and internet searches appear in the full report. An example of one of at least two dozen internet sites visited was, "How many Xanax will it take to reliably kill you?"

It should be noted that Mr. Clark's toxicology showed a combination of Xanax (Alprazolam) and alcohol among other drugs. During the time frame of these internet searches, Mr. Clark also texted various numbers looking for "Xans," Valium, and oxycodone. The text messages confirm he met someone to obtain drugs.

Stephon Clark then sent text messages to Salena M. asking her if she wanted him to kill himself. Mr. Clark later took a photograph of a handful of Xanax pills and sent it to Salena M. with a corresponding text message which stated, "Let's fix our family or I'm taking all of these."

Salena M. responded in a negative manner. This exchange occurred on March 17th at 10:12 pm and is the last known contact between Salena M. and Stephon Clark.

On March 18th, Mr. Clark continued texting others seeking Xanax.

The last cellphone activity of Mr. Clark's phone prior to the shooting occurred at 8:15 pm.

Legal Analysis

Two uniformed Sacramento Police officers responded to a citizen complaint of a suspect breaking car windows and hiding in a nearby backyard. The responding officers spoke to the complainant and observed the broken car windows. A Sacramento Sheriff's helicopter assisted in that call. The observer in the helicopter saw the suspect break the rear sliding glass door of a neighboring residential home and observed that same suspect jump a fence into another residential backyard. At that point, the police officers had sufficient probable cause to detain and arrest the suspect.

The fact that the suspect, Stephon Clark, attempted to elude the pursuing officers did not diminish the officer's legal authority to detain and arrest Mr. Clark. Additionally, their efforts to detain Mr. Clark did not place the officers as "aggressors" under the law. At the point the officer yelled, "Stop. Show me your hands," Stephon Clark had a legal duty to comply with that officer's commands.

At the time the officers pursued Mr. Clark, they were unaware of his identity and his relationship to the homeowners. Based upon the facts known to the officers at that time, the suspect presented a potential danger to the residents of that home. Mr. Clark not only failed to comply with the officers' lawful demands, he took a shooting stance and advanced towards the officers. Believing that he had a gun in his hand, the officers shot Mr. Clark.

The law recognizes an inherent right to use deadly force to protect oneself or others from death or great bodily harm. This fundamental legal principle is known as the right of "self-defense." A police officer does not lose this fundamental right by virtue of becoming a police officer. Nor do police officers have to stop or retreat simply because the suspect resists.

Officers are entitled to the same protections of the law as every other citizen. The law of self-defense is well established and clear: Deadly force may be used when an officer or citizen *honestly and reasonably* believes they are in imminent danger of death or great bodily injury.

In this case, the officers' conduct and statements in the time frame immediately before and after the shooting show that both officers honestly and reasonably believed Stephon Clark was pointing a gun at them and was about to shoot or had already shot at them.

This belief is supported by several facts.

- Mr. Clark took a shooting stance;
- Officers saw a flash of light at Mr. Clark's location;
- One officer believed the flash was light reflecting off a gun;
- The other officer believed the light was the muzzle flash from a gun;
- The body worn cameras captured a flash of light near Mr. Clark during this time;
- Officer Mercadal yelled "Show me your hands. Gun" and both officers immediately took cover;
- While the officers took cover, Mr. Clark advanced toward the officers;
- While looking around the corner of the house the second time, officers saw that Mr. Clark was still in a shooting stance and had advanced at least 10 feet toward them;
- Officer Mercadal again yelled, "Show me your hands. Gun, gun, gun."

This belief is also supported by the statements of the officers captured on body worn cameras immediately after the shooting.

- Both officers asked each other if they had been hit, and both confirmed they were not hit by gunfire;
- Both demanded that Mr. Clark show his hands;
- Officer Robinet spontaneously stated that Mr. Clark was "still pointing" when he saw him again;
- Both officers discussed how to safely approach Mr. Clark to retrieve the gun.

Well-settled law requires that the reasonableness of a particular use of force must be judged from the view of a reasonable officer on the scene and not from 20/20 hindsight. An officer who honestly and reasonably believes that deadly force is necessary acts lawfully even if it is later determined that the danger did not actually exist. The law also requires that determinations of what is reasonable must allow for the fact that police officers are often forced to make split-second decisions in circumstances that are very tense, uncertain and rapidly evolving.

Conclusion

The evidence in this case demonstrates that both officers had an honest and reasonable belief that they were in imminent danger of death or great bodily injury. Therefore, the shooting of Mr. Clark was lawful and no criminal charges will be filed.

Stephon Clark's death was a tragedy that has had a devastating impact on his family and our community. A young man lost his life and many lives have been irreversibly changed. No decision or report will restore Stephon Clark's life.

The fact that criminal charges are not appropriate under the law in this case in no way diminishes the frustrations and anger that many in our community have expressed since his death. Those who have raised their voices deserve to be heard. These are trying times, but in moments like these we must rise together to make our community a better place for everyone.

Sacramento County
District Attorney's Office

March 2, 2019

Officer Involved Shooting
Stephon Clark
March 18, 2018

Role of the District Attorney In Officer Involved Shootings

- Legal Review is expressly limited to one question: Was a crime committed?
- Same evaluation as done for all criminal cases
- As prosecutors, we take an oath to follow the law and the facts in making a decision
- Jury Instruction (CalCrim 200):
  - Must only decide facts based upon the evidence presented
  - Must follow the law, whether you agree with it or not
  - Must not make decision based upon bias or public opinion

Role of the District Attorney In Officer Involved Shootings

Legal Review does NOT address:

- If there is civil liability
- If any police policy was violated
- If there were other tactics that could have been used by the police

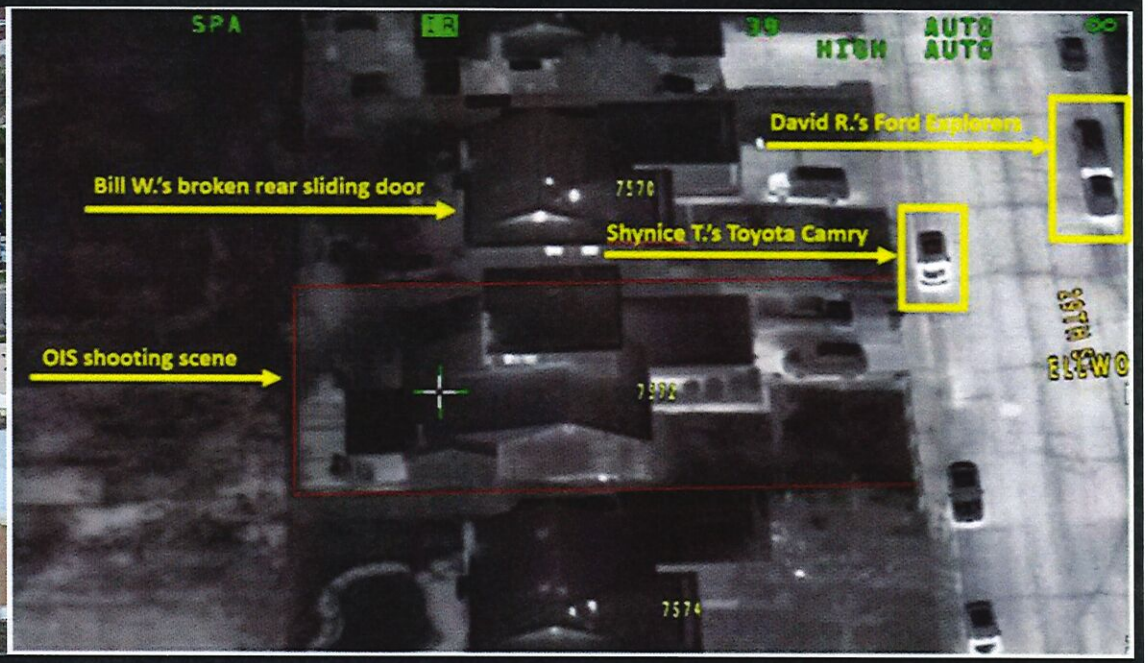
The Investigation
Materials Received for Review

- SPD Report # 18-82449
- CAL DOJ Report BI-SA2018-00012
- 9-1-1 audio recordings
- Dispatch recordings and logs
- Body-worn camera, helicopter, in-car camera, surveillance, and crime scene video recordings
- Photographs and diagrams
- Audio/Video recordings of witness interviews
- Sacramento DA Crime Lab reports
- Cellebrite Extraction Report (Cellphone Analysis)
- Report of Outside Expert David Blake
- Sacramento County Coroner's Report
- Report of Case Review by Gregory Reiber, M.D.
- County of San Diego Medical Examiner's Department letter

Initial Police Response

- 9:10 pm: citizen called 911 to report person walking down 29th Street breaking car windows
  - Clothing description consistent with what Stephon Clark was wearing
  - DNA and other physical evidence shows this person was Mr. Clark
- Mr. Clark was last seen jumping a fence into a backyard
- SPD Officers Mercadal and Robinet dispatched; SSD Helicopter assisted
  - None of officers knew Mr. Clark was the suspect or that his grandparents lived on street
- Officers saw broken car windows and began searching a nearby yard

Overall View of Scene



Car Damage

Neighborhood Search

Neighborhood Search

Observations from Helicopter

- Mr. Clark was seen in another backyard staring into a sliding glass door
  - 89-year-old man was there watching TV
- Mr. Clark was seen smashing rear sliding glass door with large object and the SPD officers were advised of this by the deputy in the helicopter
- Helicopter video activated

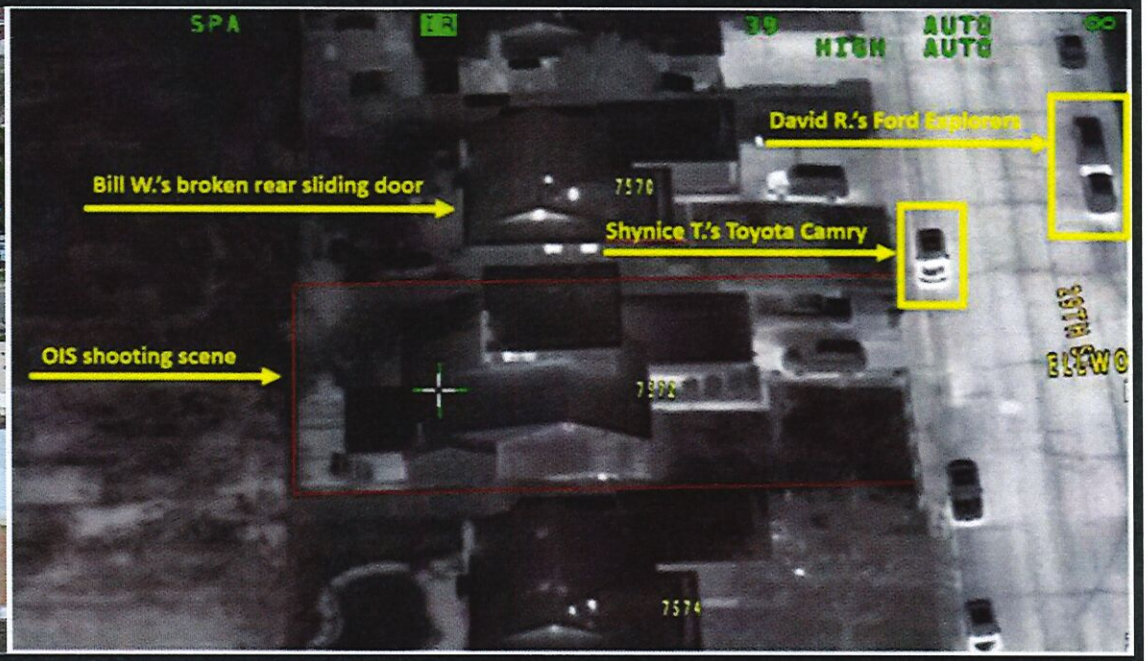
Damage to Sliding Door

Helicopter Video

Scene

18MAR2018 AUTO
21:25:45
UTC-7.0
SPA
IR
233
AUTO
HIGH AUTO
Screen DVR: Started
LOS: Good
0.2nm NNW
SEARCHLIGHT
MANUAL
W/ CAMERA
W/ OFFSET
GEOPOINT
Target
Target Address:
7566 29TH ST
SACRAMENTO
Nearest Streets
29TH ST
ELLWOOD AVE
TWILIGHT DR
MEADOWVIEW RD
32ND ST
ETA:21:25:56
320° 0.2
LEFT 39°
ETE: 8sec
359

Overall View of Scene



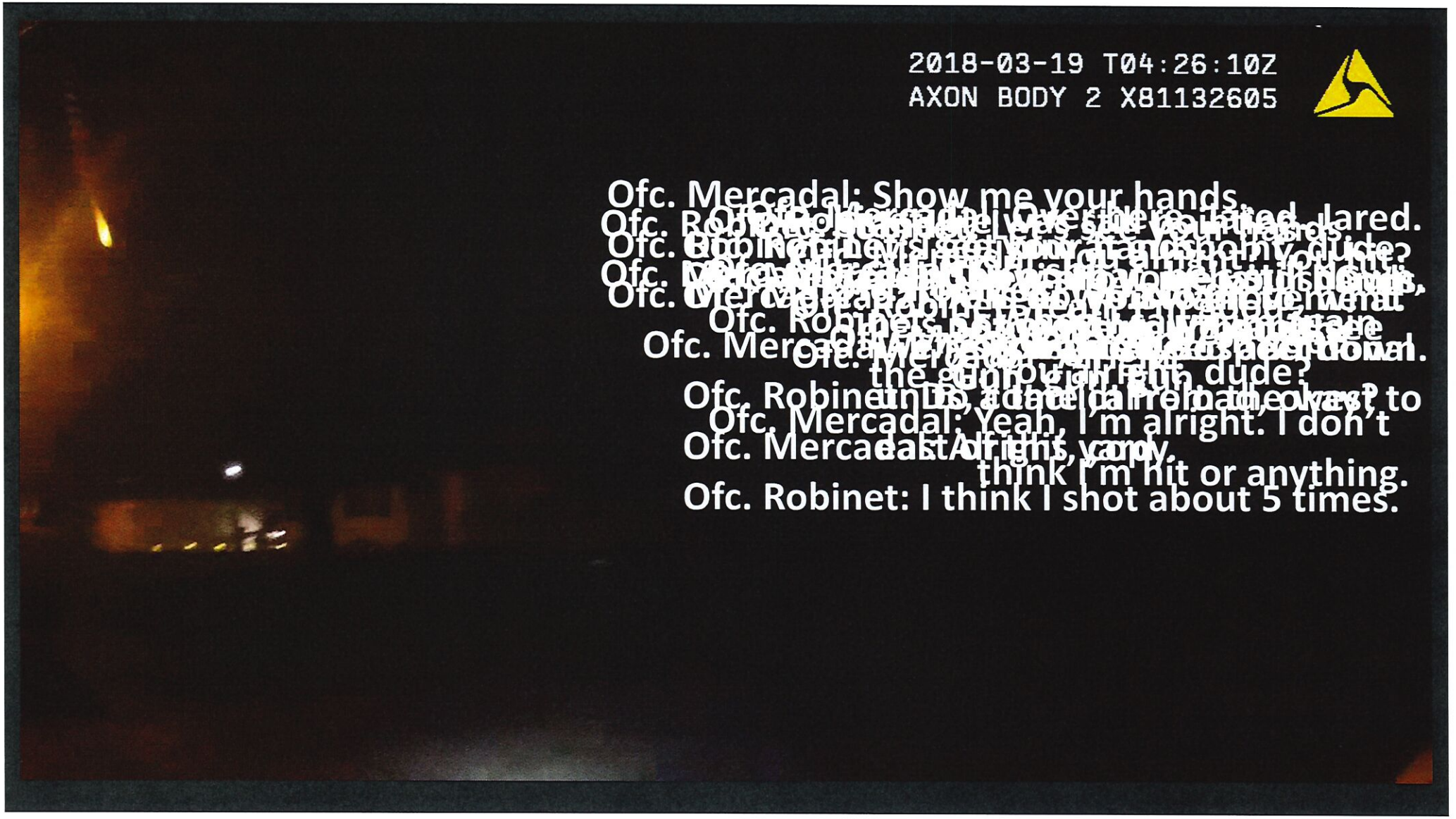
Factual Summary

1. Citizen asked for police help
2. Mr. Clark smashed three car windows
3. Mr. Clark jumped fences into backyards
4. Mr. Clark smashed rear slider of a home while helicopter overhead
5. Mr. Clark jumped fence and continued to flee into another yard

Factual Summary

6. Mr. Clark seen looking into another car window
7. Officers were directed to side of house where Mr. Clark was seen
8. Officers approached Mr. Clark; lead officer had gun drawn
9. Mr. Clark fled into backyard and officers pursued him
10. Shooting occurs

Body Worn Camera Video


2018-03-19 T04:26:10Z
AXON BODY 2 X81132605
Ofc. Mercadal: Show me your hands.
Ofc. Robinet: I think I shot about 5 times.

Factual Summary

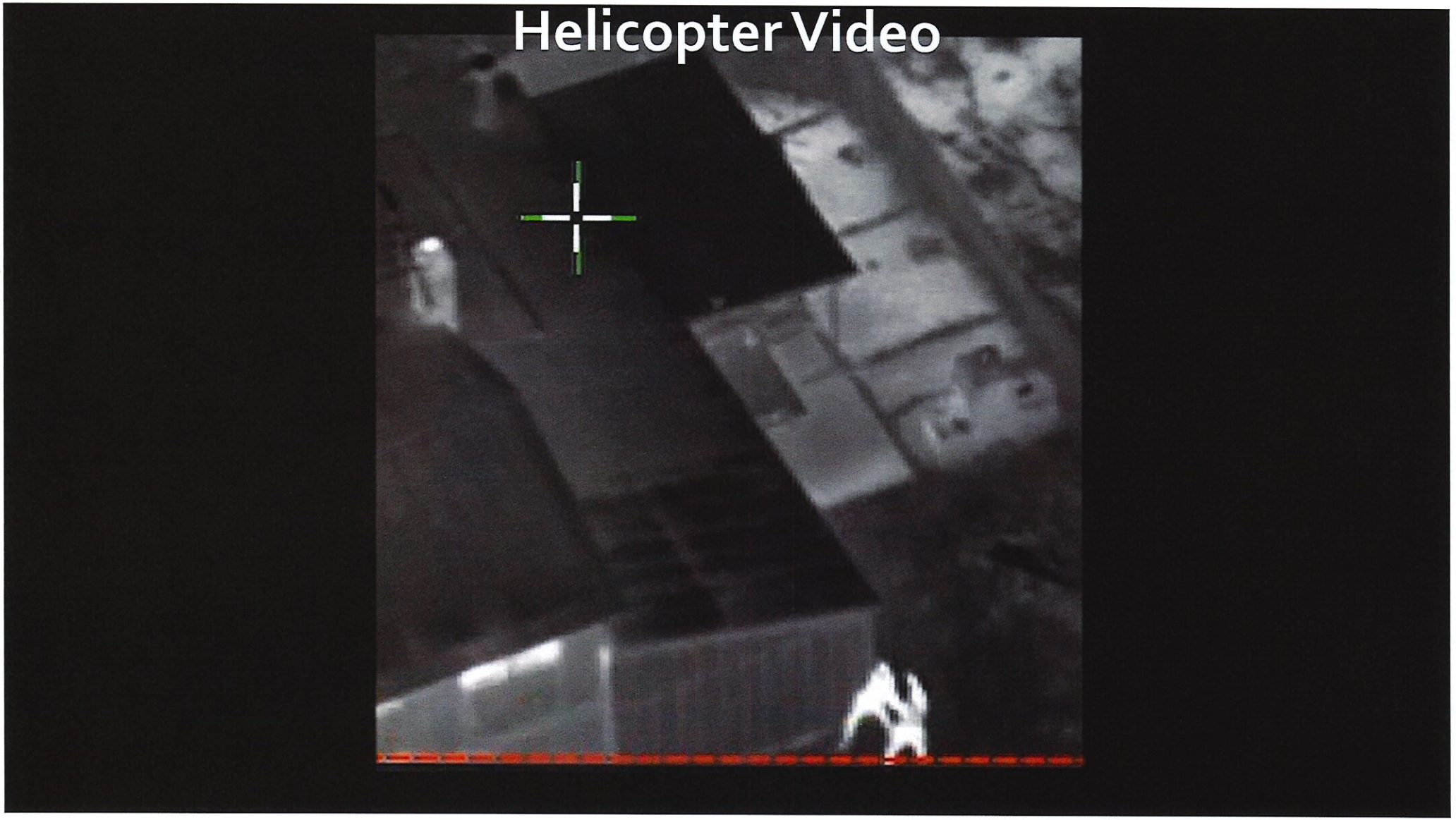
11. Officer Mercadal yelled at Mr. Clark, "Hey. Show me your hands. Stop. Stop."
12. Mr. Clark ran to backyard and rounded the corner of house
13. Officers pursued into dark yard
14. As they rounded the corner, Mr. Clark was at least 30 feet away behind a picnic table
15. In separate interviews after the shooting, the officers described what they saw
    - Mr. Clark was facing them with arms extended in a shooting stance
    - Both believed he was pointing a gun at them
    - Officer Mercadal saw a flash of light, which he believed was a muzzle flash from a gun
    - Officer Robinet believed the flash was light reflecting off a gun

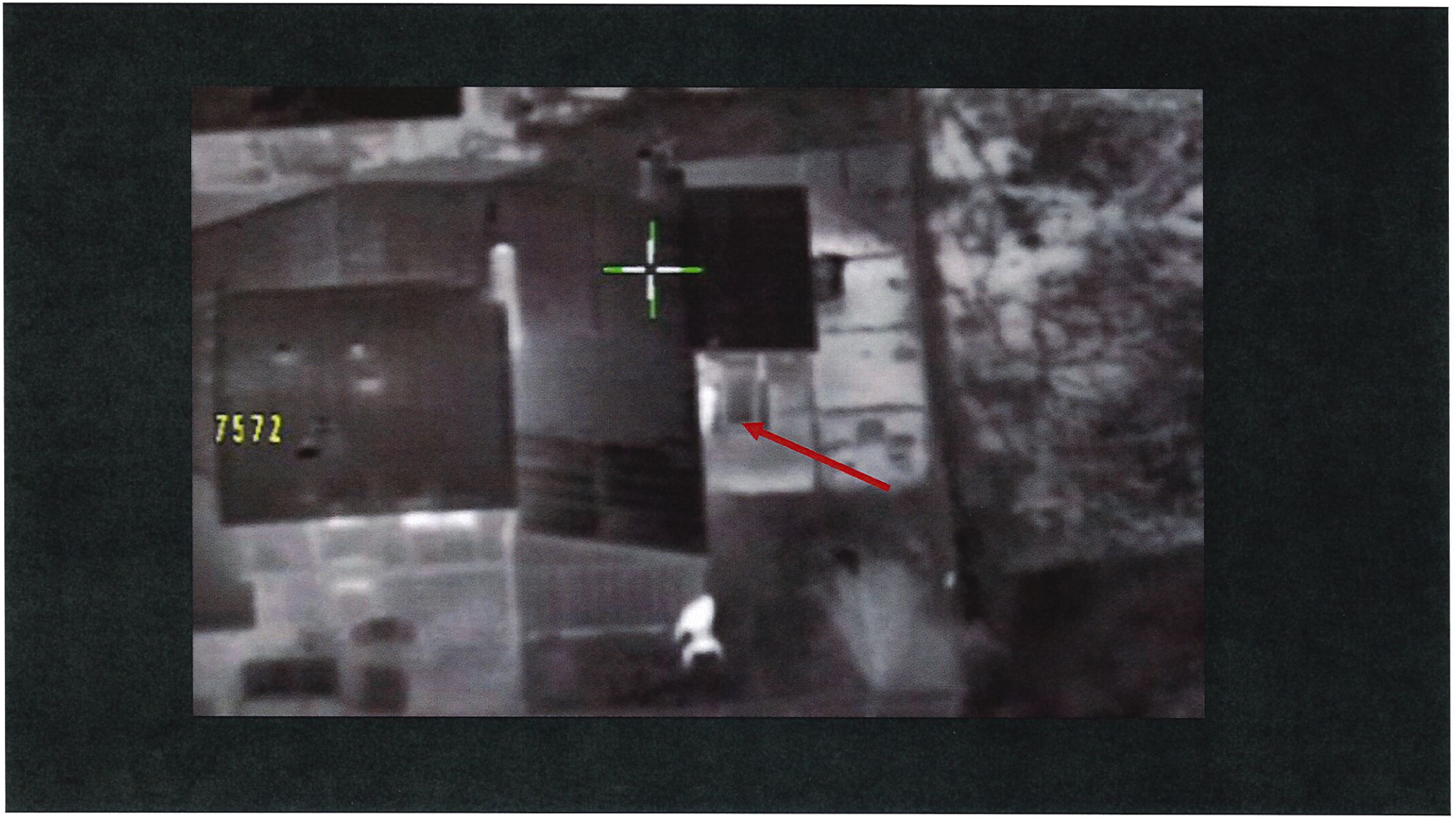
2018-03-19 T04:26:42Z
AXON BODY 2 X81132605
2018-03-19 T04:26:42Z
AXON BODY 2 X81132605

Factual Summary

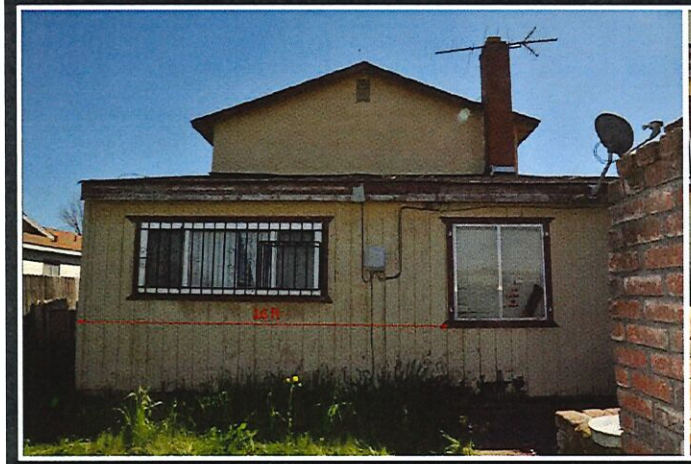
16. As Officer Mercadal rounded the corner of house, he yelled, "Show me your hands. Gun."
17. Mr. Clark yelled at officers
18. Both officers immediately took cover behind corner of house
19. Officers peered around corner again, Mr. Clark had advanced toward officers
20. Officer Mercadal yelled, "Show me your hands. Gun, Gun, Gun."
21. The Helicopter video shows Mr. Clark advancing toward officers

Helicopter Video




7572

Scene



What Does the Body Worn Camera Show Immediately *After* the Shooting?

17. Demeanor of the officers
18. Spontaneous statements of officers:
    - "Show me your hands" and "Let's see your hands."
    - Mercadal: "You alright? You hit?"
    - Robinet: "Yeah, I'm good. He was still pointing when I saw him again. You alright?"
    - Mercadal: "Yeah, I'm alright. I don't think I'm hit or anything."
19. Officers discuss safe approach to remove the gun

Autopsy and Toxicology

- Cause of death: multiple gunshot wounds
- Toxicology: Alcohol, Xanax, codeine, hydrocodone, marijuana and cocaine metabolite
- Findings reviewed by 4 pathologists, including Chief Pathologist
- Findings supported by two independent pathologists- Dr. Reiber and San Diego Chief Medical Examiner

Crime Lab Testing

- DNA and glass analysis link Mr. Clark to all three car break-ins
- Glass analysis shows Mr. Clark used a cinder block to break rear sliding glass door
- Paint analysis links security grate to grandparents' home and broken Camry window

Cellphone Evidence

- Forensic examination of Mr. Clark's phone
  - Phone calls
  - Text messages
  - Email draft
  - Internet searches
- March 16th domestic violence incident

Friday March 16th Incident

- Police responded to a 911 call (11:52 pm) regarding possible domestic violence
- Salena M. (mother of Mr. Clark's children) reported that Mr. Clark assaulted her
- Police took a report, documented her injuries, and photographed the scene
- Mr. Clark was not there when police arrived
- Mr. Clark was arrestable for this incident and probation violations

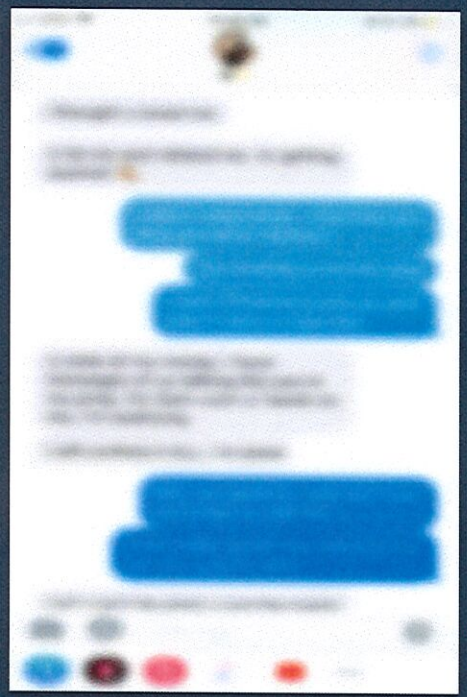
What Does Cellphone Show 48 Hours Leading up to Shooting?

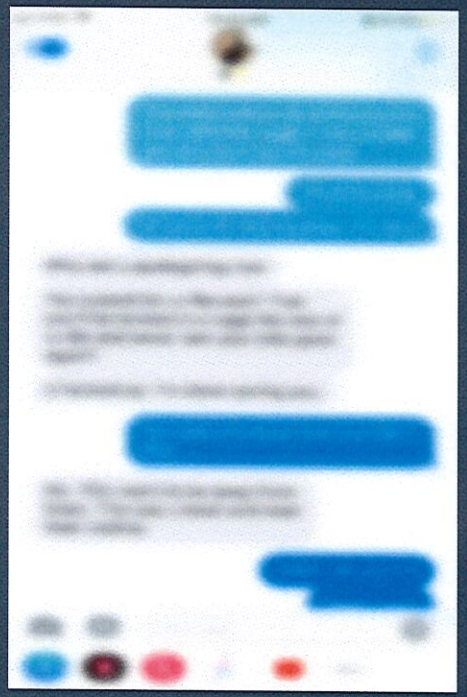
- Mr. Clark tried to call Salena M. 76 times within 12 hours of 3/16 incident
- Calls and texts to Probation Officer
- Searched Sac DA website re domestic violence
- Searched Sac PD website online reporting system
- Drafted an email to law enforcement denying 3/16 incident stating, "…I'm pretty scared I'm going to be put in jail."

What Does Cellphone Show 48 Hours Leading up to Shooting?

- Text messages with Salena re 3/16 incident

Text Messages with Salena M.





What Does Cellphone Show 48 Hours Leading up to Shooting?

- Text messages with Salena re 3/16 incident
- Internet searches regarding suicide
- Text and phone calls seeking drugs

Legal Analysis

- Probable Cause
  - Citizen information
  - Broken car windows
  - Helicopter observations of home break in

Legal Analysis

- A police officer – or any other person – is justified in using *deadly force* if the officer honestly and reasonably believed that he or another person was in imminent danger of death or great bodily injury from the actions of the person who is shot.

- Was the use of deadly force lawful?

Use of Force
U.S. Supreme Court Law

Law requires that we judge the reasonableness of officers' actions based on the circumstances confronting them:

- Recognizing they are often forced to make split-second decisions
- Under tense, uncertain, and rapidly evolving circumstances
- Without the benefit of 20/20 hindsight

Honest and Reasonable Belief

- Conduct of Mr. Clark
- Conduct of the officers
  - Immediately before shooting
  - During shooting
  - After Shooting

Sacramento County
District Attorney's Office

Countywide Services Agency

Department of Coroner
Kimberly D. Gin, Coroner
Jason P. Tovar, M.D., Chief Forensic Pathologist

County of Sacramento

Navdeep S. Gill, County Executive
Nancy Newton, Assistant County Executive
Bruce Wagstaff, Interim Chief Deputy County Executive

April 27, 2018

Sacramento Police Department
5770 Freeport Boulevard
Sacramento, CA 95822

Attn: Sergeant Jeffrey Shiraishi

Sergeant Shiraishi,

The reports for the decedent, Stephon Clark, are attached to this letter. In light of the erroneous information that was released from the private autopsy and in an effort to ensure that we got the facts correct, the autopsy conducted by Dr. Su was reviewed by Sacramento County Coroner Chief Forensic Pathologist Jason Tovar and Sacramento County Coroner pathologists, Dr. Brian Nagao and Dr. Katherine Raven. All three doctors concur with Dr. Su's findings and have signed the autopsy report with Dr. Su. In addition, I sought independent review from forensic pathologist, Dr. Gregory Reiber. His independent report concurs with Dr. Su's findings and is included. He also reviewed the findings of the second autopsy in his report. All five doctors are board certified forensic pathologists and combined have over fifty years of experience in the field of forensic pathology.

I also sought confirmation of toxicology results from the Sacramento County District Attorney's (DA) Crime lab and the Sacramento County Coroner's contracted lab, NMS. The DA Crime Lab sent samples to their contracted lab, Central Valley Toxicology for further testing as well. All the results are attached with the reports.

Thank you for being patient as I took extra steps in this process to ensure that the facts presented by my office are true facts backed by scientific evidence.

Respectfully,

Kimberly Gin
Coroner

CC: State of California Department of Justice
Sacramento County District Attorney's Office

SACRAMENTO COUNTY
CORONER

CLASSIFICATION	1Final Classification: Homicide	2 Case No.: 18-01644	3 Deputy Assigned: Marcus Kelln	4a Date of Death: 3/18/2018	4b Found?	
DECEDENT PERSONAL DATA	5 Name First: STEPHON	6 Name Middle: ALONZO	7 Name Last: CLARK	8a Time of Death: 21:42	8b Fnd/Est/Unk:	
	9 Sex: Male	10 Race: Black	11 Date of Birth: 8/10/1995	12 Age: 22 Years	13 Marital Status: Never Married	
RESIDENCE	14 Usual Address: 7572 29TH STREET					
	15 City: Sacramento	16 County: Sacramento	16a State: CA	17 Zip Code: 95822		
IDENTIFICATION	18 Remains Identified by or how Identified: FEARNE, Erica — Fingerprints					
RELATIVES	CLARK, Se'Quette — Mother CLARK, Stephen — Father					
PLACE OF DEATH	21 Place of Death: RESIDENCE - OWN					
	22 Street Address: 7572 29TH STREET					
	23 City: Sacramento	24 County: Sacramento	25 Zip: 95822			
REMAINS	26 Death Reported By: KOPPINGER, KRISTA	27 Removed To Coroner: Yes	28 Type of Medical Examination: Homicide			
CAUSE OF DEATH	29 Cause: Multiple gunshot wounds due to: due to: due to:					
OTHER SIGNIFICANT CONDITIONS	30 None					
INJURY INFORMATION	31 Manner of Death: Homicide	32 Place of Injury: RESIDENCE - OWN	33 At Work? No	34a Date of Injury: 3/18/2018	34b Fnd/Est/Unk	
	35 Address or Location: 7572 29TH STREET			36a Time of Injury: 21:26	36b Fnd/Est/Unk	
	37 City: Sacramento	38 County: Sacramento			39 Zip Code: 95822	
	40 Describe how injury occurred: DECEDENT WAS SHOT BY LAW ENFORCEMENT OFFICER(S)					
CASE SUMMARY	*See Page 2*					

Deputy Heather Griffiths — Date Signed 4/26/2018

SACRAMENTO COUNTY

CORONER

Final Case Summary

As required by Government Code, Section 27491, an inquiry was made into the death of the subject of this report. It was determined by an investigation that an autopsy would be necessary to establish the cause of death. An autopsy was performed and revealed the above cause of death. Based on the known circumstances and cause of death, the manner of death is Homicide.

County of Sacramento

Department of Coroner
4800 Broadway, Suite 100
Sacramento, CA 95820-1530

Kimberly D. Gin
Coroner

☒ Autopsy ☐ External Examination

NAME: CLARK, STEPHON A. **CASE NO.** 18-01644

POSTMORTEM DATE: 03/20/18 **TIME:** 10:55

INVESTIGATOR: Marcus Kelln

AUTOPSY FINDINGS:

I. Gunshot wound #1 of neck:
   A. Entry: Right lateral neck
      1. No soot
      2. No stippling
   B. Exit: Left lateral neck
   C. Path of entry: Skin, posterior neck
   D. Projectile: None
   E. Direction: Right to left, slightly downward and front to back.
   F. Associated injuries:
      1. Perforation of the soft tissue of posterior neck

II. Gunshot wound #2 of right arm:
   A. Entry: Right lateral posterior arm
      1. No soot
      2. No stippling
   B. Exit: None
   C. Path of entry: Skin, right humerus
   D. Projectile #1/5: One deformed copper jacketed metal bullet at the right arm
   E. Direction: Right to left and downward
   F. Associated injuries:
      1. Penetration of the right arm
      2. Comminuted fracture of the right humerus

III. Gunshot wound #3 of back:
   A. Entry: Right back/scapular area
      1. No soot
      2. No stippling
   B. Exit: None
   C. Path of entry: Skin, left scapula
   D. Projectile #2/5: One deformed copper jacketed metal bullet at the left scapula
   E. Direction: Right to left, slightly upward and back to front
   F. Associated injuries:
      1. Penetration of the soft tissue of back
      2. Perforation of the left scapula

IV. Gunshot wound #4 of chest:
   A. Entry: Right lateral chest at axillary area
      1. No soot
      2. No stippling
   B. Exit: None

C. Path of entry: Skin, right lateral 3rd rib, upper lobe of right lung, left anterior 2nd rib
D. Projectile #3/5: One deformed copper jacketed metal bullet at the left lateral chest wall
E. Direction: Right to left, slightly back to front and upward
F. Associated injuries:
   1. Fractures of the right 3rd rib and the left 2nd rib
   2. Perforation of the upper lobe of right lung with right hemothorax

V. Gunshot wound #5 of back:
   A. Entry: Right lateral back
      1. No soot
      2. No stippling
   B. Exit: Left lateral chest
   C. Path of entry: Skin, right 7th rib, lower lobe of right lung, thoracic aorta, left ventricle of heart, lower lobe of left lung, left 5th intercostal space (ICS), skin
   D. Projectile: None
   E. Direction: Right to left, slightly upward and back to front
   F. Associated injuries:
      1. Fractures of the right 7th rib
      2. Perforation of the lower lobe of right lung with right hemothorax
      3. Laceration of the thoracic aorta
      4. Laceration of the left ventricle of heart
      5. Perforation of the lower lobe of left lung with left hemothorax

VI. Gunshot wound #6 of back:
   A. Entry: Right back/flank area
      1. No soot
      2. No stippling
   B. Exit: None
   C. Path of entry: Skin, posterior right 10th and 11th ribs, thoracic spine at T12
   D. Projectile #4/5: One deformed copper jacketed metal bullet and fragments collected at the thoracic spine (T12)
   E. Direction: Right to left, horizontal and slightly back to front
   F. Associated injuries:
      1. Penetration of the soft tissue of the right paraspinal area.
      2. Fractures of the posterior right 10th and 11th ribs.
      3. Fracture of the right pedicle of thoracic spine (T12) with epidural hemorrhage of the lower thoracic cord.

VII. Gunshot wound #7 of left thigh:
   A. Entry: Left anterior thigh
      1. No soot
      2. No stippling
   B. Exit: Left lateral buttock
   C. Path of entry: Skin, soft tissue of left thigh
   D. Projectile #5/5: One deformed copper jacketed metal bullet within the underwear outside of body
   E. Direction: Front to back and upward
   F. Associated injuries:
      1. Perforation of the soft tissue of left thigh

County of Sacramento

Department of Coroner
4800 Broadway, Suite 100
Sacramento, CA 95820-1530

Kimberly D. Gin
Coroner

VIII. Toxicology:

A. From Laboratory of Forensic Services, there is positive for ethanol (0.08%), cocaine metabolite, cannabinoids, codeine, alprazolam and etizolam in femoral blood. And, codeine and hydrocodone are positive in urine specimen.

B. From NMS Labs, there is positive for ethanol (0.09%), cannabinoids, codeine, alprazolam, etizolam, nicotine, hydrocodone and promethazine in femoral blood.

CAUSE OF DEATH: Multiple gunshot wounds

Keng-Chin Su, M.D.
Forensic Pathologist/Neuropathologist
April 26, 2018

Case has been also reviewed by:

Katherine Raven, M.D.
Forensic Pathologist

Brian Nagao, M.D.
Forensic Pathologist

Jason Tovar, M.D.
Chief Forensic Pathologist
4/26/18

WITNESSES:
SPD Det. B. Alonso (#803), CSI R. Lindner (#538) and K. Louie (#6384) witnessed.

IDENTIFICATION:
The body is received in a body bag that is locked with a red plastic lock bearing the inscription "310776". A Sacramento County Coroner's identification tag attached to the body bag zipper has the inscription "18-01644 CLARK, STEVANTE" (later identified as CLARK, STEPHON A.).

EVIDENCE OF MEDICAL INTERVENTION:
The following are present, and are in proper position: EKG pads at chest and abdomen. There has not been organ procurement.

CLOTHING:
1. Black hoodie coat with multiple tears including: one at the right lower neck, one at the left lower neck, four at the right back, four at the left back, and one at the right lateral arm.
2. White T-shirt with multiple tears including: four at the right back, four at the left back, and one at the right lateral arm.
3. Black pants with one tear at the left anterior thigh.
4. Grey underwear with one tear at the right inguinal area.
5. Pair of white sports shoes.
6. Pair of white socks.
7. Metal rings including: one at the right little finger, one at the left middle finger and one at the left little finger.

EVIDENCE OF EXTERNAL TRAUMATIC INJURY AND ASSOCIATED INTERNAL TRAUMATIC INJURY:
Gunshot wounds are numbered for purposes of the autopsy and do not represent a chronological order in which wounds are received. All wound measurements are taken with the body in anatomic position unless otherwise stated.

I. Gunshot wound #1 of the neck:
Entry: The entrance wound is located at the right lateral neck, 8 inches below the top of the head and 1-1/2 inch inferior to the right external auditory meatus. The entrance wound is round and measures 1/4 inch in diameter. There is peripheral dark red abrasion surrounding the entrance hole measuring 1/16 inch in width. There is no soot or stippling on the skin.

Exit: The exit wound is located at the left lateral neck, 9 inches below the top of the head, 2-1/2 inch inferior and 1 inch posterior to the left external auditory meatus. The exit wound is irregular and measures 1/2 x 3/8 inch. There is no peripheral dark red abrasion surrounding the exit hole.

Path of entry: The wound track begins at the skin of right lateral neck, perforates the soft tissue of posterior neck, and exits at the left lateral neck.

Projectile: None.

Direction: Right to left, slightly downward and front to back.

Associated injuries:
1. Perforation of the soft tissue of posterior neck.

II. Gunshot wound #2 of the right arm:
Entry: The entrance wound is located at the right lateral posterior arm, 8 inches below the top of the head and close to the top of shoulder. The entrance wound is oval and measures 3/8 x 1/4 inch. There is peripheral dark red abrasion surrounding the entrance hole measuring 1/16 inch in width. There is no soot or stippling on the skin.

Exit: None.

Path of entry: The wound track begins at the skin of right arm, fractures and terminates at the right humerus.

Projectile (#1/5): One deformed copper jacketed metal bullet is collected at the right arm.

Direction: Right to left and downward.

Associated injuries:
1. Penetration of the right arm.
2. Comminuted fracture of the right humerus.

III. Gunshot wound #3 of the back:
Entry: The entrance wound is located at the right back/scapular area, 14 inches below the top of the head and 5-1/2 inches to the right of the midline. The entrance wound is oval and measures 1/2 x 3/8 inch. There is peripheral dark red abrasion surrounding the entrance hole measuring 1/16 inch in width. There is no soot or stippling on the skin.

Exit: None.

Path of entry: The wound track begins at the skin of right back/scapular area, penetrates the soft tissue of back, perforates and terminates at the left scapula.

Projectile (#2/5): One deformed copper jacketed metal bullet is collected at the left scapula.

Direction: Right to left, slightly upward and back to front.

Associated injuries:
1. Penetration of the soft tissue of back.
2. Perforation of the left scapula.

IV. Gunshot wound #4 of the chest:
Entry: The entrance wound is located at the right lateral chest at axillary area, 15 inches below the top of the head and between the middle and posterior axillary lines. The entrance wound is oval and measures 1/2 x 1/4 inch. There is peripheral dark red abrasion surrounding the entrance hole measuring 1/16 inch in width. There is no soot or stippling on the skin.

Exit: None.

Path of entry: The wound track begins at the skin of right lateral chest at axillary area, perforates the right lateral 3rd rib, upper lobe of right lung, left anterior 2nd rib, and terminates at the left lateral chest wall.

Projectile (#3/5): One deformed copper jacketed metal bullet is collected at the left lateral chest wall.

Direction: Right to left, slightly back to front and upward.

Associated injuries:
1. Fractures of the right 3rd rib and the left 2nd rib.
2. Perforation of the upper lobe of right lung with right hemothorax (measuring 75 ml of liquid blood).

V. Gunshot wound #5 of the back:
Entry: The entrance wound is located at the right lateral back, 19-1/2 inches below the top of the head and at the posterior axillary line. The entrance wound is oval and measures 1/2 x 3/8 inch. There is peripheral dark red abrasion surrounding the entrance hole measuring 1/16 inch in width. There is no soot or stippling on the skin.

Exit: The exit wound is located at the left lateral chest, 18 inches below the top of the head and at the middle axillary line. The exit wound is irregular and measures 1/2 x 1/4 inch. There is no peripheral dark red abrasion surrounding the exit hole.

Path of entry: The wound track begins at the skin of right lateral back, perforates the right 7th rib and lower lobe of right lung, lacerates the thoracic aorta and left ventricle of heart, perforates the lower lobe of left lung and left 5th intercostal space, and exits at the left lateral chest.

Projectile: None.

Direction: Right to left, slightly upward and back to front.

Associated injuries:
1. Fractures of the right 7th rib.
2. Perforation of the lower lobe of right lung with right hemothorax (estimated 75 ml of liquid blood).
3. Laceration of the thoracic aorta.
4. Laceration of the left ventricle of heart, measuring 4 x 2 cm.
5. Perforation of the lower lobe of left lung with left hemothorax (estimated 750 ml of liquid blood).

VI. Gunshot wound #6 of the back:
Entry: The entrance wound is located at the right back/flank area, 20 inches below the top of the head and 4 inches to the right of the midline. The entrance wound is oval and measures 1/2 x 3/8 inch. There is peripheral dark red abrasion surrounding the entrance hole measuring 1/16 inch in width. There is no soot or stippling on the skin.

Exit: None.

Path of entry: The wound track begins at the skin of right back/flank area, fractures the posterior right 10th and 11th ribs, and terminates at the thoracic spine at T12.

Projectile (#4/5): One deformed copper jacketed metal bullet and fragments are collected at the thoracic spine (T12).

Direction: Right to left, horizontal and slightly back to front.

Associated injuries:
1. Penetration of the soft tissue of the right paraspinal area.
2. Fractures of the posterior right 10th and 11th ribs.
3. Fracture of the right pedicle of thoracic spine (T12) with epidural hemorrhage of the lower thoracic cord.

VII. Gunshot wound #7 of the left thigh:
Entry: The entrance wound is located at the left anterior thigh, 24 inches above the bottom of the left heel. The entrance wound is round and measures 5/16 inch in diameter. There is no peripheral dark red abrasion surrounding the entrance hole. There is no soot or stippling on the skin.

Exit: The exit wound is located at the left lateral buttock, 32 inches above the bottom of the left heel. The exit wound is irregular and measures 3/4 x 5/16 inch. There is no peripheral dark red abrasion surrounding the exit hole.

Path of entry: The wound track begins at the skin of left anterior thigh, perforates the soft tissue of left thigh, and exits at the left lateral buttock.

Projectile (#5/5): One deformed copper jacketed metal bullet is collected within the underwear outside of the body.

Direction: Front to back and upward.

Associated injuries:
1. Perforation of the soft tissue of left thigh.

EXTERNAL EXAMINATION:

Injuries are described previously. The body is identified by toe tags and is that of an unembalmed refrigerated, adult male who appears about the reported age of 22 years. The body weighs 156 pounds, measures 68 inches, and is well-nourished (Body Mass Index/BMI= 23.7, Obesity= BMI of 30 or greater). Wrist scars are absent. Tattoos are present including: Letters of "Beloved" and unknown figure at the right arm. Rigor mortis is present. Livor mortis is absent.

The head is normocephalic and covered by black hair. There is no balding and the hair can be described as 1/4 inches in length and tightly curled. Mustache is present. Beard is absent. Examination of the eyes reveals irides that appear to be brown in color and sclerae that are unremarkable. There are no petechial hemorrhages of the lids and/or sclera. The oronasal passages are unobstructed. Upper and lower teeth are present. Dentures are absent. There is no chest deformity. There is no increased anterior-posterior diameter. The abdomen is not unusual. The genitalia are those of an adult male. The penis appears uncircumcised. The external genitalia are without trauma or lesions. The extremities show no edema, non-therapeutic punctures or needle tracks.

INTERNAL EXAMINATION

The following observations are limited to findings other than injuries, if described above.

INITIAL INCISION:

The body cavities are entered through the standard coronal incision and the standard Y-shaped incision.

NECK:

The neck organs are removed en bloc with the tongue. No lesions are present nor is trauma of the gingiva, lips or oral mucosa demonstrated. There is no edema of the larynx. Both hyoid bone and larynx are intact and without fractures. No hemorrhage is present in the adjacent throat organs, investing fascia, strap muscles, thyroid or visceral fascia. There are no prevertebral fascial hemorrhages. The tongue when sectioned shows no trauma.

CHEST/ABDOMINAL CAVITY:

Injuries are described previously. The lungs are poorly expanded. Soft tissues of the thoracic and abdominal walls are well preserved. The subcutaneous fat of the abdominal wall measures 3/4 inches. The organs of the abdominal cavity have a normal arrangement and none is absent. The peritoneal cavity is without evidence of peritonitis. There are no adhesions.

SYSTEMIC AND ORGAN REVIEW

MUSCULOSKELETAL SYSTEM:
No abnormalities of the bony framework or muscles are present.

CARDIOVASCULAR SYSTEM:
Injuries are described previously. The thoracic aorta has no atherosclerosis. There is no tortuosity or widening of the thoracic segment. The abdominal aorta has no atherosclerosis and no calcifications. There is no dilation of the lower abdominal segment. No aneurysm is present.

The heart weighs 310 grams. It has a normal configuration. The right ventricle is 0.3 cm thick, the left ventricle is 1.7 cm thick, and the septum is 1.8 cm thick. The chambers are normally developed and are without mural thrombosis. The valves are thin, leafy and competent. The circumference of the valve rings are: Mitral valve 9.5 cm, aortic valve 5.0 cm, tricuspid valve 10.5 cm, and pulmonic valve 7.0 cm. There is no abnormality of the apices of the papillary musculature. The great vessels enter and leave in a normal fashion. The ductus arteriosus is obliterated. The coronary ostia are widely patent. There is a normal pattern of coronary artery distribution. There is no coronary atherosclerosis. The blood within the heart and large blood vessels is liquid and scanty.

RESPIRATORY SYSTEM:
Injuries are described previously. Scant mucus secretions are found in the upper and lower bronchial passages. The mucosa is intact and pale. The lungs are pale. The left lung weighs 280 grams. The right lung weighs 290 grams. The parenchyma is focally hemorrhagic. The pulmonary vasculature is without thromboembolism.

GASTROINTESTINAL SYSTEM:
The esophagus is intact throughout. The stomach is not distended. It contains about 310 cc of watery fluid. The mucosa shows unremarkable. Portions of tablets and capsules are not seen in the stomach. The small intestine and colon are opened along the anti-mesenteric border and no mucosal lesions are present with liquid green/brown stool. The pancreas occupies a normal position. There is no trauma. The parenchyma is lobular and soft. The pancreatic ducts are not ectatic and there is no parenchymal calcification.

HEPATOBILIARY SYSTEM:
The liver weighs 1040 grams, is of average size and is red-brown. The capsule is intact and the consistency of the parenchyma is soft. The cut surface is smooth. There is a normal lobular arrangement. The gallbladder is present. The wall is thin and pliable. It contains about 15 cc of bile and no calculi. There is no obstruction or dilation of the extrahepatic ducts. The periportal lymph nodes are not enlarged.

URINARY SYSTEM:
The left kidney weighs 100 grams. The right kidney weighs 100 grams. The kidneys are normally situated and the capsules strip easily revealing a surface that is tan-red and smooth. The corticomedullary demarcation is preserved. The pyramids are not remarkable. The peri-pelvic fat is not increased. The ureters are without dilation or obstruction and pursue their normal course. The urinary bladder is unremarkable. It contains about 75 cc of clear urine.

GENITAL SYSTEM:
The prostate is without enlargement or nodularity. Both testes are in the scrotum and are unremarkable and without trauma.

HEMOLYMPHATIC SYSTEM:
The spleen weighs 70 grams. The capsule is smooth. The parenchyma is dark red. There is no increased follicular pattern. Lymph nodes throughout the body are small and inconspicuous. The bone is unremarkable. The bone marrow of the rib is unremarkable.

ENDOCRINE SYSTEM:
The thyroid is unremarkable. The parathyroid glands are not identified. The adrenals are unremarkable. The thymus is not identified. The pituitary gland is of normal size.

SPECIAL SENSES:
The eyes are not dissected. The middle and inner ear are not dissected.

HEAD AND CENTRAL NERVOUS SYSTEM:
There is no subcutaneous or subgaleal hemorrhage of the scalp. The external periosteum and dura mater are stripped showing no fracture of the calvarium and base of the skull. There are no tears of the dura mater. There is no epidural, subdural or subarachnoid hemorrhage.

The brain weighs 1500 grams. The leptomeninges are thin and transparent. A normal convolutionary pattern is observed. Coronal sectioning demonstrates a uniformity of cortical gray thickness. The cerebral hemispheres are symmetrical. There is no softening, discoloration, or hemorrhage of the white matter. The basal ganglia are intact. Anatomic landmarks are preserved. Cerebral contusions are not present. The ventricular system has a normal appearance without dilation or distortion. The pons, medulla and cerebellum are unremarkable. There is no evidence of uncal or cerebral herniation. Vessels at the base of the brain have a normal pattern of distribution. There are no aneurysms. Cranial nerves are intact, symmetrical and normal in size, location and course. The cerebral arteries are without arteriosIcerosis.

SPINAL CORD:
The superior portion of the cervical spinal cord is examined through the foramen magnum and is unremarkable.

HISTOLOGIC SECTIONS:
Representative sections of various organs are preserved in one storage jar in 10% formalin. No sections are submitted for slides.

TOXICOLOGY:
Chest blood, femoral blood, liver tissue, bile, gastric contents, urine, and vitreous humor have been obtained.

SPECIAL PROCEDURES:
Blood is obtained for DNA.

PHOTOGRAPHY:
Photographs have been taken prior to and during the course of the autopsy.

DIAGRAMS:
Four diagrams were used during the performance of the autopsy. The diagrams are not intended to be a facsimile and are not drawn to scale.

RADIOLOGY:
X-rays are obtained and reveal the radiopacity consistent with the recovered projectiles.

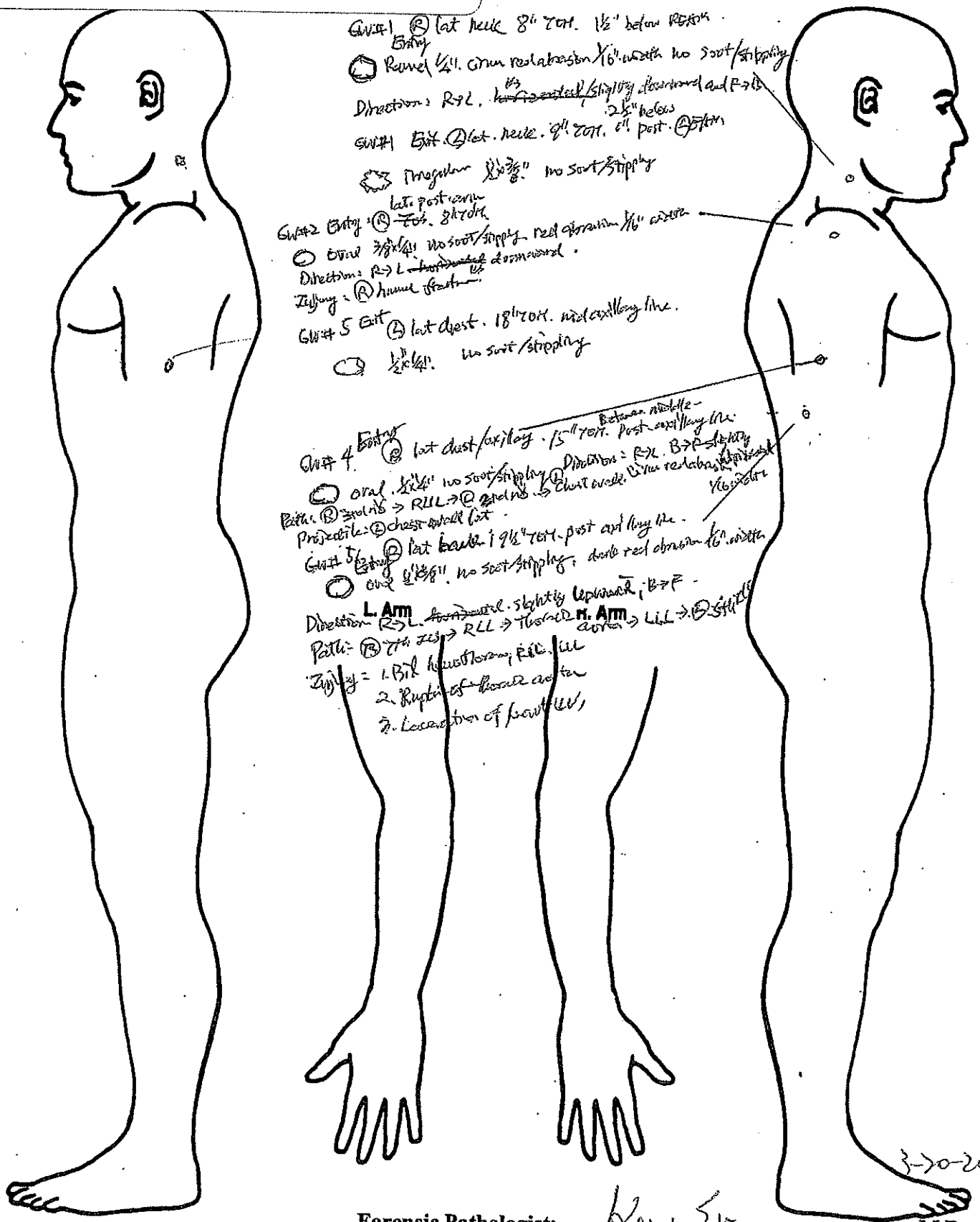
EVIDENCE:
Hair (head) and nail scrapings are collected on 3/19/2018 (one day prior to autopsy). Five metal bullets are collected during autopsy.

18-01644 Type: Homicide
CLARK, STEPHON A. Doctor: SU, Kenny
12 Years Male Deputy: KELLN, Marcus

4800 Broadway, Suite 100
Sacramento, California 95820-1530

Gunshot Wounds

Case Number: _____

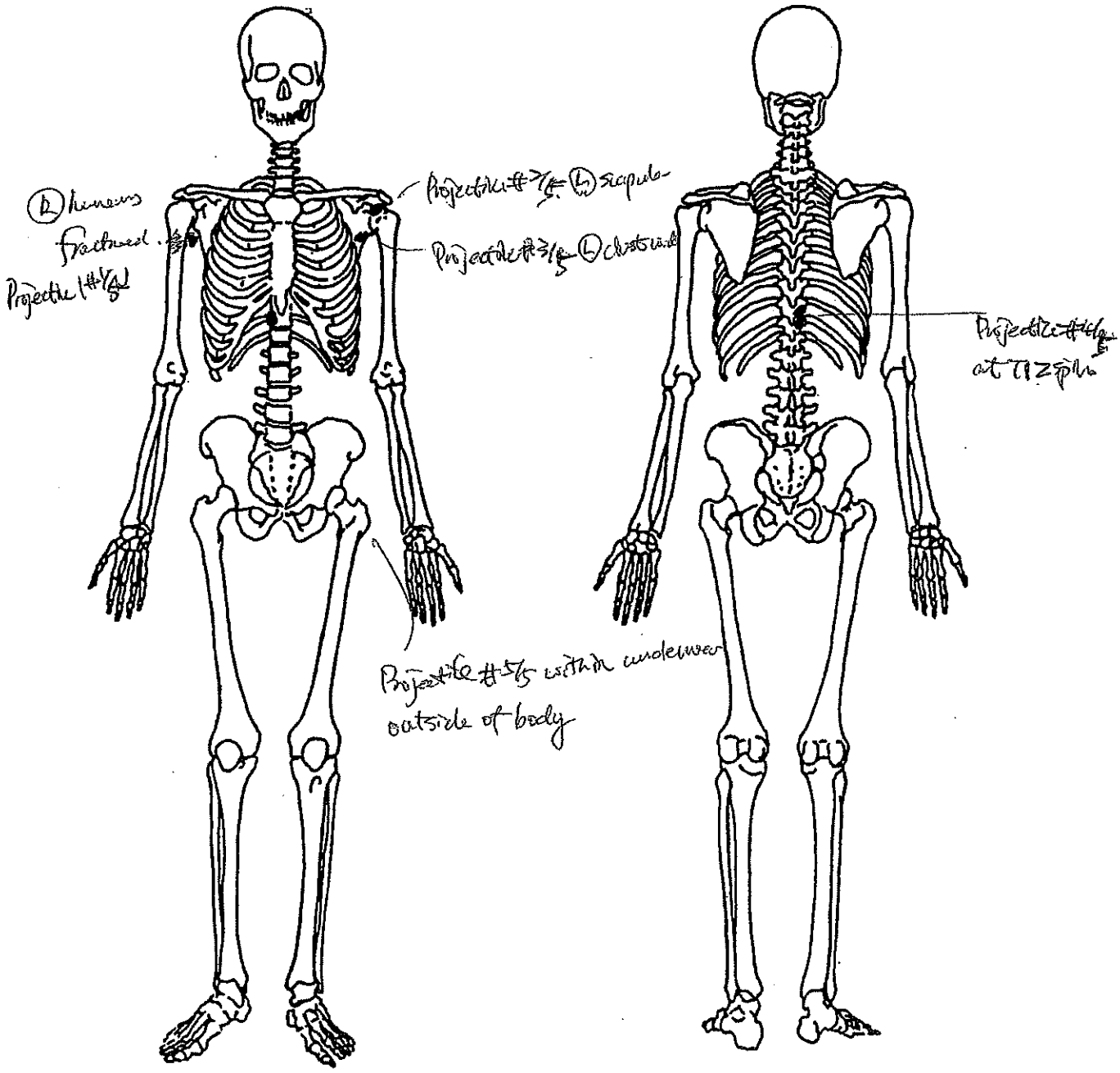


3-20-2018

Forensic Pathologist: Kenny Su, M.D.

CASE FILE
SACRAMENTO COUNTY CORONER

18-01644 Type: Homicide
CLARK, STEPHON A. Doctor: SU, Kenny
22 Years Male Deputy: KELLN, Marcus



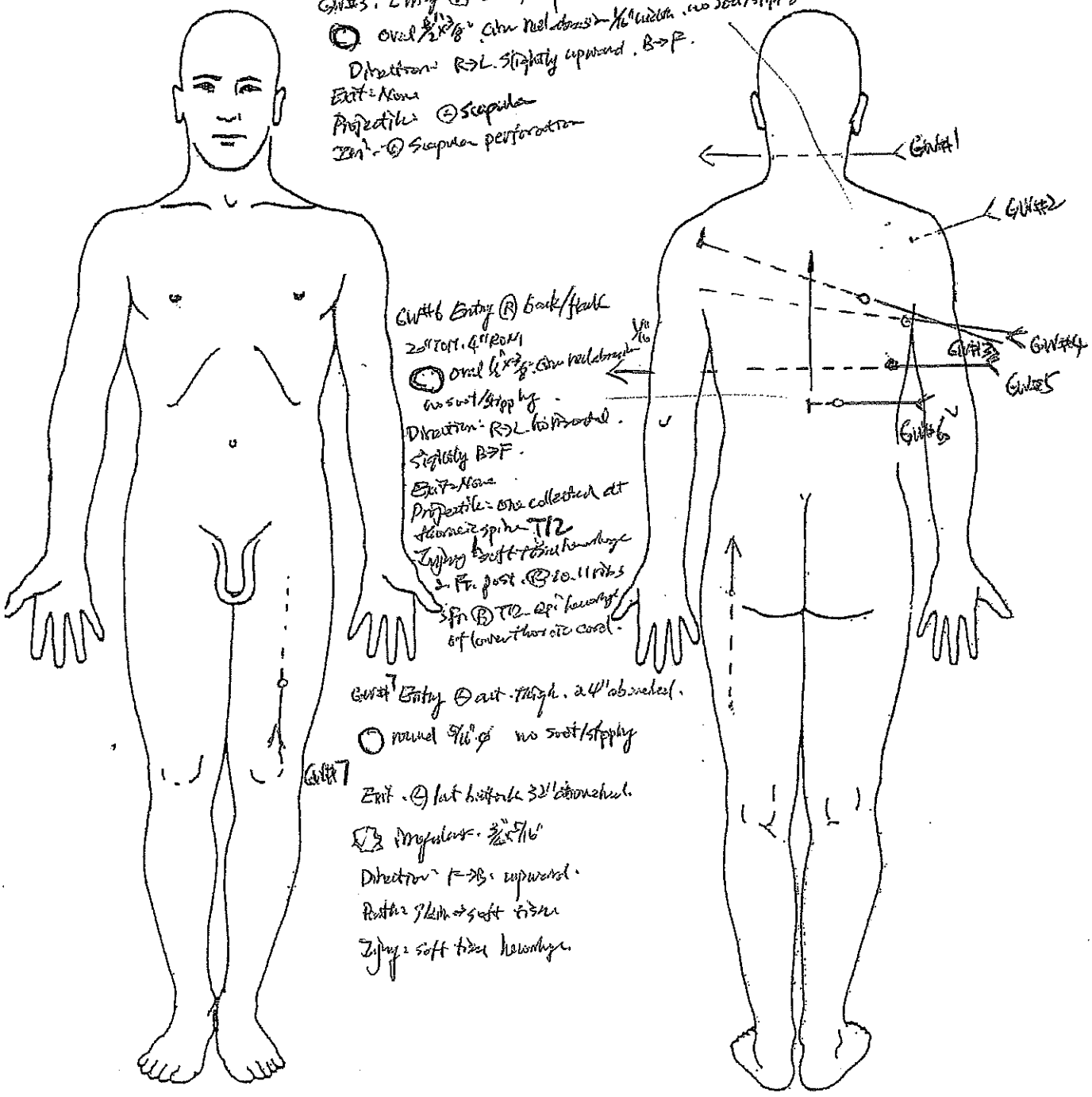
3-20-2018

Forensic Pathologist: Kenny Su

CASE FILE
SACRAMENTO COUNTY CORONER

! 18-01644	Type: Homicide	
RK, STEPHON A.	Doctor: SU, Kenny	
2 Years	Male	Deputy: KELLN, Marcus

Gunshot wounds.



8-20-2018

Forensic Pathologist: Kenny Su

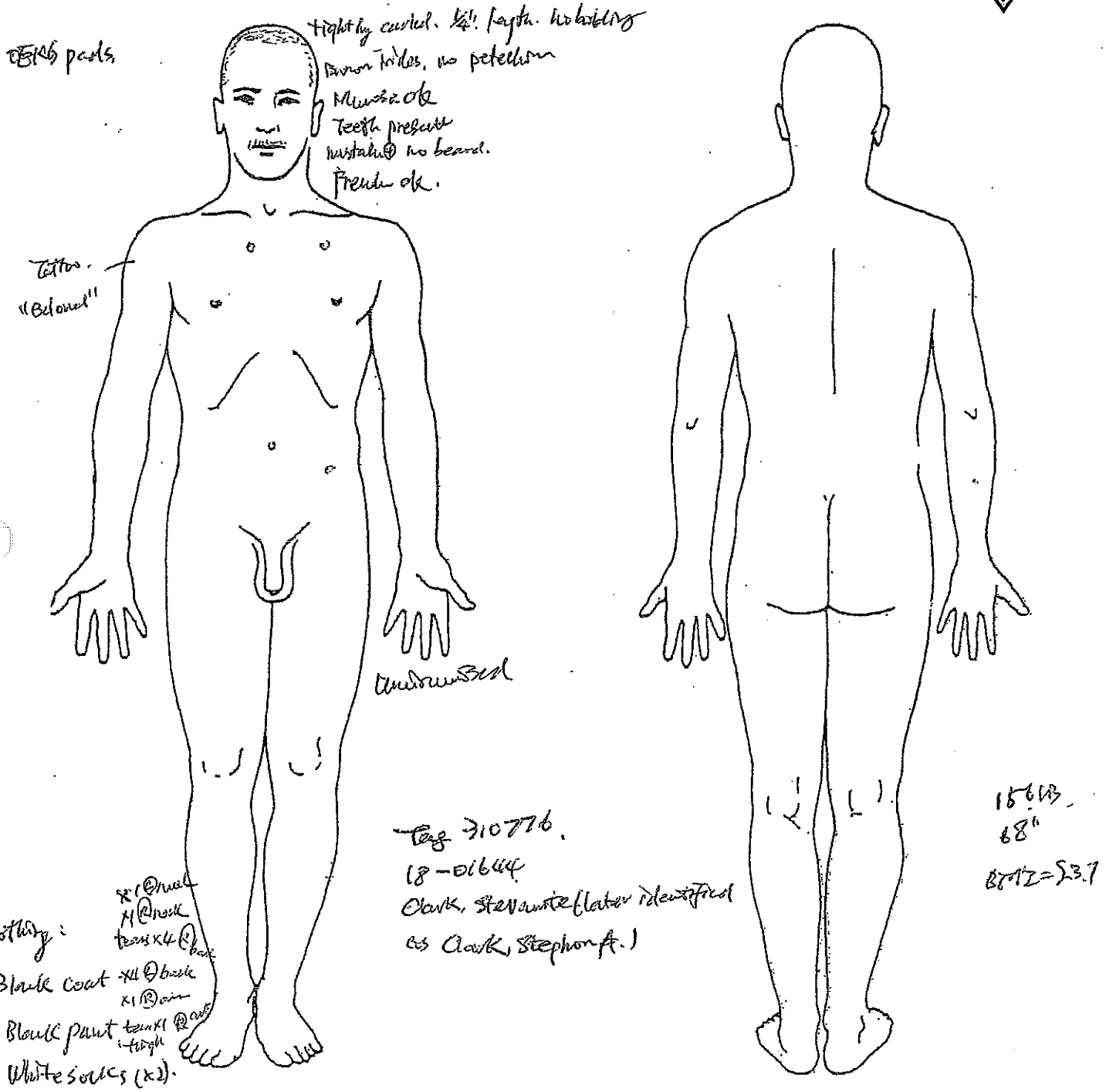
CASE FILE
SACRAMENTO COUNTY CORONER

18-01644 Type: Homicide

CLARK, STEPHON A. Doctor: SU, Kenny

ears Male Deputy: KELLN, Marcus

General



clothing:

1. Black coat x1 @ neck, x1 @ neck, tears x4 @ back, x1 @ back, x1 @ arm
2. Black pant tears x1 @ back, 1 thigh
3. White socks (x2).
4. White sport shoes (x2)
5. metal rings - one at @ little finger, one at @ middle, one at @ little finger
6. Gray underwear. Tears x1 @ inguinal area
7. White T-shirt: tears x4 @ back, x4 @ back, x1 @ lat arm

3-20-2018

Forensic Pathologist: Kenny Su

NMS LABS

NMS Labs
3701 Welsh Road, PO Box 433A, Willow Grove, PA 19090-0437
Phone: (215) 657-4900 Fax: (215) 657-2972
e-mail: nms@nmslabs.com
Robert A. Middleberg, PhD, F-ABFT, DABCC-TC, Laboratory Director

CONFIDENTIAL

Toxicology Report

Report Issued 04/23/2018 11:03

To: **117C**
Sacramento County Coroner
Attn: Kim Gin/Pathology
4800 Broadway, Suite 100
Sacramento, CA 95820

Patient Name CLARK, STEPHON
Patient ID 18-01644
Chain 18104157
Age 22 Y **DOB** 08/10/1995
Gender Male
Workorder 18104157

Positive Findings:

Compound	Result	Units	Matrix Source
Ethanol	91	mg/dL	001 - Femoral Blood
Blood Alcohol Concentration (BAC)	0.091	g/100 mL	001 - Femoral Blood
Cotinine	Positive	ng/mL	001 - Femoral Blood
Nicotine	Positive	ng/mL	001 - Femoral Blood
Alprazolam	90	ng/mL	001 - Femoral Blood
Alpha-Hydroxyalprazolam	33	ng/mL	001 - Femoral Blood
Codeine - Free	200	ng/mL	001 - Femoral Blood
Hydrocodone - Free	5.9	ng/mL	001 - Femoral Blood
Delta-9 Carboxy THC	300	ng/mL	001 - Femoral Blood
Delta-9 THC	22	ng/mL	001 - Femoral Blood
Promethazine	8.1	ng/mL	001 - Femoral Blood
Etizolam	7.2	ng/mL	001 - Femoral Blood

See Detailed Findings section for additional information

Testing Requested:

Analysis Code	Description
8052B	Postmortem, Expanded, Blood (Forensic)

Tests Not Performed:

Part or all of the requested testing was unable to be performed. Refer to the **Analysis Summary and Reporting Limits** section for details.

Specimens Received:

ID	Tube/Container	Volume/ Mass	Collection Date/Time	Matrix Source	Miscellaneous Information
001	Gray Top Tube	6.25 mL	03/20/2018 10:55	Femoral Blood	

All sample volumes/weights are approximations.

Specimens received on 04/10/2018.

KS 4/23/2018

Detailed Findings:

Analysis and Comments	Result	Units	Rpt. Limit	Specimen Source	Analysis By
Ethanol	91	mg/dL	10	001 - Femoral Blood	Headspace GC
Blood Alcohol Concentration (BAC)	0.091	g/100 mL	0.010	001 - Femoral Blood	Headspace GC
Cotinine	Positive	ng/mL	200	001 - Femoral Blood	LC/TOF-MS
Nicotine	Positive	ng/mL	100	001 - Femoral Blood	LC/TOF-MS
Alprazolam	90	ng/mL	5.0	001 - Femoral Blood	LC-MS/MS
Alpha-Hydroxyalprazolam	33	ng/mL	5.0	001 - Femoral Blood	LC-MS/MS
Codeine - Free	200	ng/mL	5.0	001 - Femoral Blood	LC-MS/MS
Hydrocodone - Free	5.9	ng/mL	5.0	001 - Femoral Blood	LC-MS/MS
Delta-9 Carboxy THC	300	ng/mL	5.0	001 - Femoral Blood	LC-MS/MS
Delta-9 THC	22	ng/mL	0.50	001 - Femoral Blood	LC-MS/MS
Ethanol	Confirmed	mg/dL	10	001 - Femoral Blood	Headspace GC
Promethazine	8.1	ng/mL	5.0	001 - Femoral Blood	LC-MS/MS
Etizolam	7.2	ng/mL	4.0	001 - Femoral Blood	LC-MS/MS

Other than the above findings, examination of the specimen(s) submitted did not reveal any positive findings of toxicological significance by procedures outlined in the accompanying Analysis Summary.

Reference Comments:

1. Alpha-Hydroxyalprazolam (Alprazolam Metabolite) - Femoral Blood:

   Alpha-Hydroxyalprazolam is an active metabolite of alprazolam. It has approximately 66% of the potency of the parent drug. It is typically present at concentrations less than 10% of the parent.

2. Alprazolam (Xanax®) - Femoral Blood:

   Alprazolam is a DEA Schedule IV second-generation benzodiazepine, which is effective at very low doses. It shares the actions of other benzodiazepines in the management of anxiety disorders and short-term relief of anxiety associated with depressive symptoms. Alpha-hydroxyalprazolam is an active metabolite of alprazolam. Common CNS-depressant side effects of alprazolam include drowsiness and fatigue. For anxiety, daily doses of 0.8 to 4 mg are effective whereas for phobic and panic disorders, 6 to 9 mg daily is recommended.

   Reported therapeutic plasma concentrations of alprazolam are proportional to dose given: 3 mg/day produced steady-state levels of 30 ng/mL; 6 mg/day, 60 ng/mL; and 9 mg/day, 100 ng/mL.

   In reported cases involving driving under the influence, alprazolam concentrations ranged from 8 - 640 ng/mL. Alcohol greatly enhances the activity of benzodiazepines.

   Reported blood concentrations of alprazolam in alprazolam-related fatalities ranged from 100 - 400 ng/mL (mean, 200 ng/mL). In combination with other central nervous system depressants such as ethyl alcohol, alprazolam can become toxic at low concentrations.

3. Codeine - Free - Femoral Blood:

   Codeine is a DEA Schedule III narcotic analgesic with central nervous system depressant activity. An adult therapeutic regimen for codeine is 30 to 60 mg four to six times daily as needed. Morphine is a demethylated metabolite of codeine. Hydrocodone is also a reported metabolite of codeine. Reported peak plasma levels of codeine averaged 134 ng/mL at 1 hr. following a single 60 mg oral dose of codeine phosphate. Plasma morphine concentration reached a peak of 7 ng/mL.

   Concentrations in excess of the therapeutic level may cause drowsiness and mental clouding including impairment of coordination, judgment, alertness and response time. Signs seen with excessive use of this substance may include hypotension, convulsions, coma and respiratory failure. Reported blood concentrations of free codeine in codeine-related fatalities range from 1000 - 8800 ng/mL.

Reference Comments:

4. Cotinine (Nicotine Metabolite) - Femoral Blood:

   Cotinine is a metabolite of nicotine and may be encountered in the fluids and tissues of an individual as a result of tobacco exposure.

   Anabasine is a natural product occurring in tobacco, but not in pharmaceutical nicotine and a separate test for anabasine in urine can be used to distinguish tobacco from pharmaceutical nicotine use.

   The reported qualitative result for this substance was based upon a single analysis only. If confirmation testing is required please contact the laboratory.

5. Delta-9 Carboxy THC (Inactive Metabolite) - Femoral Blood:

   Delta-9-THC is the principle psychoactive ingredient of marijuana/hashish. Delta-9-carboxy-THC (THCC) is the inactive metabolite of THC. The usual peak concentrations in serum for 1.75% or 3.55% THC marijuana cigarettes are 10 - 101 ng/mL attained 32 to 240 minutes after beginning smoking, with a slow decline thereafter. The ratio of whole blood concentration to plasma concentration is unknown for this analyte. THCC may be detected for up to one day or more in blood. Both delta-9-THC and THCC may be present substantially longer in chronic users. THCC is usually not detectable after passive inhalation.

6. Delta-9 THC (Active Ingredient of Marijuana) - Femoral Blood:

   Marijuana is a DEA Schedule I hallucinogen. Pharmacologically, it has depressant and reality distorting effects. Collectively, the chemical compounds that comprise marijuana are known as Cannabinoids.

   Delta-9-THC is the principle psychoactive ingredient of marijuana/hashish. It rapidly leaves the blood, even during smoking, falling to below detectable levels within several hours. Delta-9-carboxy-THC (THCC) is the inactive metabolite of THC and may be detected for up to one day or more in blood. Both delta-9-THC and THCC may be present substantially longer in chronic users.
   THC concentrations in blood are usually about one-half of serum/plasma concentrations. Usual peak levels in serum for 1.75% or 3.55% THC marijuana cigarettes: 50 - 270 ng/mL at 6 to 9 minutes after beginning smoking, decreasing to less than 5 ng/mL by 2 hrs.

7. Ethanol (Ethyl Alcohol) - Femoral Blood:

   Ethyl alcohol (ethanol, drinking alcohol) is a central nervous system depressant and can cause effects such as impaired judgment, reduced alertness and impaired muscular coordination. Ethanol can also be a product of decomposition or degradation of biological samples. The blood alcohol concentrations (BAC) can be expressed as a whole number with the units of mg/dL or as a decimal number with units of g/100 mL which is equivalent to % w/v. For example, a BAC of 85 mg/dL equals 0.085 g/100 mL or 0.085% w/v of ethanol.

8. Etizolam - Femoral Blood:

   Etizolam is a benzodiazepine drug that is used as a novel psychoactive substance. It is reported to have CNS depressant properties and shares anticonvulsant, muscle relaxant, hypnotic, anxiolytic and sedative effects with other benzodiazepines. It is not approved for use in the United States, but is available in some other countries.

   Average peak plasma concentrations following a single 0.5 mg and 1 mg dose were reported to be 8.3 ng/mL and 17 - 21 ng/mL (extensive and poor metabolizers, respectively) approximately 1 hour after dosing, respectively. Chronic oral administration of 1 mg daily resulted in an average steady -state plasma concentrations of 9.3 ng/mL. Reported half-lives are 7 - 15hours.

   A post-mortem femoral blood concentration of 86 ng/mL was reported along with other drugs following an apparent suicidal ingestion. In a second case of intentional overdose a post-mortem blood concentration of 260 ng/mL was reported; the individual drowned in a bathtub.

   The blood to plasma ratio is not known.

9. Hydrocodone - Free (Vicodin®; Zohydro®) - Femoral Blood:

   Hydrocodone is a DEA Schedule II semisynthetic narcotic analgesic. It is similar to codeine in analgesic activity and is also widely used in cough syrups for its antitussive activity. This compound is reported to be highly addictive. For relief of pain, hydrocodone, as the bitartrate salt, is only available in oral form in combination with non-opiate drugs, e.g., acetaminophen. Active metabolites of hydrocodone include hydromorphone and hydrocodol (dihydrocodeine). Normal adult oral dosages range from 5 to 10 mg every 4 to 6 hr. Hydrocodone has also been demonstrated to be a metabolite of codeine.

Reference Comments:

After a single oral administration of 10 mg, mean peak serum levels of 20 ng/mL were reported at 1.5 hr; levels dropped to 7 ng/mL at 8 hr.

Hydrocodone is reported to be more toxic than codeine. In overdose, it produces the same manifestations as other opiates including: drowsiness, sedation, respiratory depression, coma and death. In reported overdosage, post-mortem blood levels ranged from 130 - 7000 ng/mL.

10. Nicotine - Femoral Blood:

Nicotine is a potent alkaloid found in tobacco leaves at about 2 - 8% by weight. It is also reportedly found in various fruits, vegetables and tubers, e.g., tomatoes and potatoes, but at a smaller per weight fraction. As a natural constituent of tobacco, nicotine is found in all commonly used smoking or chewing tobacco products. It is also in smoking cessation products. Nicotine has been used as a pesticide, although not as widely since the advent of more effective agents.

Nicotine is extensively metabolized; the primary reported metabolite is the oxidative product cotinine. Many factors influence the levels found in an individual, including: frequency of use; amount of nicotine exposed to; route of administration; etc.

Toxic effects of nicotine overdose include nausea, vomiting, dizziness, sweating, miosis, EEG and ECG changes, tachycardia, hypertension, respiratory failure, seizures and death. Death from nicotine exposure usually results from either a block of neuromuscular transmission in respiratory muscles or from seizures.

Anabasine is a natural product occurring in tobacco, but not in pharmaceutical nicotine. A separate test for anabasine in urine can be used to distinguish tobacco from pharmaceutical nicotine use.

The reported qualitative result for this substance was based upon a single analysis only. If confirmation testing is required please contact the laboratory.

11. Promethazine (Phenergan®) - Femoral Blood:

Promethazine is an ethylamino-derivative of phenothiazine used for its antihistaminic, antiemetic, and sedative effects. It generally produces CNS depression at the usual therapeutic range; however, promethazine also can produce CNS stimulation or it may be added to other substances and used in the treatment of allergies and management of motion sickness. Oral doses usually range from 25 to 150 mg per day.

Following a single 50 mg oral administration of promethazine in 20 younger men, the average peak serum concentration of 29 ng/mL (range 6-99) occurred at 3.3 hours. Promethazine has a blood / plasma ratio of 0.6 - 0.7.

Postmortem blood concentrations of promethazine in fatalities due to promethazine overdose were reported to be between 1800 and 12000 ng/mL. Promethazine may exhibit postmortem redistribution.

Substance(s) known to interfere with the identity and/or quantity of the reported result: Promazine, Chlorpromazine.

Unless alternate arrangements are made by you, the remainder of the submitted specimens will be discarded one (1) year from the date of this report; and generated data will be discarded five (5) years from the date the analyses were performed.

Workorder 18104157 was electronically signed on 04/23/2018 10:41 by:

Ayako Chan-Hosokawa, M.S., D-ABFT-FT
Forensic Toxicologist

Analysis Summary and Reporting Limits:

All of the following tests were performed for this case. For each test, the compounds listed were included in the scope. The Reporting Limit listed for each compound represents the lowest concentration of the compound that will be reported as being positive. If the compound is listed as None Detected, it is not present above the Reporting Limit. Please refer to the Positive Findings section of the report for those compounds that were identified as being present.

Acode 50012B - Benzodiazepines Confirmation, Blood (Forensic) - Femoral Blood

-Analysis by High Performance Liquid Chromatography/ TandemMass Spectrometry (LC-MS/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
7-Amino Clonazepam	5.0 ng/mL	Flurazepam	2.0 ng/mL
Alpha-Hydroxyalprazolam	5.0 ng/mL	Hydroxyethylflurazepam	5.0 ng/mL
Alprazolam	5.0 ng/mL	Hydroxytriazolam	5.0 ng/mL
Chlordiazepoxide	20 ng/mL	Lorazepam	5.0 ng/mL
Clobazam	20 ng/mL	Midazolam	5.0 ng/mL
Clonazepam	2.0 ng/mL	Nordiazepam	20 ng/mL
Desalkylflurazepam	5.0 ng/mL	Oxazepam	20 ng/mL
Diazepam	20 ng/mL	Temazepam	20 ng/mL
Estazolam	5.0 ng/mL	Triazolam	2.0 ng/mL

Acode 50014B - Cocaine and Metabolites Confirmation, Blood (Forensic) - Femoral Blood

-Analysis by Gas Chromatography/Mass Spectrometry (GC/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
Benzoylecgonine	100 ng/mL	Cocaine	40 ng/mL
Cocaethylene	40 ng/mL		

Acode 50016B - Opiates - Free (Unconjugated) Confirmation, Blood (Forensic) - Femoral Blood

-Analysis by High Performance Liquid Chromatography/ TandemMass Spectrometry (LC-MS/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
6-Monoacetylmorphine - Free	1.0 ng/mL	Hydromorphone - Free	1.0 ng/mL
Codeine - Free	5.0 ng/mL	Morphine - Free	5.0 ng/mL
Dihydrocodeine / Hydrocodol - Free	5.0 ng/mL	Oxycodone - Free	5.0 ng/mL
Hydrocodone - Free	5.0 ng/mL	Oxymorphone - Free	1.0 ng/mL

Acode 52198B - Cannabinoids Confirmation, Blood (Forensic) - Femoral Blood

-Analysis by High Performance Liquid Chromatography/ TandemMass Spectrometry (LC-MS/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
11-Hydroxy Delta-9 THC	N/A	Delta-9 THC	0.50 ng/mL
Delta-9 Carboxy THC	5.0 ng/mL		

Not Reported: 11-Hydroxy Delta-9 THC: Test was canceled due to [Interfering Substance].

Acode 52250B - Alcohols and Acetone Confirmation, Blood (Forensic) - Femoral Blood

-Analysis by Headspace Gas Chromatography (GC) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
Acetone	5.0 mg/dL	Isopropanol	5.0 mg/dL
Ethanol	10 mg/dL	Methanol	5.0 mg/dL

Analysis Summary and Reporting Limits:

Acode 52456B - Promethazine Confirmation, Blood (Forensic) - Femoral Blood

-Analysis by High Performance Liquid Chromatography/ TandemMass Spectrometry (LC-MS/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
Promethazine	5.0 ng/mL		

Acode 52493B - Designer Benzodiazepines Confirmation, Blood (Forensic) - Femoral Blood

-Analysis by High Performance Liquid Chromatography/ TandemMass Spectrometry (LC-MS/MS) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
Clonazolam	10 ng/mL	Etizolam	4.0 ng/mL
Delorazepam	10 ng/mL	Flubromazolam	4.0 ng/mL
Diclazepam	10 ng/mL		

Acode 8052B - Postmortem, Expanded, Blood (Forensic) - Femoral Blood

-Analysis by Enzyme-Linked Immunosorbent Assay (ELISA) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
Barbiturates	0.040 mcg/mL	Salicylates	120 mcg/mL
Cannabinoids	10 ng/mL		

-Analysis by Headspace Gas Chromatography (GC) for:

Compound	Rpt. Limit	Compound	Rpt. Limit
Acetone	5.0 mg/dL	Isopropanol	5.0 mg/dL
Ethanol	10 mg/dL	Methanol	5.0 mg/dL

-Analysis by High Performance Liquid Chromatography/Time of Flight-Mass Spectrometry (LC/TOF-MS) for: The following is a general list of compound classes included in this screen. The detection of any specific analyte is concentration-dependent. Note, not all known analytes in each specified compound class are included. Some specific analytes outside these classes are also included. For a detailed list of all analytes and reporting limits, please contact NMS Labs.
Amphetamines, Anticonvulsants, Antidepressants, Antihistamines, Antipsychotic Agents, Benzodiazepines, CNS Stimulants, Cocaine and Metabolites, Hallucinogens, Hypnosedatives, Hypoglycemics, Muscle Relaxants, Non-Steroidal Anti-Inflammatory Agents, Opiates and Opioids.

18-002357 (0001)

Sacramento County District Attorney's Office

ANNE MARIE SCHUBERT
District Attorney

Stephen J. Grippi
Chief Deputy

Michael A. Neves
Assistant District Attorney

Edward M. Pollock
Laboratory Director

March 23, 2018

Sacramento County Coroner
4800 Broadway, Suite 100
Sacramento, CA 95820

LAB NO: 18-002357
REQUEST NO: 0001
AGENCY NO: COR-18-001644

NAME: Clark, Stephon A

Blood Alcohol Report

Submission: 001
Source: Clark, Stephon A

Sample Type: blood

Ethanol Result: 0.08 %
Date Received: 3/21/2018
Date Analyzed: 3/22/2018
Origin: femoral

Kristine Myhre

Kristine Myhre, Criminalist
Forensic Alcohol Analyst

March 22, 2018
Date

Allyson Avina

3/23/2018
Technical Reviewer Date
Allyson Avina, Criminalist

Kristel Suchland

3/23/2018
Administrative Reviewer Date
Kristel Suchland, Supervising Criminalist

KB 3/27/18

Compliance Statements

Uncertainty of the mean concentration (Estimated Uncertainty) is expressed as an expanded uncertainty in accordance with ISO/IEC 17025:2005 at an approximate 99.7% level of confidence using a coverage factor of k=3.

Per California Code of Regulations, Title 17:
- The reported result is the truncated mean of the replicate analytical results.

Analysis and Measurement Uncertainty

Instrumentation: Headspace Gas Chromatography

Component	Replicate 1	Replicate 2	Mean Concentration	Estimated Uncertainty
Ethanol	0.089	0.090	0.0895	± 0.003

All concentrations are expressed as % (W/V) unless otherwise noted.

18-002357 (0002)

Sacramento County District Attorney's Office

ANNE MARIE SCHUBERT
District Attorney

Stephen J. Grippi
Chief Deputy

Michael A. Neves
Assistant District Attorney

Edward M. Pollock
Laboratory Director

March 27, 2018

Sacramento County Coroner
4800 Broadway, Suite 100
Sacramento, CA 95820

LAB NO: 18-002357
REQUEST NO: 0002
AGENCY NO: COR-18-001644

NAME: Clark, Stephon A

Toxicology Report

Submission: 001
Source: Clark, Stephon A
Sample Type: blood

Date Received: 3/21/2018
Origin: femoral

Drug Classes Evaluated

acidic drugs, basic drugs, amphetamine, benzodiazepines, benzoylecgonine (cocaine metabolite), carisoprodol, methadone, methamphetamine, opiates, oxycodone, zolpidem, tetrahydrocannabinols.

Drugs Confirmed	Concentration	Estimated Uncertainty (99.7% confidence at k=3)	Analyst
delta-9-THC	16 ng/mL	± 3 ng/mL	Nakayama, Matthew
11-hydroxy-THC	2.3 ng/mL	± 0.5 ng/mL	Nakayama, Matthew
11-nor-9-carboxy-THC	236 ng/mL	±54 ng/mL	Nakayama, Matthew
benzoylecgonine (cocaine metabolite)	60 ng/mL	±11 ng/mL	Toms, Michael
codeine	120 ng/mL	±16 ng/mL	Triebold, Craig
alprazolam	82 ng/mL	±16 ng/mL	Buckman, Karen
etizolam	5.8 ng/mL	± 0.5 ng/mL	Buckman, Karen

Testing indicates that nicotine, diphenydramine, and promethazine may be present. A portion of the sample will be sent to Central Valley Toxicology for additional testing.

3/27/18

Matthew Nakayama

Matthew Nakayama, Criminalist

March 27, 2018
Date

Craig Triebold 3/27/2018

Technical Reviewer Date
Craig Triebold, Criminalist

MW Toms 3/27/2018

Administrative Reviewer Date
Michael Toms, Supervising Criminalist

18-002357 (0005)

Sacramento County District Attorney's Office

ANNE MARIE SCHUBERT
District Attorney

Stephen J. Grippi
Chief Deputy

Michael A. Neves
Assistant District Attorney

Edward M. Pollock
Laboratory Director

March 29, 2018

Sacramento County Coroner
4800 Broadway, Suite 100
Sacramento, CA 95820

LAB NO: 18-002357
REQUEST NO: 0005
AGENCY NO: COR-18-001644

NAME: Clark, Stephon A

Toxicology Report

Submission: 005
Source: Clark, Stephon A
Sample Type: urine

Date Received: 3/23/2018

Drug Classes Evaluated

amphetamine, benzodiazepines, benzoylecgonine (cocaine metabolite), carisoprodol, methadone, methamphetamine, opiates, oxycodone, zolpidem, tetrahydrocannabinols.

Drugs Confirmed	Analyst
codeine	Toms, Michael
hydrocodone	Toms, Michael

NOTE:
Presumptive testing indicates tetrahydrocannabinols, benzodiazepines, and benzoylecgonine (cocaine metabolite) may be present. These drug classes were confirmed in the femoral blood submission (001); therefore, no confirmations were performed on submission 005.

Michael Toms, Supervising Criminalist

March 28, 2018
Date

KS 3/29/18

Sara Porter 3/29/2018

Technical Reviewer Date
Sara Porter, Criminalist

Kristel Suchland 3/29/2018

Administrative Reviewer Date
Kristel Suchland, Supervising Criminalist

18-002357 (0004)

Sacramento County District Attorney's Office

ANNE MARIE SCHUBERT
District Attorney

Stephen J. Grippi
Chief Deputy

Michael A. Neves
Assistant District Attorney

Edward M. Pollock
Laboratory Director

March 29, 2018

Sacramento County Coroner
4800 Broadway, Suite 100
Sacramento, CA 95820

LAB NO: 18-002357
REQUEST NO: 0004
AGENCY NO: COR-18-001644

NAME: Clark, Stephon A

Toxicology Report

Submission: 004
Source: Clark, Stephon A
Sample Type: other

Date Received: 3/23/2018
Origin: vitreous fluid

Drug Classes Evaluated

amphetamine, benzodiazepines, benzoylecgonine (cocaine metabolite), carisoprodol, methadone, methamphetamine, opiates, oxycodone, zolpidem, tetrahydrocannabinols.

Drugs Confirmed	Concentration	Estimated Uncertainty (99.7% confidence at k=3)	Analyst
alprazolam	32 ng/mL	± 6 ng/mL	Triebold, Craig

Craig Triebold

Craig Triebold, Criminalist

March 29, 2018
Date

VS 3/29/18

Matthew Nakayama 3/29/2018

Technical Reviewer Date
Matthew Nakayama, Criminalist

MW Toms 3/29/2018

Administrative Reviewer Date
Michael Toms, Supervising Criminalist

18-002357 (0003)

Sacramento County District Attorney's Office

ANNE MARIE SCHUBERT
District Attorney

Stephen J. Grippi
Chief Deputy

Michael A. Neves
Assistant District Attorney

Edward M. Pollock
Laboratory Director

March 29, 2018

Sacramento County Coroner
4800 Broadway, Suite 100
Sacramento, CA 95820

LAB NO: 18-002357
REQUEST NO: 0003
AGENCY NO: COR-18-001644

NAME: Clark, Stephon A

Toxicology Report

Submission: 003
Source: Clark, Stephon A
Sample Type: other

Date Received: 3/23/2018
Origin: liver

Drug Classes Evaluated

amphetamine, benzodiazepines, benzoylecgonine (cocaine metabolite), carisoprodol, methadone, methamphetamine, opiates, oxycodone, zolpidem, tetrahydrocannabinols.

Drugs Confirmed	Concentration	Estimated Uncertainty (99.7% confidence at k=3)	Analyst
alprazolam	(qualitative)		Triebold, Craig
etizolam	(qualitative)		Triebold, Craig
codeine	(qualitative)		Triebold, Craig

Presumptive testing indicates that tetrahydrocannabinols may be present. Confirmation was not performed since tetrahydrocannabinols were already reported in the femoral blood (Submission 001).

Craig Triebold

Craig Triebold, Criminalist

March 29, 2018
Date

3/29/18

Matthew Nakayama 3/29/2018

Technical Reviewer Date
Matthew Nakayama, Criminalist

3/29/2018

Administrative Reviewer Date
Michael Toms, Supervising Criminalist

18-002357 (0006)

Sacramento County District Attorney's Office

ANNE MARIE SCHUBERT
District Attorney

Stephen J. Grippi
Chief Deputy

Michael A. Neves
Assistant District Attorney

Edward M. Pollock
Laboratory Director

April 6, 2018

Sacramento County Coroner
4800 Broadway, Suite 100
Sacramento, CA 95820

LAB NO: 18-002357
REQUEST NO: 0006
AGENCY NO: COR-18-001644

NAME: Clark, Stephon A

Toxicology Report

AMENDED REPORT

Submission: 006
Source: Clark, Stephon A
Sample Type: blood

Date Received: 3/28/2018
Origin: chest blood

Drug Classes Evaluated

amphetamine, benzodiazepines, benzoylecgonine (cocaine metabolite), carisoprodol, methadone, methamphetamine, opiates, oxycodone, zolpidem, tetrahydrocannabinols.

Drugs Confirmed	Concentration	Estimated Uncertainty (99.7% confidence at k=3)	Analyst
codeine	12 ng/mL	± 2 ng/mL	Triebold, Craig

Presumptive testing indicates that tetrahydrocannabinols and benzodiazepines may be present. These drug classes were confirmed in the femoral blood (Submission 001), so they were not confirmed in the chest blood sample (Submission 006).

NOTE:
This report supersedes 18-002357-0006, which was released on March 29, 2018. The report has been amended to reflect the correct sample origin (chest blood).

IBS 4/6/18

Craig Triebold

Craig Triebold, Criminalist

April 6, 2018
Date

Karen J. Buckman

4/6/2018

Technical Reviewer — Date
Karen Buckman, Criminalist

Kristel Suchland

4/6/2018

Administrative Reviewer — Date
Kristel Suchland, Supervising Criminalist

18-002357 (0006)

Sacramento County District Attorney's Office

ANNE MARIE SCHUBERT
District Attorney

Stephen J. Grippi
Chief Deputy

Michael A. Neves
Assistant District Attorney

Edward M. Pollock
Laboratory Director

March 29, 2018

Sacramento County Coroner
4800 Broadway, Suite 100
Sacramento, CA 95820

LAB NO: 18-002357
REQUEST NO: 0006
AGENCY NO: COR-18-001644

NAME: Clark, Stephon A

Toxicology Report

Submission: 006
Source: Clark, Stephon A
Sample Type: blood

Date Received: 3/28/2018
Origin: heart

Drug Classes Evaluated

amphetamine, benzodiazepines, benzoylecgonine (cocaine metabolite), carisoprodol, methadone, methamphetamine, opiates, oxycodone, zolpidem, tetrahydrocannabinols.

Drugs Confirmed	Concentration	Estimated Uncertainty (99.7% confidence at k=3)	Analyst
codeine	12 ng/mL	± 2 ng/mL	Triebold, Craig

Presumptive testing indicates that tetrahydrocannabinols and benzodiazepines may be present. These drug classes were confirmed in the femoral blood (Submission 001), so they were not confirmed in the cardiac blood sample (Submission 006).

Craig Triebold

Craig Triebold, Criminalist

March 29, 2018
Date

3/29/18

Karen J Buckman

3/29/2018

Technical Reviewer Date
Karen Buckman, Criminalist

Kristel Suchland

3/29/2018

Administrative Reviewer Date
Kristel Suchland, Supervising Criminalist

CENTRAL VALLEY TOXICOLOGY, INC.

Case Name: Clark, Stephon A.

TOXICOLOGY NUMBER: CVT-18-4932

Specimen Description: 4 ml blood labeled "18-002357; 001-01-A; SPD; SPD-18-082449; KCM; 3/29/18"

Delivered by Federal Express **Date** 30-Mar-18 **Received by** Bill Posey **Date** 30-Mar-18

Request: Complete Drug Screen **Agency Case #** 18-002357-001-01-A

Requesting Agency
Sacramento Co. District Attorney
Laboratory of Forensic Services
4800 Broadway, Ste. 200
Sacramento CA 95820

Report To
Sacramento Co. District Attorney
Laboratory of Forensic Services
4800 Broadway, Ste. 200
Sacramento CA 95820

Specimen: Blood Sample

RESULTS

Complete Drug Screen: Ethyl Alcohol, Cocaine metabolite, Levamisole, and Opiate detected.
No other common acidic, neutral or basic drugs detected.

Blood Ethyl Alcohol = 0.08 grams%

Cocaine	= Negative
Benzoylecgonine	= 0.05 mg/L
Ecgonine Methyl Ester	= Negative
Cocaethylene	= Negative
Levamisole	= Present
(Free) Codeine	= 0.12 mg/L
(Free) Morphine	= Negative
(Free) 6MAM	= Negative

Blood Benzoylecgonine Ranges
Effective Level: Non Active
Potentially Toxic: (1 - 10 mg/L)

(Free) Blood Codeine Ranges
Effective Level: (0.01 - 0.10 mg/L)
Potentially Toxic: (> 0.200 mg/L)

B. L. Posey April 05, 2018

B.L. POSEY
S.N. KIMBLE
Directors
1680 Tollhouse Road
Clovis, California 93611
Phone (559) 323-9940
Fax (559) 323-7502

BLS 4/5/18

CENTRAL VALLEY TOXICOLOGY, INC.

Case Name: Clark, Stephon A. **TOXICOLOGY NUMBER:** CVT-18-5374

Specimen Description: 1 ml femoral blood (gray top vial) labeled "Clark, Stephon A; 2018-03-20; 18-01644; 549873; 18-002357-001-01; IE; 3-22-18; KJB; 3/22/18; KCM; 3/22/18; MT; 3/24/18; MN; 03/25/18; KJB; 3/26/18; KCM; 3/29/18; KCM; 4/9/18"

Delivered by Federal Express **Date** 10-Apr-18 **Received by** Bill Posey **Date** 10-Apr-18

Request: Specific Drug Assay (Alprazolam & Promethazine) **Agency Case #** 18-002357-001-01

Requesting Agency
Sacramento Co. District Attorney
Laboratory of Forensic Services
4800 Broadway, Ste. 200
Sacramento CA 95820

Report To
Sacramento Co. District Attorney
Laboratory of Forensic Services
4800 Broadway, Ste. 200
Sacramento CA 95820

Specimen: Femoral Blood Sample

RESULTS

Specific Drug Screen/Confirmation:

Promethazine by LCMS = Negative

Promethazine by LCMS-TOF = Negative

Specific Drug Screen/Confirmation/Level:

Alprazolam by LCMS-TOF = Positive

Alprazolam = 0.076 mg/L

Blood Alprazolam Ranges
Effective Level: (0.005 - 0.1 mg/L)
Potentially Toxic: (0.1 - 0.4 mg/L)

B. L. Posey April 13, 2018

B.L. POSEY
S.N. KIMBLE
Directors
1580 Tollhouse Road
Clovis, California 93611
Phone (559) 323-9940
Fax (559) 323-7502

KB 4/17/2018

Gregory D. Reiber, M.D.
Forensic Pathology

Sacramento County Coroner's Office
4800 Broadway, Suite 100
Sacramento, CA 95820

REPORT OF CASE REVIEW
SACRAEMNTO COUNTY CORONER CASE 18-01644
DECEDENT: CLARK, STEPHON A.
DATE OF AUTOPSY: 03/20/2018

MATERIALS REVIEWED:

1. Autopsy report of examination of Stephon A. Clark – 9 pages.
2. Autopsy diagrams – 4 pages.
3. Toxicology and blood alcohol reports from Sacramento County Laboratory of Forensic Services re: postmortem testing of femoral blood, heart blood, vitreous fluid and urine samples from Stephon A. Clark autopsy – 12 pages.
4. Toxicology report from Central Valley Toxicology re: postmortem testing of "blood sample" (source not indicated) from Stephon A. Clark autopsy – 1 page.
5. Autopsy and death investigator's scene photographs from the Sacramento County Coroner's Department (159 images).
6. Sacramento County Sheriff's Department STAR helicopter video (unedited version) of shooting incident leading to death of Stephon A. Clark.
7. Officer bodycam videos (2 separate videos. BW1 and BW2) – unedited releases from Sacramento Police Department.
8. Autopsy diagram from private autopsy examination of Stephon A. Clark by Bennet Omalu, MD dated 3/27/2018.
9. Video of press conference presentation by Bennet Omalu, MD on 3/30/2018, from unedited PBS News release.

ANALYSIS OF ORIGINAL AUTOPSY FINDINGS AS REPORTED:

The original autopsy was performed by Keng-Chih "Kenny" Su, MD. The report is well organized and appears complete. Wound descriptions are concise if somewhat terse, but the wound paths as described and bullet trajectories as shown photographically and as summarized verbally correlate well, with one or two issues left unclear as discussed further below.

Review of autopsy photographs reveals very clear depiction of all external wounds, allowing this examiner to independently conclude that Dr. Su's descriptions of entrance and exit wounds and his conclusion that Clark was struck by 7 bullets is correct.

Photographs of internal injury findings is generally very good, and in most regards allows independent verification of the wound paths and directions of bullet trajectories as well. There are a few areas where the internal wound path photo documentation falls short.

Concerning gunshot wound #1 through the neck, the direction is clearly right to left and somewhat front to back, with a slight downward angle relative to standard anatomic position. Both the surface locations of the wounds as shown photographically, and the use of trajectory probes, confirms this (photos 142-144, 147, 149, 150 and 153 as received by this examiner). However, there are no photos illustrating dissection of the internal wound path. From the location of the trajectory probe it is clear that the wound path passes behind the cervical spine and does not affect any major blood vessels of the neck, all of which would be anterior to the wound path. This supports Dr. Su's assertion that the injury track affects posterior neck soft tissues only.

Gunshot wound #2 is clearly shown to pass right to left and downward with the right arm down along the side (photo 149); any angle forward or to the rear is less clear and could vary with the degree of extension or flexion of the shoulder at the time Clark was struck. Other photos (136 best, also 133, 137, 139, 142 and 143) that show the internal wound findings are somewhat indirect. The humeral fracture is only partly shown,; associated soft tissue hemorrhage appears relatively limited in extent. There are no photographs or verbal descriptions either confirming or directly ruling out any associated injury of axillary or brachial blood vessels in the region of this injury.

The path and associated injuries of gunshot wound #3 are again partly shown photographically (133-136, 146 among others), but the wound path through the soft tissues of the back after a flay dissection is not shown photographically. Judging from the bullet trajectory as shown by probing, there does not appear to be a sufficient forward angle to pass through the spine; this is also indirectly confirmed by photographs 133-136 which do not show any evidence of a wound track through the spine as far posterior as the costovertebral joints (as seen from the anterior intrathoracic view). This seems to rule out injury through the neural arch and spinal cord. The bullet path is described as involving only soft tissues of the back and the left scapula. This description fits with the bullet trajectory shown by the probe and with the lack of photographic evidence of upper thoracic spinal injury. Taken together, these factors make passage of this wound track through the upper thoracic spinal canal anatomically unlikely. However, flay dissection photos of the upper back to illustrate the internal wound path and associated damage would have helped to fully settle this question by independent analysis. The direction of bullet travel right to left, upward and slightly back to front is confirmed.

The paths of gunshot wounds #4 and #5 through the chest are shown photographically (multiple images including 107-109, 114, 118-121, 128-130, 133-135), as are the conclusions of both bullet paths (bullet #4 location in left anterior chest wall, bullet #5

exit). The associated hemothoraces are also shown. The associated bullet trajectories as described by Dr. Su are also confirmed (#4 right to left and slightly back to front; #5 right to left, slightly upward and back to front).

The path of gunshot wound #6 is also well demonstrated in photgraphs (145,146, 151, 154-156, also 133 and 135). There is clearly associated fracture of the right 10th and 11th ribs and penetration into the spinal canal and spinal cord at T12 with associated spinal subdural hemorrhage. The bullet location within the T12 spinal canal is also clearly shown. The verbal description of the specific injuries does not, however, clearly indicate the apparent spinal cord transection and subdural hemorrhage shown in the photographs, and in that respect leaves out some important detail.

The path of gunshot wound #7 is clearly shown by way of the external wounds and bullet trajectory probe (37, 102, 140, 141, 148) but there is no photographic documentation or written description of internal wound track dissection. Nevertheless, from the bullet trajectory as clearly shown in photographs, there would be no expectation of femoral fracture or disruption of a major neurovascular bundle in the left thigh. The front-to-back and steeply upward angle is also well shown.

Toxicology results as reported by late March, 2018, also have been reviewed. The results are not considered directly germane to the cause of death, and possible significance of the findings is not further discussed in this report.

OPINIONS:

1. It is clear from review of the written report and photographic documentation that Stephon Clark was struck by seven bullets, not by eight as claimed by Dr. Omalu in his press conference statements and as shown on his autopsy diagram. It is obvious that the exit of gunshot wound #5 (Dr. Su's report) was mistaken for an entrance wound on the left side of the chest (Dr. Omalu's diagram). This is a significant error, as it leads to incorrect conclusions regarding the relative positions of the victim and shooters during the event.

2. It is clear from the written report and photographic documentation that the victim died as a result of major visceral and vascular injury in the chest associated with gunshot wounds 4 and 5. These are both clearly lethal shots. There is also significant injury from gunshot 6, which involves the thoracic spinal cord. This would be unlikely to cause a fatal outcome in the short term, however. The possibility of wounds 2 and 3 (right shoulder/arm, upper back) being lethal injuries, as described by Omalu in press conference statements, cannot be supported by the available documentation. The lethal potential of both wounds appears very low. Wound 2 involves obvious fracture and associated hemorrhage from the proximal right humerus, not expected to be lethal. Associated vascular injury cannot be ruled out, but even if present does not involve vessels of enough bleeding capacity to cause short term fatality.

There is also no photographic evidence suggesting that wound 3 passed through the upper thoracic spinal cord, and even though there is no direct wound path dissection, the illustrated trajectory supports Dr. Su's conclusion that there was injury only to soft tissues of the back and to the left scapula without spinal injury as asserted by Omalu in his press conference statements.

3. It is clear from the written and photographic documentation that gunshot wound 7 in the left thigh was delivered from the front. It is also clear that the other wounds were primarily to Clark's right side, some being directly to the side (#1, #2, #4) and others being to the right side of the back (#3, #5, #6). The predominant right-to-left angle of wounds 1, 3, 4, 5 and 6, along with the slight front-to-back angle of wound 1, do not support the assertion that Clark was shot primarily from behind as asserted by Omalu in his press conference statements.

4. Frame-by-frame analysis of the officers' bodycam videos is only partly informative in correlating gunshot wound locations with relative positions of officers and decedent. BW1 shows Clark facing the officers from behind the picnic table, under the patio cover, at the 7:46 to 7:47 timeline; his position is subsequently obscured by blur as a result of officer movement and then blocked by the other officer's positioning. Video BW2 confirms Clark's position facing officers behind the picnic table at 8:02. His subsequent position and movements are again blurred by officer movement. The face-on position at this point in the incident does help establish that there was an initial face-on confrontation while Clark was under the patio cover and could not be seen on the STAR helicopter video. Subsequent positioning and movement, however, cannot be analyzed from the bodycam videos and requires correlation with the helicopter video.

   Review of the STAR helicopter video allows correlation of the locations of officers and decedent during the remainder of the incident, with the locations and directions of the gunshot wounds. As officers are stopped at the northwest corner of the house, Clark can be seen walking between the picnic table and the house, toward the officers' position (1:02 to 1:04); he is facing their location during this short interval. During this time a flash can be seen from the officers' position, consistent with a shot being fired. Clark can be seen then turning west around what appears to be a picnic table on the patio, at which time his right side becomes exposed to the officers' position (1:04). Very quickly Clark is can be seen taking a crouching position and then going down, first to a hands-and-knees position, head facing west and right side to the north, exposed to the officers' position. During this part of the event, more flashes indicate gunshots from the officers' position (1:04+ to 1:05). Clark then quickly collapses to a prone position, head still west and right side facing north, with elbows out. Additional flashes can be seen during this part of the event, both from the officers' position and from beyond Clark's position on the patio, indicating further gunfire and four bullet ricochets from the patio (1:05+ to 1:09). Once he is in a hands-and-knees position, Clark's back is partly exposed to the officers' position and his back becomes more exposed to the officers' gunfire once he is prone.

This leads to the conclusion that gunshot wound 7 to the left thigh was most likely the first shot, sustained either as Clark was walking toward the officers' position with his left thigh raised, or possibly in the crouching position. Considering the officers' shooting position, the upward wound path through Clark's left thigh indicates that it was extended from the hip so that, at the time the bullet struck, his thigh was roughly parallel to the ground rather than perpendicular to the ground as it wound be in a full standing position. For this wound to have been sustained after he was already down, in a prone position, would require a ricochet shot. For a ricochet bullet from the officers' position to then travel directly front-to-back into his thigh at the upward angle shown at autopsy, and not create a very atypical entrance wound (clearly not shown by the autopsy) from the bullet being already deformed, is considered an untenable possibility. However untenable, this appears to be Omalu's conclusion as to how this injury was sustained, from his viewing of the video evidence, as related at the press conference.

The fact that the other gunshots hit Clark primarily from right to left, is also very well explained by correlation of the documented autopsy findings and Clark's position as shown in the STAR helicopter video. At no time does the video show Clark to have the left side of his body facing the officers' position as shots are fired, nor does the video show him turning around from a left-facing position, still upright, and putting his back squarely toward the officers as there were further shots fired which then dropped him. The video evidence provides clear refutation of Omalu's description of Clark's positioning during the shooting as described in his press conference statements.

5. The cause of Stephon Clark's death is multiple gunshot wounds. The mechanism of death involves a combination of hemorrhagic shock, respiratory impairment due to lung collapse from hemopneumothorax, and impairment of cardiac activity by a large, direct injury to the left ventricular wall. Interval between injury and death would be several minutes as these factors worsened to the point of irreversible cessation of cardiorespiratory activity.

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Expert Analysis and Opinions Concerning the Sacramento Police Department Officer Involved Shooting of Stephon Clark

Case# 2018-82449

David M. Blake, M.Sc.

February 5, 2019

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February 5, 2018

Sacramento District Attorney
901 G Street,
Sacramento, CA 95814

RE: Sacramento PD OIS 2018-082449

Based on the request from your office, I have reviewed the documents, audio and video recordings associated with the Sacramento Police Department officer-involved-shooting case #18-082449. Based on my review of these files, I have provided the three opinions summarized below:

1. *Based on the totality of the circumstances, a reasonable officer would have developed reasonable suspicion/probable cause to detain/arrest Clark. The subsequent foot pursuit of Clark into a backyard was in line with standard police practices and training.*

2. *Officers Robinet and Mercadal reasonably perceived and had probable cause to believe Clark was an immediate deadly threat causing them to fear death or serious bodily injury[1]. Their response in utilizing deadly force is reasonable and in line with contemporary police practices and training.*

3. *Several aspects of human capabilities and limitations as defined under the umbrella of Human Factors science apply. Ultimately, the application of scientific theory and associated empirical evidence to the number and duration of shots fired provides an understanding of those issues and to rounds entering Mr. Clark's side/back.*

I expand and support my opinions in the attached report. I reserve the right to add, change and delete any of my opinions based on any provision of additional information not reviewed at the time this report was completed.
Respectfully,

David M. Blake

David M. Blake, M.Sc.

[1] "A person has probable cause to believe that someone poses a threat of death or great bodily injury when facts known to the person would persuade someone of reasonable caution that the other person is going to cause death or great bodily injury to another". (CalCrim 507. Justifiable Homicide: By Public Officer).

1. General Information

1.1. Charts/Exhibits: I have attached charts, exhibits, and photographs that are intended to support my opinions. Video or single image files listed in this report are placed in an associated work product folder sent with this report (Folder: Stephon Clark).

1.2. Materials Reviewed: The following is a list of files, documents, digital recordings, photographs, video and other items I reviewed.

- Documents- Report & Summary
- Other items with No PR #
- Photos-No PR #
- PR# 988839-001 W-Jacqueline S[redacted]
- PR# 988840-001 David R[redacted] Interview
- PR# 988907-001 Scene video Backyard -7572 29th St
- PR# 988913-001 Scene video -29th St
- PR# 989127-001 BWC Det. Krutz
- PR# 989265-001 Video_7561 29th St_3-18-18
- PR# 989340-001 Traffic & PODS
- PR# 989927-001 OFC Robinet Interview
- PR# 989927-002 OFC Robinet Round Count
- PR# 989927-003 Phone records-[redacted]-Stephon Clark
- PR# 989927-005 042518 Canvas Interviews
- PR# 989927-006 Salena M[redacted] phone call
- PR# 989927-007 Shot Spotter Report
- PR# 989927-008 18-82448-cp-1-Clark's phone
- PR# 989927-009 DOJ Download Phone 2018_0712
- PR# 989927-010 SPD Radio Traffic
- PR# 989927-011 8-21-18 Interviews
- PR# 989927-012 BWC videos 18-80545
- PR# 989927-013 18-80545 CSI photos. DV Report
- PR# 989927-014 DV I Report 18-63183
- PR# 989927-015 PDF's of websites and searches by Clark
- PR# 989927-016 Audio recordings of Clark's jail calls since 8-11-17
- PR# 989927-017 DOJ Interviews with T[redacted]
- PR# 989927-018 Audio-911 Call

- PR# 989927-019 BWC video-Mercadal-Robinet-Tayler-Trujillo-Morris
- PR# 989927-020 Star Helicopter Video
- PR# 989927-021 3D Scan by Crime Lab
- PR# 989927-023 Sprint-Verizon Subscriber records -T[redacted] V[redacted]
- PR# 989927-023 Sprint-Verizon subscriber records-T[redacted] and V[redacted]
- PR# 989927-025 Shynice T[redacted] Interview
- PR# 989927-026 BWC shown together with helicopter video-work product by Mike Baker
- PR# 989927-027 Interview with Emilio V[redacted]
- PR# 989927-028 -BWC-Lundgren-Maclean-Griggs
- PR# 989927-029- Blue Ray disc-Enhanced BWC video from DOJ
- PR# 989927-031- Interview- Officer Tayler 10-10-18
- PR# 989927-032- Interview OFC Tatenko 10-15-18
- PR# 989927-033 -Interview -OFC Prahl 10-15-18
- PR# 989927-034-Interview - OFC Trujillo 10-15-18
- PR# 989927-035 -Video-BWC Henderson.Tatenko.Prahl
- PR# 990469-001 OFC Mercadal Interview
- PR# 990469-005 Officer Lundgren Interview
- PR# 990469-013 Interview Officer Howard
- PR# 990469-015 RT Video
- PR# 992928-002 Officer Hills BWC Footage
- PR# 992928-003 Officer Hills Follow Up Interview
- PR# 992928-004 Officer Pitts Video Admonishment
- PR# 992928-005 Officer Pitts BWC Footage
- PR# 992928-006 Officer Pitts Follow Up Interview
- PR# 1004681-001 Coroner's report
- PR# 990469-016 Clark Probation File.pdf
- Consultation Report Clark 120518.pdf
- California Department of Justice Investigation Report – Brass
- California Department of Justice Investigation Report – Dewar
- California Department of Justice Investigation Report – Cardwell

1.3. Definitions and Guiding Principles:

California Penal Code 196 defines justifiable homicide by public officers as:

1. In obedience to any judgment of a competent Court; or,
2. When necessarily committed in overcoming actual resistance to the execution of some legal process, or in the discharge of any other legal duty; or,
3. When necessarily committed in retaking felons who have been rescued or have escaped, or when necessarily committed in arresting persons charged with felony, and who are fleeing from justice or resisting such arrest.

California Penal Code 243(f)(4) defines serious bodily injury as: "a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness, concussion, bone fracture, protracted loss or impairment of function of any bodily member or organ, a wound requiring extensive suturing and serious disfigurement".

California Penal Code 835a states in part, "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; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance"

California Penal Code 834a states, "If a person has knowledge, or by the exercise of reasonable care, should have knowledge, that he is being arrested by a peace officer, it is the duty of such person to refrain from using force or any weapon to resist such arrest".

Graham v. Connor 490 U.S. 386, 394 (1989) defines objectively reasonable force in situations that are often tense, uncertain, and rapidly evolving. Factors for consideration include; (1) The severity of the crime, (2) The level of resistance, and (3) The threat (to officers/citizens) posed by the suspect's resistance. (also see; "Reasonable Force" and "totality of circumstances").

Reasonable Force is a standard term defining how much and what kind of force a peace officer may use in each circumstance. Judgment criteria must include: (1) the perspective of a reasonable officer, (2) applying only information known to the officer at the time force was applied, (3) based on the totality of facts and circumstances confronting the officer without regard to the officer's underlying intent or motivation, and (4) based on knowledge the officer acted properly under established law at the time.

Totality of Circumstances are the facts and circumstances known to the officer at the time force was used and may include: (1) number of officers vs. suspects,

(2) prior contacts, (3) age, size, and relative strength, (4) special knowledge/skills, (5) injury/exhaustion, (6) mental illness/intoxication, (7) environmental factors, and (8) proximity to potential weapons.

Scott v. Harris 433 F. 3d 807 (2007) provides further guidance toward judging reasonable force which focuses upon weighing the nature and quality of the intrusion on the individual's Fourth Amendment interests against the importance of the governmental interests alleged to justify the intrusion (e.g., public safety). The court "rejected respondent's argument that safety could have been assured if the police simply ceased their pursuit."

Plumhoff v. Rickard, 571 U.S. ___ (2014) Provides guidance on judging the number of rounds an officer fires: "It makes sense that, if officers are justified in firing at a suspect in order to end a severe threat to public safety, they need not stop shooting until the threat has ended".

2. Human Factors

2.1. Human Factors Defined - Human Factors is a multi-disciplinary field grounded in the behavioral and engineering sciences. Human Factors/Ergonomics considers human physiology, psychology, and behavior in the design, maintenance, and use of a variety of products, equipment, facilities, jobs, tasks and overall organizations. In practice, its methods are applied to maximize human performance as well as determine the causes and means for the prevention of injuries, with emphasis placed on how people interact with their environments. Human Factors science has been established in several industries to include; aviation, transportation, medicine, and law enforcement.

2.2. Human Factors & Legal Application

- In a peer reviewed journal article studying law enforcement use of force and applied human factors the author stated, *"The human factors component of the assessment criteria of objectively reasonable force underscores the officer's perception of the incident. To fully understand and apply the "objective reasonableness" standard to an officer's perspective and performance, one should understand the effects of stress and arousal resulting from a fear inducing stimulus. This understanding should then be taken in consideration with all other aspects inclusive under the Graham standard" (Ross et al., 2012 p.1).*

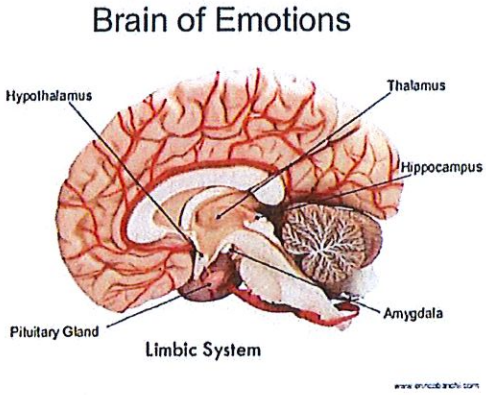
- The IACP Police Psychological Services Section (2013) states: *"Officers and agencies, and all those involved in investigating and making official determinations about officer-involved shootings, should become educated about the science of human performance factors".*

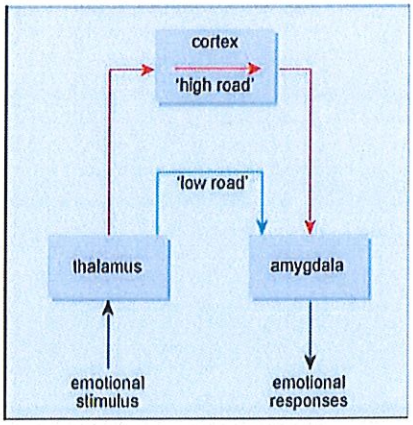
2.3. Fear and Physiological Arousal

"Anxiety is a psychological, physiological, and behavioral state induced in animals and humans by a threat to well-being or survival, either actual or potential. It is characterized by increased arousal, expectancy, autonomic and neuroendocrine activation, and specific behavior patterns."[1]

Amygdala: The Amygdala has been identified as the most influential structure within the brain for processing threatening stimuli. Below is a simple summary of the amygdala's influence on human physiology and behavior:

Sensory information received by the brain is bifurcated at the Thalamus; moving to other brain areas in ways often described as a fast and slow track. The fast track provides crude information (e.g., recognizing patterns) to the Amygdala which can produce a quick reactive response prior to higher order processing. The slow route sends the sensory information to the cortex where information can be consciously analyzed, and fear is realized.





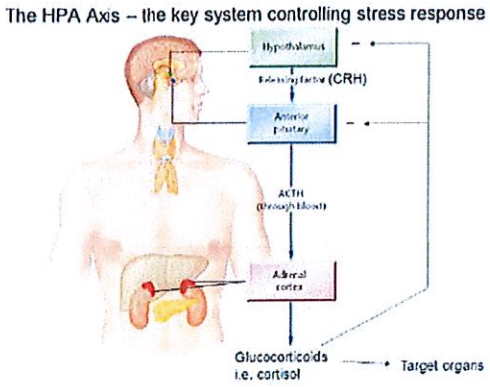
- *Visual examples of these two processes are provided online by the University of Texas, McGovern Medical School, Department of Neurobiology and Anatomy (Section 6.6; Figure 6.9 and 6.10)* [2].
- *The two variant examples provide a visual construct for how the brain quickly interprets*

[1] Steimer, T. (2002). The biology of fear and anxiety-related behaviors. *Dialogues in Clinical Neuroscience,* 4(3), 231-249.

[2] Wright, A. (n.d.). Chapter 6: Limbic System: Amygdala. Retrieved from https://nba.uth.tmc.edu/neuroscience/s4/chapter06.html

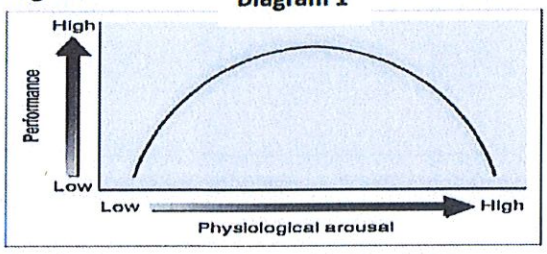
information causing the body to respond to perceived threats in the same manner (initially) as a real-world threat.

Once the Amygdala processes a threat (real or perceived), the Hypothalamic- Pituitary-Adrenal (HPA)axis is activated. The HPA axis is commonly referred to as the Fight or Flight response. The Fight or Flight response is summarized by a change in arousal and focus of attention influenced by a myriad of stimulant hormones released in the body. Common physiological changes from increased stimulant hormone production include: increased heart rate, rapid breathing, pupil dilation, sweating, and increased glucose production. The behavioral results of stimulant hormones on the body can be both positive and adverse as demonstrated in the Yerkes/Dodson Inverted U Theory (see Diagram 1). As physiological arousal increases, performance increases, but only to a point. In acute cases, arousal may begin to cause performance deficits.[1]



The "inverted-U[2] is a simplified visual construct often used to show how arousal will increase performance along a curve until the optimal performance point is passed and deficits begin. The point along the inverted-U where performance degrades is variable for each individual and has multiple influencing factors. Some of those factors include; task difficulty, task novelty, expectedness, stress inoculation, training, and personality traits. The scientific literature directly related to a law enforcement officers' use of force demonstrates associated performance enhancement and degradation. Such studies exist both from real and simulated environments

Diagram 1



[1] Schmidt, R. A., & Lee, T. D. (2014). *Motor learning and performance: From principles to application*. Champaign, IL: Human Kinetics.

[2] Staal, M.A. (2004) *Stress, Cognition, and Human Performance: A Literature Review and Conceptual Framework.* NASA/TM-2004-212824

showing stress-related performance changes primarily within the realm of visual attention, motor skills, cognition, and memory.

2.4. Perception and Attention

Perception[1] can be defined as the moment a person becomes aware of sense information, but it does not describe factual understanding or analytical judgement. The environment in which a human being functions is rich with complex and constantly flowing information and our ability to attend (e.g., see, hear, process, retain in memory) to all of it is not possible. For instance, Human visual attention requires momentary fixations (approximately 160 to 200ms) to perceive and process specific stimuli – ensuring efficient multitasking is a myth. While rapid shifting of attention between various stimuli may allow for a global perspective, it also limits the ability to perceive, process, react to, and remember specific items during the attentional shifts. The more environmental stimulus requiring attention, the more opportunity for error as attention moves and fixates between stimuli rapidly (divided attention). During these shifts of attention, items not attended to will also not be perceived, processed, or stored in memory.[2]

Perception leads to focused attention, but focused attention does not mean all information available is continually perceived or processed. Several scientific theories explain this statement.

Selective Attention[3] - A method of understanding selective visual attention is to compare it to a flashlight beam. The flashlight beam provides a clear central focal point in which items may be viewed very clearly, but its effects are limited. As the flashlight beam dims towards the periphery, the ability to perceive peripheral information diminishes. Information outside the lit area of the flashlight beam are not available for perception (not seen). Selective attention aims the "flashlight beam" toward what is important in the visual field. Extreme cases of selective attention are essentially "tunnel vision".

---

[1] Vickers, J.N. (2007) *Perception, Cognition, And Decision Training: The Quiet Eye In Action.* Champaign, IL: Human Kinetics.; Goldstein, E.B., (2011). Cognitive Psychology, 3rd edition. Wadsworth, CA.

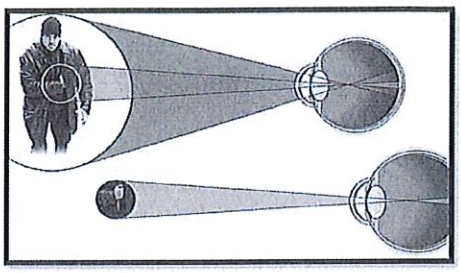
[2] Kanki, B. G. (2018). Cognitive functions and human error. *Space Safety and Human Performance*, 17–52. doi:10.1016/b978-0-08-101869-9.00002-9

[3] Blake, D. (2015) Body Worn Cameras; Comparing Human and Device to Ensure Unbiased Investigations. *Law Enforcement Executive Forum* 15(4).

Inattention Blindness[1] is the term in human factors scientific literature defining the human inability to see unexpected items within our field of view while attending to something else. The concept has been widely studied and is easily demonstrated. Inattention blindness can be demonstrated as seen in this video[2].

Change Blindness[3] is the term in human factors scientific literature defining the human inability to see a change in a visual stimulus within their field of view. The change of visual stimulus is usually predicated by a disruption (eye movement, eye blinks). Changes in small and surprisingly large visual stimulus have been shown to go unnoticed. This concept has also been widely studied and is easily demonstrated. Change blindness can be demonstrated as seen in this video.[4]

Tunnel Vision or peripheral narrowing[5] [6] may be experienced in life-threatening/dangerous situations, where vision has been shown to be increasingly narrowed toward the threat while blurring or blocking peripheral information (See diagram).



Perceptual distortions[7,8] have been reported from real-world events and laboratory study's associated with critical stress both within and outside of law enforcement. Distortions include tunnel hearing, peripheral narrowing, time speeding up or slowing down, and memory loss for the event.

---

[1] Chabris, Christopher F, Adam Weinberger, Matthew Fontaine, and Daniel J Simons. (2011). "You Do Not Talk About Fight Club If You Do Not Notice Fight Club: Inattentional Blindness for a Simulated Real-world Assault." *i-Perception*, 2(2): 150–153. doi:10.1068/i0436.

[2] https://www.youtube.com/watch?v=x9EdIbxZAyE

[3] Simons, D.J. & Levin, D.T. (1998). Failure to detect changes to people during a real-world interaction. *Psychonomic Bulletin & Review*. 5(4) 644-649.

[4] https://www.youtube.com/watch?v=ubNF9QNEQLA

[5] Harada, Y., Hakoda, Y, Kuroki, D, Mitsudo, H. (2015). The Presence of a Weapon Shrinks the Functional Field of View. *Applied Cognitive Psychology*. doi: 10.10002/acp.3143

[6] Godnig, E.C. (2003) Tunnel Vision; It's Causes and Treatment Strategies. *Journal of Behavioral Optometry* (14)95-99

[7] Ross et al. (2013). Analyzing Perceptions and Misperceptions of Police Officers in Lethal Force Virtual Simulator Scenarios. *Law Enforcement Executive Forum*. Retrieved from: http://www.aele.org/Ross_Forum_2013-2.pdf

[8] Pinizzotto, A.J., Davis, E.F., Miller III, C. (2006) *Violent Encounters; A study of felonious assaults on our nation's law enforcement officers.*

- *Ross, Murphy, & Hazlett (2012) exposed police officer participants to three simulations with increasing stress manipulations. Participants completed a memory questionnaire 30 minutes and 48 hours after the experiment. They also provided salivary samples to test for stress biomarkers (e.g., cortisol). In the most stressful setting, participants experienced a myriad of perceptual distortions and memory deficits correlated with increased presence of stimulant hormones.*[1]

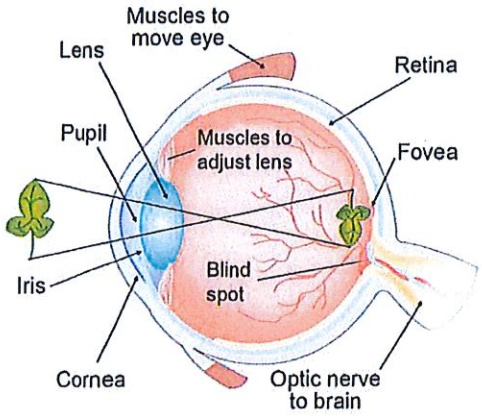
- *Klinger & Brunson (2009)*[2] *conducted questionnaire and live interviews of police officers (n = 74) involved in shootings. The chart below provides results regarding the officer's perceptual distortions (see Table 1).*

Table 1. Perceptual distortions at two different times during 113 shooting incidents

Distortion	Prior to Firing		When Firing	
	Number	*Percent*	*Number*	*Percent*
Visual Distortions				
Tunnel vision	35	31%	31	27%
Heightened visual detail	42	37%	39	35%
Both visual distortions	11	10%	12	11%
Auditory Distortions				
Auditory blunting	47	42%	79	70%
Auditory acuity	11	10%	6	5%
Both aural distortions	0	0%	9	8%
Time Distortions				
Slow motion	49	43%	45	40%
Fast motion	14	12%	19	17%
Both time distortions	0	0%	2	2%

2.5 Low Light Vision & Mistake of Fact Shootings

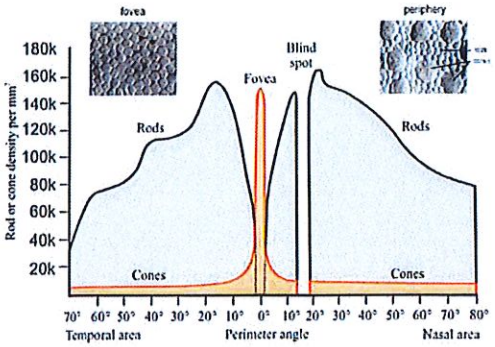
Human vision is a complicated process involving the eyes and the brain. The process is most easily described as light reflecting off an object, entering the eye and being displayed (inverted) upon the retina (back of the eye). The retina contains several types of photoreceptor cells that process visual stimuli. The most common types discussed are Rods and Cones.



[1] Ross, D. L., Murphy, R. L., & Hazlett, M. H. (2012). Analyzing perceptions and misperceptions of police officers in lethal force virtual simulator scenarios. *Law Enforcement Executive Forum*, 12(3), 53-73.

[2] Klinger, D. A., & Brunson, R. K. (2009). Police officers' perceptual distortions during lethal force situations: Informing the reasonableness standard. *Criminology & Public Policy,8*(1), 117-140. doi:10.1111/j.1745-9133.2009.00537.x

Cones are primarily distributed within the Macula and most densely in the Fovea. Cones cells are the primary source of high visual acuity and color vision. Cone cells are most active in higher light levels (photopic vision). Rod cells are most densely located to either side of the Fovea and provide monochromatic, low acuity vision in dark environments (scotopic vision). In low light (not dark) conditions, both Rod and Cone cells are active (Mesopic vision).



Visual stimuli processed by photoceptors on the Retina are converted to electrical impulses, travel the optic nerve to the occipital lobe (brain) where vision is "constructed". [1,2]

Of import is the ability of the eye to adapt to changing light levels and the ability to see contrast to accurately identify an object. Visual adaptation involves transitions from light to dark or dark to light. Both adaptations consist of a slow and a transient phase. Slow adaptation requires 45 minutes, but transient adaption may occur in a few seconds.[3] According to Green (2013) transient adaptation has "major implications in many situations".

> *"Any sudden transition of lighting conditions will greatly impair vision. For example, light flashes, such as from a gun or strobe or headlamp glare, will have two effects. They will adapt the viewer to a higher level of illumination, requiring the gradual slow-phase reacquisition of dark adaptation over several minutes. But they will cause a strong short-term adaptation effect that lasts a second or two".*[4]

Variations in Contrast & Visual Acuity[5]

[1] Purves, D., & Williams, S. M. (2001). *Neuroscience. 2nd edition*. Sinauer Associates.
[2] Green, M. (2018). *Roadway human factors: From science to application*. Tucson, AZ: Lawyers & Judges Publishing Company.
[3] Blake, D. (n.d.) What we don't know can hurt us: training for low-light encounters. *Police Chief*. Retrieved from http://www.policechiefmagazine.org/what-we-dont-know-can-hurt-us-training-for-low-light-encounters/?ref=3e73c6192a69747dedfc18adcb9ba5d5
[4] Green, M. (2013). Night Vision. Retrieved from http://www.visualexpert.com/Resources/nightvision.html
[5] University of Rochester (2009). Retrieved from http://www.rochester.edu/news/show.php?id=3342

There is a paucity of empirical research regarding low light associated human error in police shootings. A portion of the applicable research is listed below:

- Based on a review of several credible source documents, Aveni (n.d.) found mistake of fact shootings are most often associated with: 1.) misidentification of threat level due to impaired visual contrast sensitivity in low levels of ambient light, 2.) precipitating suspect behavior, and 3.) context-based expectations relative to the nature of the assignment or call. One example provided is the officer-involved-shooting of Marquis Hudspeth by Shreveport (LA) police. After a pursuit, Hudspeth pointed a silver metallic object (cell phone) at officers using a two-handed shooting stance.[1] Officers perceived Hudspeth's behaviors as threatening and utilized deadly force.

- CA-POST provides a compilation of five studies to support pre-hire vision requirements. The document states (citing Johnson et al., 1992) that 20/20 vision is degraded to 20/60 under typical night lighting conditions (i.e., sodium vapor streetlights). The five studies reviewed "highlight the challenge of identifying a weapon at night, even for officers with 20/20 vision". The author states, "In general, performance is significantly worse in night conditions at a 7-yard viewing distance when acuity falls below 20/40, due in large part to a reduction in the ability to resolve detail in low light levels".[2] These studies did not involve the use of flashlights.

- A review of Philadelphia Police departments OIS incidents between 2007 and 2013 found the majority of mistake of fact shootings (n = 29) were caused due to the misidentification of a non-threatening object or threatening movements.[3]

- An experiment testing officers gaze behavior and shooting responses was conducted. The officers (SWAT and trainees) were compared based on their shooting responses to a live actor presenting a weapon or a cell phone in normal lighting conditions. In both cases, the suspect turned and presented either item in an Isosceles shooting stance (normal lighting conditions). Two of eleven elite officers and eight of thirteen trainee officers fired in the cell phone condition. The authors concluded that the trainee's visual fixations

[1] Aveni, T.J. (n.d.). Officer Involved Shootings: What we didn't know has hurt us. Retrieved from http://www.theppsc.org/Staff_Views/Aveni/OIS.pdf

[2] Hovis, J., Goldberg, L., Bailey, J., Good, G., & Sheedy, J. (2015). Vision Guidelines. Retrieved from http://lib.post.ca.gov/Publications/Vision.pdf

[3] Fachner, G. & Carter, S. (2015). Collaborative reform initiative: An assessment of deadly force in the Philadelphia Police Department. Retrieved from https://ric-zai-inc.com/Publications/cops-w0753-pub.pdf

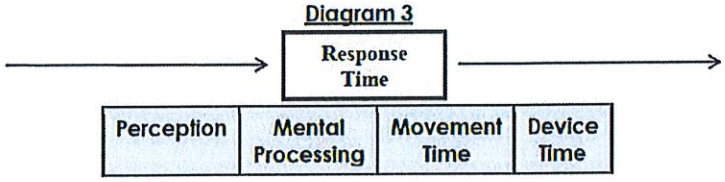
(attention) was focused much more on their own weapons than on the suspect's hand-held item before firing.[1]

2.6. Total Response Time (TRT)

Total Response Time[2] is what most understand to be reaction time (RT); however, this is an incorrect conceptualization from an academic standpoint. A simple RT interval is the time that elapses following the *presentation* of a stimulus until the *beginning* of a response. Therefore, RT is an internal construct and unobservable.

Total Response Time (TRT) is inclusive of perception, mental processing, movement time, and device time. These steps are applicable to both starting and stopping an action in response to a stimulus. The judgment of how fast a human being "reacts" to a situation requires an understanding of the steps within the framework (See Diagram 3).

Diagram 3



Time to Start and Stop an action is of great import in an officer-involved use of force. Human beings do not start and stop actions instantaneously, as one must perceive a change in the environment, processes the information, decide what to do and then move to take the action decided upon. This process repeats when the situation changes (e.g., time to stop an action). Decision making between two different stimuli or choice responses generally doubles response time (e.g., Hick's Law). Adding additional stimuli and response choices exponentially increases response time.

It is important to note that the laboratory environments in which most response time studies are conducted lack ecological validity for real world events. Studies are highly controlled, free from distractions, static, low stress, and participants often know what is going to happen in advance. Each of these variables are extremely influential to real-world situations in which the event is determined to

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[1] Vickers, J. N., & Lewinski, W. (2012). Performing under pressure: Gaze control, decision making and shooting performance of elite and rookie police officers. *Human Movement Science,31*(1), 101-117. doi:10.1016/j.humov.2011.04.004

[2] Schmidt, T.D. & Lee, T.D. (2014) *Motor Learning and Performance; From principles to application.* 5th edition. ISBN 1-4504-4361-3

be rapidly evolving, tense, and uncertain. Based on this fact, the results have limited external validity to real world shootings and should only be interpreted as demonstrating a delay will likely occur under the best conditions.

While hindsight allows for various subjective judgements of when a threat has ceased, there is often a lack of consideration for the perspective of the actor while considering the many human (attention & perception) and environmental variables (i.e., visibility). While no real-world stop shooting studies exist which include these variables, several studies have explored the topic using controlled conditions.

Controlled studies examine: 1) The time it takes to start and stop firing, 2) The split times between rounds during rapid fire, and 3) The time it takes the human body to turn or fall to the ground.

Start Shooting:

- Bumgarner et al., (2007) found the average time for an officer to pull the trigger on a drawn weapon (finger on trigger) to be .31s from the presentation of a start shooting stimulus. The officer participants were aware of the threat cue, how to react, and attentive to the stimulus prior to the measurement. A secondary experiment using the same methods explored the influence of simple decision making on response time. The average time for an officer to make a simple decision to fire (finger on trigger) based upon a start shooting stimulus was .56s.[1]
- Hontz (1999) conducted a similar experiment with the added requirement of accuracy. Depending on target size, average RTs ranged between 1.15s and 1.58s from a low ready position.[2]
- Lewinski et al., (2015) found the average time to fire from the "high-ready" position is .83s (sound stimulus). The minimum time was .44s and the maximum time was 1.46s.[3]

Stop Shooting:

[1] Bumgarner, J.B., Lewinski, W.J., Hudson, W., Sapp, C. (2007). An Examination of Police Officer Mental Chronometry. *Journal of The Association for Crime Scene Reconstruction*. 12(3), 11-26

[2] Hontz, T.A. (1999). Justifying the Deadly Force Response. *Police Quarterly*. 2(4): p462-476.

[3] Lewinski, W.J., Dysterheft, J.L., Bushey, J.M., Dicks, N.D. (2015). Ambushes leading cause of officer fatalities – when every second counts: analysis of officer movement from training ready tactical positions. *Law Enforcement Executive Forum*, 15(1).

Stop shooting research typically asks officer participants to pull the trigger as rapidly as possible and to stop once a visual stimulus (light) ceases to illuminate. In these studies, officer already know they are to stop firing and are attending to the stop shooting stimulus. Therefore, perceiving a change in the environment is much more simplex than the real-world.

- Bumgarner et al., (2007) found average stop firing times to be .35s with a range of .10s to .60s.
- Tobin & Fackler (2001) found average stop firing times to be .26s with 85% of officers firing one or two shots after the stop firing signal.[1]
- Jason (2010) found 69% of officers fired one to three rounds after the stop firing signal.
- Lewinski (2014) found average stop firing times to be .29s with officers firing one to four rounds after the stop firing signal (some took over 1.5s to stop firing).[2]

Split Times/Rounds per second:

- Jason (2010) found officers fired an average of 4.44 rounds per second with an average shot interval of .23s.[3]
- Lewinski et al., (2014) found average shot intervals of .28s.

Turning/falling movements:

- Tobin & Fackler (1997) found the mean time to turn (human torso) 90 degrees and 180 degrees is .31s and .68s respectively.[4]
- Dysterheft et al., (2013) found individuals (college athletes) could turn 90 degrees from the left and right in .31s and .29s respectively.[5]
- Jason (2010) found the human body collapses/crumples in 1.1s. Jason intimates that a threat may be fired upon 1 or more times before they begin to fall, 4 times during the fall, and 1 or more times after the body

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[1] Tobin, E.J. & Fackler, M.L. (2001a). Officer Reaction-Response Time Delay at the End of a Shot Series. *Journal of the International Wound Ballistic Association*. 5(1): p. 9-12

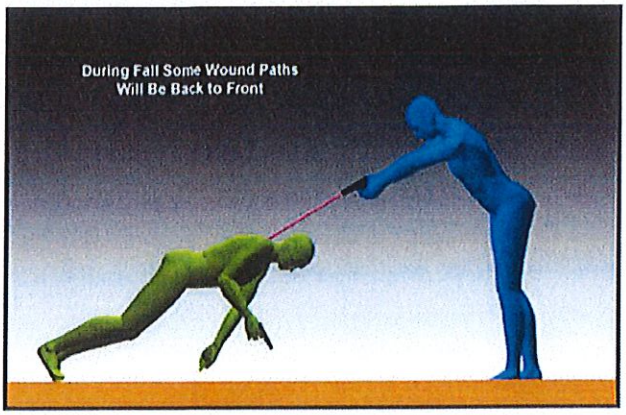
[2] Lewinski, W.J., Hudson, W.B., Dysterheft, J.L. (2014). Police Officer Reaction Time to Start and Stop Shooting: The Influence of Decision-Making and Pattern Recognition. *Law Enforcement Executive Forum*, 13(2), 1-16. Retrieved from http://www.forcescience.org/articles/reactionshooting.pdf

[3] Jason, A. (2010). Shooting dynamics: Elements of time and movement in shooting incidents. I*nvestigative Sciences Journal*, 2(1), 1-19.

[4] Tobin, E.J. & Fackler, M.L. (1997). Officer Reaction – Response Times in Firing a Handgun. *Journal of the International Wound Ballistic Association*. 3(1): p. 6-9

[5] Dysterheft, J. L., Lewinski, W. J., Seefeldt, D. A., & Pettitt, R. W. (2013). The influence of start position, initial step type, and usage of a focal point on sprinting performance. *International Journal of Exercise Science*, 6(4), 320–327.

contacts the floor. He also states, "shots fired from a position in front of the target person during a fall to the ground may expose posterior areas of the person's body to bullet strikes. These gunshot wounds will be described in an autopsy report as "back to front" or "entry in posterior".



It should be noted that laboratory experiments are conducted in a highly controlled environment lacking the dynamics (i.e., stress, complex decision-making, and low-light) of a real-world incident. These are but a few aspects which would likely influence TRT. Human Factors expert Marc Green summarizes the forensic application of response time as follows:

"Unfortunately, no single study can reproduce the full complexity of human behavior and its sensitivity to environmental variables. Moreover, studies cannot be quantitatively combined because no mathematical formalism can capture the subtle effects of methodology and variable interaction or incorporate general knowledge from the basic science literature on RT, perception, and cognition. For the time being, RT estimation remains part science and part intuition, that is, part application of a general knowledge about human factors." (Green, 2000).

2.7. Decision Making

Dual Processing Theory is a widely accepted manner of human processing of information and decision making. It is often referred to as System 1 and System 2. System 1 is fast and intuitive while system 2 is slow and analytical. The concept is best described by Sharlicki and Rupp (2010):

> *According to cognitive– experiential self-theory, the processing system or frame used to interpret events has a marked effect on individuals' subsequent reactions. The experiential system is characterized as relatively passive and preconscious; individuals automatically interpret, encode, and organize their experience. Information processing is often associated with one's own experience of emotions that, once engaged, tends to play an important (heuristic) role in the judgment process. The rational*

system, in contrast, has the properties of conventional and logical systems and tends to operate at a relatively conscious level. Rational evaluations are highly analytical, where people consciously weigh the evidence when deciding whether norms of right and wrong have been violated. Although other labels have been used to describe these processes (e.g., controlled vs. automatic, associative vs. logical; Shiffrin & Schneider, 1977), considerable support exists for the existence of the two systems.

In terms of their origins, the experiential system is thought to have evolved over millions of years and is well suited for rapid assessment of information and for quick, decisive action. As such, experiential systems are oriented toward immediate action rather than prolonged analysis. The rational system, in contrast, is relatively newer in its evolution and is well suited for delayed action and complex, dispassionate analysis. Although the two systems function simultaneously, the experiential system tends to be particularly salient when emotion is activated.[1]

2.8. Video Evidence

- Care must be taken in interpreting video evidence. Human factors such as vision, perception, attention, and memory will almost ensure differences between the officer's experience and some part of the impression provided by the video.[2] What appears on the video may not be perceived by the officer or perceived in the same way by an observer.

- Video can be recorded in various frame rates but commonly provide 30 individual photographs per second (30FPS). Significant human movement (e.g. punches, trigger pulls) can occur in approximately a quarter of a second (7.5 frames) indicating visual aspects can be missed when viewing the video at full speed and slow motion. Due to an observer's selective visual attention and limited working memory, even video reviewed frame by frame could allow for misinterpretation (e.g., change blindness, inattention blindness).

[1] Sharlicki, D.P., & Rupp, D.E. (2010). Dual Processing and Organizational Justice: The Role of Rational Versus Experiential Processing in Third-Party Reactions to Workplace Mistreatment. Journal of Applied Psychology, 95(5), 944-952. Doi: 10.1037/a0020468

[2] Blake, D. (2015). Body Worn Cameras: Comparing Human and Device to Ensure Unbiased Investigations. *Law Enforcement Executive Forum,15*(4). doi:10.19151/leef.2015.1504c

- It is always valuable to review video via frame by frame to gather as much information as possible and make reasonable interpretations of all the available evidence. The video(s), in this case, were reviewed using Adobe Premiere CC and the Kinovea© player due to their video enhancement and frame by frame capability. Individual frames were captured as photographs and placed in this report. Some photographs were enlarged (50%) and screen captured.

- Video compression uses information from previous frames, later frames, or both to predict content and save storage space. Therefore, it is possible certain frames may not be an accurate reflection of environmental information present at the time of the digital recording.

- **NOTE:** Due to various video formats and compression, forensic video review is necessary for definitive analysis. My analysis consists of what is readily visible on each individual frame and should not be considered forensic in nature. The video for this case was synced (Mercadal & Robinet) and enhanced by the Santa Clara Crime Laboratory.

3. Fact Patterns

3.1 Initial Call & Contact

SPD CAD notes show a 911 call was received from David R[redacted] on March 18th at 21:10:29. R[redacted] reported a male subject had broken his car windows (2 vehicles) as well as a third vehicle's windows and was now hiding in a residential backyard at 7566 29th Street. The male was described 6' tall, wearing a black hoodie and black pants. The call was dispatched at 21:13:22 with patrol units #1C54 (Robinet), #1C57 (Mercadal), and STAR (SSD police helicopter) responding. Units arrived at 21:18:21 (18-82449 CAD Call p.1; PR#989927-010 SPD Radio Traffic 21:12:38 – 21:18:29; PR#989927-018 Audio-911 Call; DOJ Report – Brass p. 4).

#1C54 (Officer Robinet) contacts R[redacted] at the scene. R[redacted] provides additional details about the suspect and can be seen[1] pointing officers toward a residence which is likely 7566 29th street. Robinet is heard on his BWC updating

[1] Robinet's BWC is has an audio delay and does not record early audio with R[redacted]. R[redacted] can be seen pointing towards houses before audio begins. Proximal to his pointing motion, the audio begins, and he is discussing the dogs barking "back there". Robinet is heard updating STAR and stating R[redacted] indicated the suspect jumped the fence at 7566 29th Street.

STAR concerning R[redacted] seeing the suspect enter the yard at 7566 29th Street. STAR can be seen and heard on the BWC recording (PR#989927-010 SPD Radio Traffic 21:19:39 – 21:19:43; PR#989927-018 Audio-911 Call; Robinet BWC 00:20 – 01:10).

Officers Robinet and Mercadal search the yard at 7566 29th street.

STAR (Ofc. Gomez) advises ground units that they see a "guy in a backyard that was looking into the window, he's picking up a tool bar or some sort of thing, might be trying to break the window right now, standby, two-yards south of you, okay, he's breaking the window, just broke the window, running south. Backyard of 7572 running south, he just broke the window I believe, on the house at 7570. He's one house to the south of that right now, running toward the front yard. All I can tell is he has a hoodie on. He's running toward the front yard of 29th street, 7572 29th street. He's looking into another car that's in between the fence and the front yard" (PR#989927-010 SPD Radio Traffic 21:25:11- 21:26:12; DOJ Report – Brass p.4).

Officer's Robinet and Mercadal approach 7572 29th street. While out front, STAR can be seen and heard just overhead. STARs spotlight illuminates' portions of the yard and the residence at 7572 29th street with its spotlight (Robinet BWC 7:00 – 7:52; Mercadal BWC 7:00 – 7:30). Mercadal spot's Clark in the driveway of 7572 29th street and both officers pursue him into the backyard (Robinet BWC 7:45 – 8:00; Mercadal BWC 7:30-7:47). STAR reports that ground units have one at gunpoint and then asks for a perimeter as the subject runs south. STAR reports the subject is one yard to the south of 7572 and that two ground units are trying to catch him. (PR#989927-010 SPD Radio Traffic 21:26:27 – 21:26:33; PR#989927-026 BWC w/ Helicopter video (Mike Baker) 8:00 – 8:29).

Shots were reportedly fired at 21:26:56 via CAD (18-82449 CAD Call p.1). STAR reports shots fired at 21:26:53 (PR#989927-010 SPD Radio Traffic 21:26:53). Shot Spotter indicates shots fired at 21:26:48.925 (Shot spotter forensic report p.4; Exhibit 7.1). Both Robinet and Mercadal indicate both on-scene and in subsequent interviews they believed Clark was pointing a weapon at them (Robinet/Mercadal Interviews; Robinet/Mercadal BWCs).

Clark is reported down and not moving. Additional police and fire response are requested. A body bunker is requested at 21:29:30. Officers approach Clark at 21:31:56. Officers perform lifesaving measures. Fire is cleared to enter at 21:32:06

and arrives on scene at 21:33:44 (PR#989927-010 SPD Radio Traffic 21:27:06 – 21:33:44).

Several sources of evidence demonstrate twenty shots were fired from the officers. Two source indicates the shots were fired in approximately 4.5 seconds (Shot spotter forensic report p.4; STAR digital video). A third source consisting of Gunfire notifications (visual notification) from the DOJ processed videos report the duration of shots as 4.7s (BWC Videos Combined and Stabilized with Processed Audio).

The investigation ultimately found Clark was potentially a contributor to DNA associated with the three vehicles vandalized/burglarized in this case. The confluence of evidence established provided for a CA DOJ opinion that Clark had "committed multiple crimes...two separate vehicle burglaries, one attempted vehicle burglary, or vandalism to a vehicle, and one attempted residential burglary, or vandalism to a residence, minutes prior to Officer Mercadal and Robinent contacting Clark" (DOJ Report-Brass p. 5).

3.2 Scene Overview

A digital camera video taken of the scene at 7572 29th street (Evidence item #PR988907) is not described as to whether additional light sources were used or whether the camera has enhanced night video capability (Homicide report p. 250; 430). Objects in the video appear with greater clarity as the camera moves closer indicating there may be some method of enhanced low-light capability. The video shows the backyard is dark with no direct lighting sources. Ambient sources of light providing very little to no clarity at a distance (within the backyard). The camera provides views from the side of the yard the officers were located when they fired their weapons. The area of the south fence line where Clark was seen in BWC video is extremely dark. As the camera moves, a significant white light source flashes through the slats in the fence in the general area Clark appears in Robinet/Mercadal's BWC video (Video PR#988907-001 03:11-03:17).

3.3 Witness Statements

David R [redacted] (resident in trailer at 7571 29th Street) stated he was in his trailer with Jacqueline S[redacted] when he heard a bang. S[redacted] told him there was a subject across the street breaking windows to vehicles. R[redacted] went outside and saw a male standing on the driver's side of his white Ford Explorer. The subject

was facing R[redacted] and described as just staring at him. R[redacted] asked S[redacted] for his gun in order to scare the male, but the male continued to just stare at him. R[redacted] said he asked for his gun loud enough for the male to hear him. R[redacted] went back to his trailer and armed himself with a baseball bat; then walked out toward his truck telling the male to get away from his car. The male ran across 29th street and toward a garage at 7566 29th street. R[redacted] followed him and the male fled over a fence at 7566 29th street. R[redacted] described the subject as a black male (assumption), wearing a black hoodie with red writing, and black pants with white dots or stripes (R[redacted] Interview 16:00-19:00; 21:10-27:30).

R[redacted] called 911 to report what happened. When officers arrived, he flagged them down and directed them to the backyard of 7566 29th street. He then returned to his trailer and watched his surveillance monitor. He saw two officers running southbound. He went back outside and heard yelling from the officers (he believes) but could not hear everything they said other than "police, stop" just before he heard gunshots from what he believed was two separate weapons. He believes he heard 5-7 shots and then 2-3 more shots (R[redacted] Interview 19:17-21:10; 32:00-33:00).

R[redacted] said the shooting occurred 2-3 minutes after the officers initially arrived (R[redacted] Interview 29:00-29:27).

Later, R[redacted] was shown a booking photograph of Stephon Clark and stated that he looked familiar and could be the person who was near his vehicle, or he may recognize him from the neighborhood. R[redacted] stated he didn't see the subjects face. (R[redacted] Interview 1:21:00-1:21:40).

Jacquelin S[redacted][1] (resident in trailer at 7571 29th Street) was standing outside with Michael C[redacted] talking while her boyfriend (R[redacted]) was inside the trailer. They saw a male walk from Ellwood Ave, across 29th street to a gold Toyota Camry parked on 29th street. They heard a thump and saw the male break the window and then get inside the car. She believes the male subject had to know they were present due to the music from Mike's vehicle and their loud talking. She said Mike left in his vehicle and she went inside the trailer. She describes the male as just standing and staring at the Camry when she went inside. He was

[1] Due to the background noise it was difficult to understand large parts of S[redacted]'s interview. I listened to the interview and compared what I heard to the Homicide report summary of her statement (p. 119-123). S[redacted]'s interview is consistent with the summary based on the portions I could hear/understand.

described as wearing a black hooded sweatshirt (hood pulled up), skinny, with light toned skin.

Once inside, she and R[redacted] heard glass break and quickly realized the male had crossed the street and broke the windows out of both their vehicles. R[redacted] yelled for her to get his gun and then R[redacted] grabbed a baseball bat and went outside with her following. She described R[redacted] as yelling at the male, but the male just kept walking away. She believed the male was intoxicated. She assumed the male jumped a fence into a backyard (she did not see this but heard dogs parking). R[redacted] called 911.

Two police vehicles arrived, and she saw R[redacted] point the officers toward the house where the male was last scene. A helicopter arrived, and she saw the officers searching the area. She then saw them run up the driveway of the house across from where she lived. She saw them go through the gate to the backyard. Shortly after she heard 7-8 gunshots. She described "it" as happening "so fast" (Homicide Report p. 119-123).

Tommy T[redacted] (resident 7572 29th Street) told DOJ investigators that Clark knocked on his window and called out his name just prior to the OIS. T[redacted] speculated that Clark wanted him to open door to the residence. T[redacted] said he heard 18-20 rounds fired. He did not hear any officer commands (DOJ T. T[redacted] Interview 3:45 – 4:40). T. T[redacted] places S. Clark in a Toyota (light colored) Camry the day prior to the OIS.

Sequita T[redacted] (resident 7572 29th Street) told DOJ investigators she was at home on her computer when she heard gunshots and saw flashing lights near where Clark was shot. She got down on the floor and crawled to her granddaughter. She then took her "granddaughter" to a back bedroom where Tommy was located. Tommy told her he heard someone call his name. Tommy then called 911 from his cell phone (DOJ S. T[redacted] Interview 21:20 – 24:00). Sequita said she looked outside and saw Clark laying on the ground. She described seeing a phone and "gold things" (DOJ S. T[redacted] interview 28:00 – 29:00). Sequita said she did not hear the police helicopter or commands; only the gunshots (DOJ S. T[redacted] interview 29:40 – 30:00; 31:00 – 31:17). She describes Clark's clothing as being the same as what she had seen him wearing earlier when she took a photograph of him (DOJ S. T[redacted] interview 30:20 – 30:40).

Horace T identified a photograph of a Toyota Camry in which S. Clark was a passenger the day prior to the OIS (DOJ H. T interview 1:00 – 2:20).

3.4 Officer Statements

Officer Robinet (callsign 1C54) stated he responded to a vehicle burglary call involving an individual breaking vehicle windows. Dispatch advised the reporting party followed the suspect to 7566 29th Street where he saw the suspect go into the backyard (Robinet Interview 06:20-06:45). The description of the suspect was provided as a skinny, tall (6'-6'1"), male black, wearing black clothing with a design on the pants (Robinet Interview 07:30-08:10).

Officer Robinet and Officer Mercadal arrived on scene at approximately the same time. Robinet contacted R who pointed out the residence at 7566 29th street. R told him the suspect jumped the fence into the backyard of this residence. R told him the dogs at that location were barking a lot up until the last minute or so (Robinet Interview 08:25-09:40). Robinet said that he saw broken glass in the area that R pointed out. He also saw another vehicle with a section of wrought iron gate laying on the side walk and glass in that area (Robinet Interview 23:00-24:00).

Officer Robinet stated a concern for what the suspect "may do next" (Robinet Interview 09:45-09:55). Therefore, he contacted the resident at 7566 29th street for consent to search the backyard, which was clear (Robinet Interview 09:45-10:55).

After clearing the yard, STAR provided an update concerning an individual in the backyard of a house approximately 2 houses south of their location. STAR advised the individual had a crowbar in his hand and was trying to break a window of a residence. Robinet and Mercadal started moving in that direction when STAR advised the individual had broken the glass to a residence and was trying to make entry (Robinet Interview 12:25-13:15).

STAR provided an update stating the individual was running south and had gone over a fence into the next yard (7572 29th Street). STAR then provided an update stating the individual was walking toward 29th street. Proximal to this update, Robinet said he heard Mercadal yelling at "the suspect" who was later determined to be Stephon Clark (Robinet Interview 14:00-14:45).

Robinet turned and followed Mercadal into the back yard of 7572 29th Street. As they rounded the corner of the residence, Robinet saw Clark standing approximately 15-20 feet away in an Isosceles position[1] with his hands "punched out in front of him and holding an object". Robinet said he recognizes the Isosceles Shooting stance from training and knows it to be a "common firing position". He said, "I recognize that as a position somebody shoots from". He could see something in Clark's hands, but he could not clearly identify it. Robinet said he saw a reflection and believed it was a metal object. He also describes the backyard as dark and that it was difficult to see clearly (Robinet Interview 15:15-17:32). He later described the lighting in the backyard as "non-existent other than his and Mercadal's light (flashlight/weapon mounted). He could only see what their lights illuminated, which he described as Clark's mid-stomach to his knees (Robinet Interview 25:00-25:40).

Robinet heard Mercadal yell, "gun", and he (Robinet) instinctually ducked behind cover. He came back around to look and saw Clark still standing in the same position (Isosceles). He states he was surprised that Clark had not started shooting. He fired what he believed was 5 rounds (initially – but later believed it was more) to protect himself and Mercadal. Robinet said Mercadal also began firing. (Robinet Interview 17:00-18:17). Robinet said he "was scared" Clark was going to shoot both he and Mercadal. He said he believed Clark had a gun based on the shooting position and his 9 years of training/experience. Robinet described Clark as, "completely having the drop on us" and would have shot Mercadal if he (Clark) had started shooting (Robinet Interview 18:37-19:20).

Robinet said he stopped firing as Clark fell to the ground. He stopped firing because he did not feel Clark continued to be a threat (Robinet Interview 18:17-18:37).

Robinet said he requested a body bunker because he believed the Clark could still be a deadly threat (Robinet Interview 21:24-21:45). Once enough officers arrived, and Clark had not moved or responded to commands, Officers moved forward and began CPR. Robinet and Mercadal were then pulled away from the scene (Robinet Interview 21:45-22:30).

[1] Robinet extends his arms and brings his hands together in what I recognize as the Isosceles shooting position.

Robinet said Clark did not say anything during their contact. Robinet also did not give any commands. He remembers Mercadal saying "show us your hands" but doesn't remember anything else (Robinet Interview 26:20-26:27).

Robinet describes his mindset upon contacting Clark as an "oh shit" moment. He was surprised Clark had not starting shooting and was concerned that he and Mercadal were going to be shot. Robinet describes knowing Mercadal was further exposed than he from the corner of the house. Robinet describes firing "instantaneously" based on what he saw as a deadly threat. He does not believe he had any other option. He does remember seeing a white cell phone in a black case on the ground when they approached Clark (Robinet Interview 1:14:00-1:18:11).

Officer Mercadal (1C57) stated he responded to a vehicle burglary call (in progress) with a subject reported breaking multiple car windows on 29th street. A neighbor confronted the suspect and chased him into the backyard of a residence where it was believed he was still hiding. The description of the suspect was; male black, wearing a black hooded sweatshirt and dark pants (Mercadal Interview 09:45-10:57).

Officer Mercadal and Robinet both responded from a previous call they had together. They both arrived on scene simultaneously. Upon arrival, they spoke with a reporting party (R[redacted]) who told them he chased the suspect to the backyard of a nearby residence. R[redacted] pointed out two vehicles and Mercadal saw broken glass nearby them on the street (Mercadal Interview 22:39-24:42). Both officers then contacted the homeowner of a residence where the suspect was believed to have fled. They received consent to enter the yard and cleared it and then walked back to the front of the residence (Mercadal Interview 11:10-14:40).

As they were walking to there cars, STAR broadcast that a subject was in the backyard of a residence approximately 2 houses south of their location. Mercadal and Robinet began walking along 29th street to determine which house STAR was referring to. STAR then provided an address of 7572 29th street where the suspect was located. STAR advised the suspect appeared to be attempting to break into a car. Mercadal said STAR was directing them where to go (Mercadal Interview 15:00-16:24; 58:10-58:35).

Mercadal said STAR advised them the suspect was running south and jumping fences. He and Robinet attempted to parallel the suspect on 29th street. STAR

advised that a subject appeared to be breaking into a vehicle in the driveway of one of the residences. Mercadal looked down the driveway and saw a black male with a black hooded sweatshirt (visually indicating the hood was up on his head) standing behind a vehicle in the driveway of 7572 29th street. The subject was later determined to be Stephon Clark (Mercadal Interview 15:00-17:55).

Mercadal said he gave the subject loud verbal commands to see his hands. The male turned and ran to the backyard out of Mercadal's sight. Mercadal gave the male a command to stop and chased after him. Mercadal describes attempting to "pie" (tactical movement) around the corner of the residence (7572). As he came around the corner, he saw Clark with he arms together and pointed towards him[1] (Isosceles shooting stance). Clark is described as "sucked up close" to the building and Mercadal demonstrates what he saw (Mercadal Interview 27:50-29:10). Mercadal describes seeing a metallic item or muzzle flash that made him believe he was being shot at. He describes himself as being "scared" and in fear for his life (Mercadal Interview 17:55-19:52; 33:00-33:27).

Mercadal said he yelled "gun", while moving toward the corner of the residence for cover. Mercadal describes a moment of introspection regarding whether he saw what he thought he had seen. He looked back out around the corner and describes Clark as still in an Isosceles shooting stance and moving forward toward them. He described a bright metallic shiny object in Clark's hands. Mercadal believed Clark was shooting at them. He describes himself as ducking behind cover, kneeling, and "returning fire" (Mercadal Interview 19:52-20:53).

Mercadal believes he fired 10 times. He said he was aiming at Clark as he fired, and that Clark was close to the residence, but moved away as he fired (Mercadal Interview 31:59-32:20). He saw Clark go down. Clark was described as having one hand visible and the other tucked under his body. Mercadal said additional officers arrived and they provided additional commands to Clark. They then made an approach, handcuffed Clark, and began CPR (Mercadal Interview 21:00-22:58). He never heard Clark say anything (Mercadal Interview 34:40-34:50).

[1] Mercadal extends his arms and brings his hands together while describing what he saw, which is the same as Robinet's description and visual representation of Clark's actions.

Mercadal describes the lighting in the backyard of 7572 29th street as pitch-black with the only light coming from his weapons mounted light (Mercadal Interview 27:50-28:33).

Officer Gomez (STAR Observer) reported he heard the Sacramento Police Department dispatcher voice a call at the location of 7566 29th Street located within the City of Sacramento. The dispatcher advised that a victim had chased a suspect that broke the windows on a vehicle located on 29th Street and the victim last saw the suspect go into the backyard of 7566 29th 6 Street (Homicide Report p. 638).

Gomez said he used STARs infrared camera to search for the suspect. During the search he located a subject in the backyard of 7570 29th Street who was standing near a glass door/window. He saw the subject looking into the door/window and saw him pick up an object and swing it at the door/window. Gomez said he believed the subject broke the glass and reported the information to officers on scene (Homicide Report p. 638).

Gomez then advised officers he saw the subject running southbound and jump the fence into the backyard of 7572 29th Street. He advised officers the subject was running toward the front yard. He then saw an officer place the subject at gunpoint. The subject ran westbound back to the backyard of 7572 29th Street. He saw officer chase the suspect, round the corner of the house, and then retreat for cover. He then saw heat flashes consistent with gunfire (Homicide Report p. 638).

Trujillo report: "On Sunday, 03/18/18, at approximately 2126 hours, Officer Tayler #741 and I (Officer Trujillo #846) were together as [redacted] in an unmarked black Ford Crown Victoria police vehicle, On the above date and time, we were clearing an unrelated call and traveling northbound Franklin Blvd, north of Florin Rd, when we heard via our police radio other officers responding to a car clout in progress call at 7566 29th St. I heard a male officer on the car clout call advise that there was "one at gunpoint." STAR was also on the car clout call and advised via radio that the suspect was fleeing on foot southbound with two units pursuing him. Officer Tayler and I responded Code 3 to assist".

Tayler Report: "On Sunday, 03/18/2018, at approximately 2125 hours, OFC Trujillo #846 and I (OFC Tayler #741) as [redacted] drove northbound on Franklin Blvd from Florin Rd after leaving the area of a previous call (18-82412). At the time, patrol units (1C54 OFC Robinet and 1C57 OFC Mercadal) were responding to a car

clout in progress near 7566 29th St. At approximately 2126 hours, STAR advised via radio traffic that there was a subject in the area of the car clout call that was looking into, and then breaking, a window. Approximately 30 seconds later, a unit on scene advised that they had a subject at gunpoint".

Lundgren Report: "On 03-18-2018 at approx. 2128 hours Officer Maclean #1010 and I Officer Lundgren #970 were monitoring a call for service over the radio, officers were dispatched to a call for service regarding a male subject in the area of 7566 29th St breaking car windows. The subject was last seen hiding in nearby backyards. Sacramento County Sheriff Departments helicopter (Star) arrived on scene and started to give updates. Star advised that they had located a subject in a nearby back yard. Star advised that the subject was jumping fences and was heading southbound from the original address. Star advised that the subject had just broken out a window to a residence house. While listening to the radio I heard Star give out the update that shots had been fired at approx. 2126 hours in the back yard of 7572 29th St".

3.5 Video Analysis

3.5.1 BWC & STAR Video: I used Adobe Premiere Pro CC 2018 review video item PR# 989927-026 (BWC & STAR combined: 18-82449_OIS_3-18-18_mtr1.mp4) which provides a global view of the incident. I also provided additional audio data as needed (BWC Audio Combined and Processed.wav). This section addresses pre and post shooting only.

- **Pre-shooting:**
- Officers can be seen meeting with R[redacted]. R[redacted] is pointing across the street and can be heard describing dogs barking.
- Officers appear to be checking the area with their flashlights.
- Officers make contact at a residence and receive consent to search the backyard. Officers can be seen searching the yard. Robinet's weapons mounted light appears to be fully powered and then cuts out unexpectedly during the search. He switches to a hand-held flashlight. The backyard appears to be completely dark except for the flashlights.
- Officer Robinet asks for an update from STAR. He and Mercadal begin moving quickly down the street on foot.
- STAR provides an update concerning Clark running south. The FLIR shows Clark running in a backyard (away from 7570 29th Street) and

jumping over a fence to 7572 29th Street. Officer's BWCs appear to show them running on 29th street.

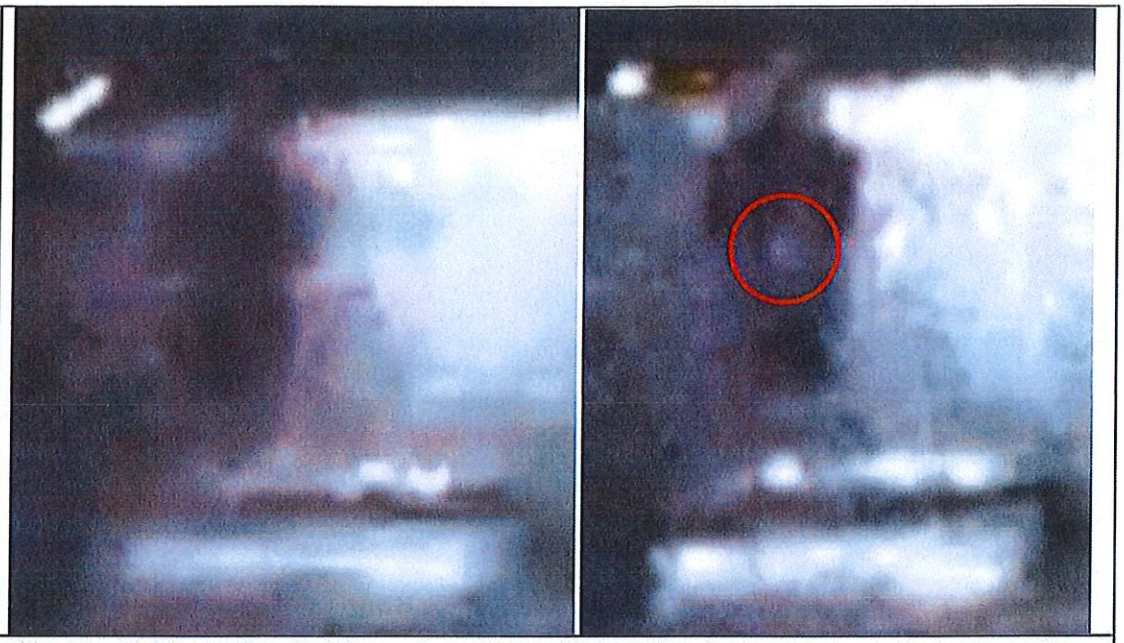
- STAR provides an update that Clark is in the backyard of 7572 29th Street. Units are then advised Clark is running to the front yard and wearing a "hoodie". Mercadal can be seen walking (on 29th) back towards the driveway of 7572 29th Street as Clark appears to look inside a vehicle parked in the driveway. STAR advised Clark is looking into a car between the fence and the front yard.
- During this time, STAR activates its spotlight in the direction of the officers. The helicopter is also heard on body worn cameras.
- Officer Mercadal can be heard saying, "over here Jerrod" and his BWC is pointing towards 7572 29th Street. He then begins moving up the driveway.
- As Officer Mercadal moves up the driveway his light illuminates the vehicle Clark had been looking into. Mercadal yells "hey" and "show me your hands" and "stop, stop" in quick succession. Mercadal begins to chase Clark and Robinet is running up the driveway behind him. Other than flashlights, the entire area is extremely dark. Clark can be seen running away from the corner of the residence until he disappears under the backyard porch area.
- The entire backyard lights up as if STARs searchlight is illuminating the area. Mercadal's and Robinet's flashlights light up the area under the awning where Clark's silhouette appears almost simultaneously as STARs spotlight stops illuminating the backyard.

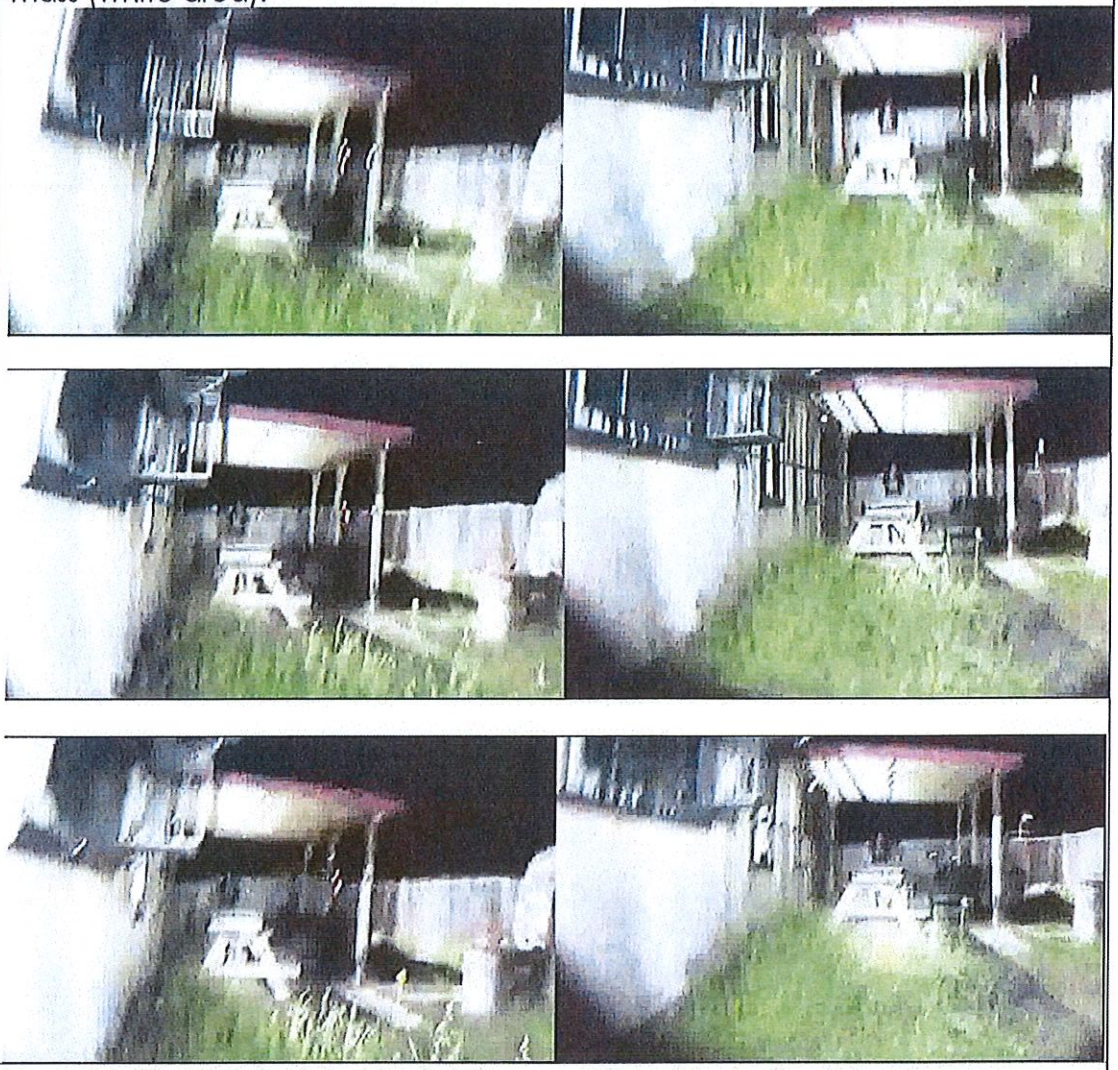
- **<u>Post-Shooting (Statements between Mercadal & Robinet):</u>**
- Mercadal; "You alright, you hit?"
- Robinet: "He was still pointing"
- Robinet: "When I saw again...you alright dude?"
- Mercadal: "I don't think I'm hit or anything".
- Robinet: "I think I shot about 5 times".
- Mercadal: "we can't see the gun", "We don't have it", "Can you see it Jerrod?"
- Robinet: "I don't see it"
- Mercadal: "He came up, and he kind of approached us hands out and then fell down".
- Sgt. Morris asks, "what did he have on him" – BWC video audible/visible: Robinet describes to the Sgt. how Clark approached

and says, "like this" while bringing his hands in front of his body and then says, "with something in his hands" and "it looked like a gun from our perspective" (Visible on Robinet's & Audible on Morris's BWC; Griggs Report (transcription)).

3.5.2 DOJ Enhanced (Robinet/Mercadal): I used Adobe Premiere Pro CC 2018 to conduct a frame by frame review of this file. Adobe's analysis indicated the video was providing 29.97 FPS. The data is presented in timecode format: "Seconds; Frames". At each frame count of :29, the second counter moves forward on the next frame (i.e., :29 to 1:00) (BWC Videos Combined and Stabilized with Processed Audio.mp4).

Time Code	
00:19-00:21	Mercadal rounds the corner. A faint white light is present where Clark appears (left). The light is brightest in this frame and then extinguishes in the third frame (13984) and reappears in the fourth (13985) to the right side of Clark.
00:28-01:00	Two dark blurs are present on either side of Clark's torso. In the next frame those blurs appear to come together at Clark's waist area. There is a light area in the middle of his silhouette which becomes more visible in the last frame. (Mercadal_processed_frame_13991 – 13992 50% zoom). The light area moves upward and to the left between frame 13992 and 13993.

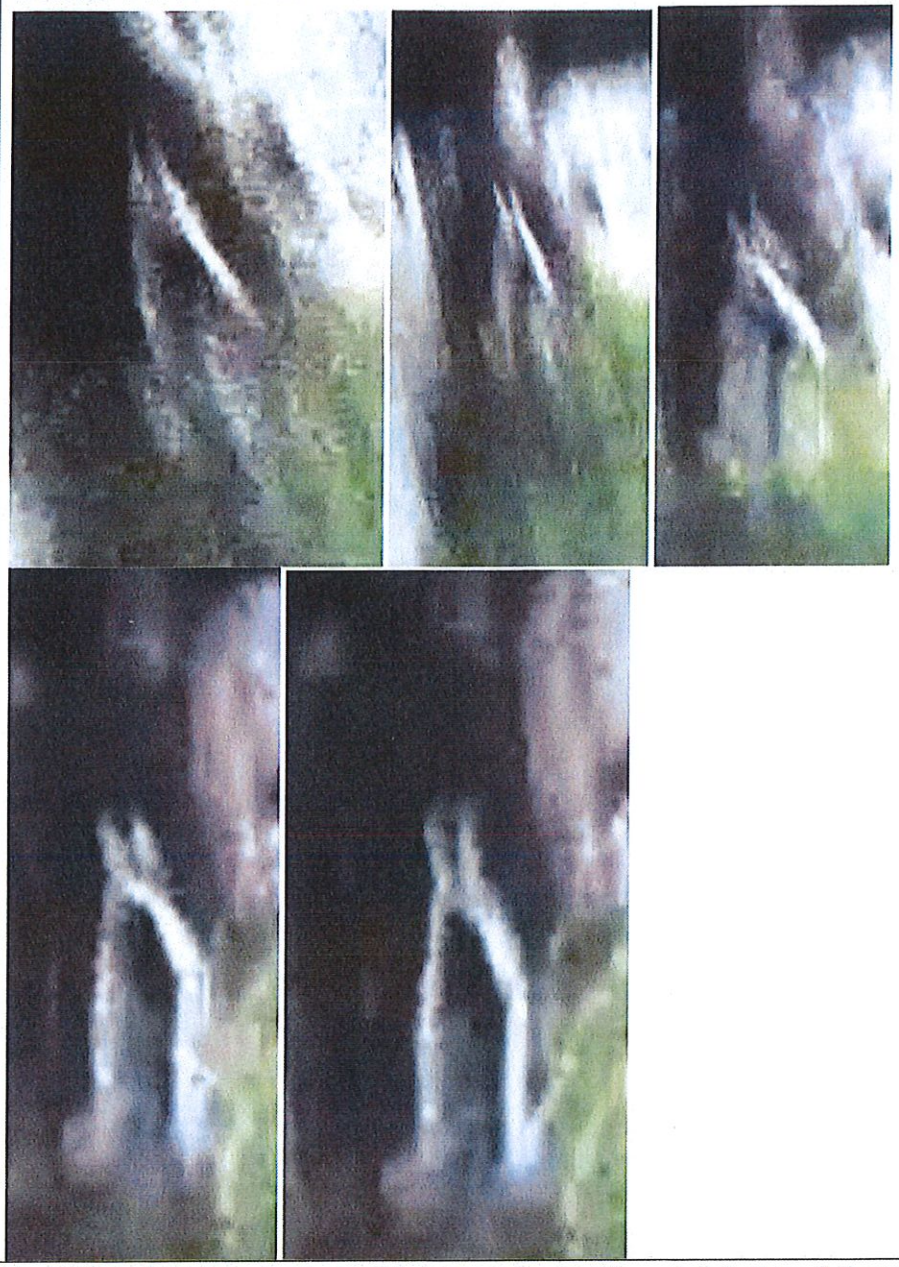
	
1:03-1:16	Clark is visible in the first frame, but the silhouette disappears and appears to move up and down within the frames. (Mercadal_processed_frame_13996 – 14009). This may be a video effect as other areas appear distorted.
1:17	A bright light appears where Clark is standing (Robinet_Processed_Frame-14447).
1:18-1:21	Mercadal's BWC shows Clark disappearing from view (Mercadal_processed_frame_14010 – 14014). Robinet's BWC shows Clark's silhouette in the frame (Robinet_Processed_Frame-14448 – 14451). However,

	Clark's silhouette blurs and is replaced by a black box in Robinet's frames (Robinet 14451-14453).
1:22	Mercadal just begins to vocalize "Show me your hands, gun".
1:29-2:01	Robinet frames (14459 – 14462). Mercadal frames (14022-14024). Side by side views. Both cameras show a significant contrast change at Clark's center mass (white area). 
2:05	Mercadal first begins to verbalize the word "gun" just after these frames. Mercadal moves to cover as he finishes the word gun. Clark is heard saying "fuck you" just after this.
2:11-2:12	Clark is visible on Robinet's camera as Mercadal is just ending the word "gun". Between these frames the change in contrast around the face and torso of Clark's silhouette could be associated with bringing the hands down or it could be image blur (Robinet frames 14471-14472). The change is more prominent by moving back and forth between frames.

2:21	Robinet begins to move for cover.
4:05-5:05	Robinet and Mercadal move out from the cover. During the movement, Robinet's flashlight illuminates the side of the house in front of him causing significant splash back as demonstrated on his hand and weapon (Robinet frame 14534).
5:05	Robinet and Mercadal appear to have rounded the corner. Unknown at what point they first saw Clark / could see Clark. Clark's shoes are visible on Mercadal's BWC (Mercadal frame 14118 - 14119).
5:06-6:06	Clark's legs are visible in most of the frames. Considering the white striping on the inside of Clark's legs, it is possible that he is presenting with his legs apart and knees bent while facing the officers. For instance; when Clark first

appears, the white lines appear straight and his legs and feet are close together (Mercadal frame 14120). He then appears to be stepping forward (Mercadal frame 14126). He is blocked in several frames and then reappears with the white stripe separating at opposing angles (Mercadal frame 14144). A similar stance can be found in frames; 14147, 14148, 14149, 14150. In frame 14147 there is a blurry white area to the right side of Clark's silhouette that is less pronounced in later frames as the viewing area pans downward.

Frames 14120 & 14126

	Frames 14144 - 14150 
6:06-7:05	An officer just begins to yell "show me your hands" & "gun" "gun" "gun" after frame 14149. The command is completed in about 1 second.
7:11	The first gunfire notification (Robinet frame 14621). Mercadal starts moving to cover.
9:01	The gunfire notification ceases (Robinet frame 14671). It is clear Robinet fired the first five rounds (Duration: 49 frames x .033s = ~1.6s)
9:04	Mercadal can be seen bringing his weapon upwards.

9:15	The second gunfire notification is presented (Robinet frame 14686). (Pause duration: 15 frames x .033s = ~.5s). In the non-stabilized version of this video, Mercadal fires his 1st round almost simultaneously with Robinet's sixth round (BWC videos combined with processed audio.mp4).[1]
12:05	The second gunfire notification ceases (Robinet frame 14765). (Duration of fire: 144 frames x .033s = ~4.7s)

California Department of Justice Review of BWCs:

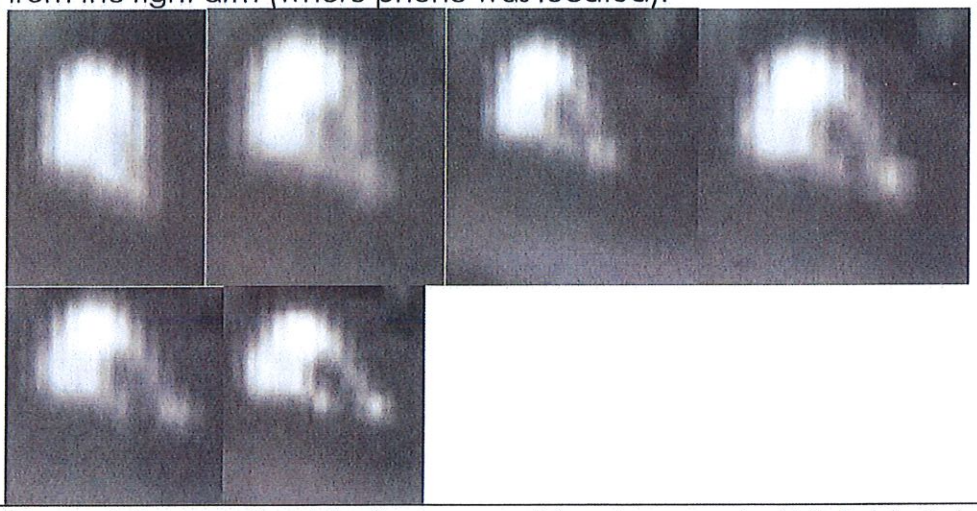
I received portions of the DOJ report after I had completed my video/image reviews and written this report. No changes in my analysis occurred based on DOJ's reported video analysis. In comparing DOJ's interpretations where they overlap with my own, I found several points of agreement. For instance, SA Brass reviewed the individual images (frames) taken from Mercadal's and Robinet's BWCs (18-82449_BWC Mercadal MiniSC images). Brass points out the flash of light proximal to Mercadal yelling "show me your hands, gun". Brass also points out his perception of Clark's movement of his arms to his chest as well as well as Clark's movement closing the distance with the officers (DOJ Report – Brass, p. 28, 63). It should be noted that SA Brass appears to be documenting his observations based upon the BWC timestamp and not an individual frame (i.e., 04:26:43). It should also be noted that Brass reviewed the enhanced video and image files of the BWC videos (Mercadal and Robinet) and reported no new observations or perspectives (DOJ Report – Brass p. 55-56).

3.5.3 STAR Digital Video: I used Adobe Premiere Pro CC 2018 to conduct a frame by frame review of this file. I utilized this file in attempting to establish shot times and Clark's movements in correlation with other videos. Adobe's analysis indicated the video was providing 30.00 FPS. The data is presented in timecode format: Seconds; Frames (screen_20180318_212547_01.ts).

- **Prior to the shots**, the FLIR shows the officers rounding the corner at 7572 29th street and then retreating to cover. The first indication of Clark's presence is a small white dot that appears (Clark's silhouette) at the far end of the picnic table (2:04). Both Robinet and Mercadal are at the corner in a position indicting they have Clark in view. Clark walks forward

[1] Not seen in the stabilized video

between the residence and the picnic table before the first shot is fired (3:17).

Time	
3:17	Probable first shot appears to be fired (Muzzle blast Robinet). Mercadal appears to move behind Robinet after the first or first few shots are fired. Clark is walking forward. Clark's arms do not appear to be extended in front of him at any point. The FLIR angle and direction should be considered in comparison to other incidents within the video when appendages are not seen against the backdrop of a torso.
3:28	Probable muzzle blast (Robinet). Clark is walking forward.
4:19	Clark begins to fall
4:29-5:03	Probable muzzle blast (Robinet). As Clark falls, it appears that both arms extend outward in a triangle. The left arm then moves outward and away from the right arm (where phone was located). 
4:25-5:03	Mercadal moves back to the corner. It is unknown what his field of view is from this position or when he was able to see or saw Clark.
5:22	A round appears to impact the ground in the backyard of 7574 29th Street, skips across the yard and possible impacts the corner of the residence.
5:25-5:26	Clark appears to be on his hands and knees. A round strikes the picnic table. The first visible round likely fired by Mercadal (muzzle flash). A spot appears in the fence at 5:27.
6:05	A small hot spot (likely a round) appears on the Sofa behind Clark.
6:07	A round appears from underneath Clark's torso. He is still on hands and knees.

6:12-6:13	A muzzle flash appears (likely Robinet), and the ground is disturbed in the yard in front of Clark. A round also strikes the pavement well past Clark who appears to be prone. Clark's hand moves up to his head until 6:17.
6:15	Clark appears to be in a full prone position although his right hand is still (slightly) moving.
6:20	A round appears to strike the yard IFO Clark.
6:22-6:23	A muzzle flash from Robinet and a round sparks on the pavement past Clark.
7:10-7:12	There are indications of muzzle flash from both Robinet and Mercadal with a spark on the pavement past Clark. This is likely Robinet's last shot.
7:14-7:18	Clark's legs move together.
7:19	Probable muzzle flash from Mercadal. There is a very faint disturbance in front of the couch behind Clark.
7:25-7:26	Probable muzzle flash from Mercadal with hotspot appearing on couch behind Clark.
8:02	Probable muzzle flash from Mercadal with spark appearing on pavement. (Last round visible from either officer).

California Department of Justice Review of STAR video:

I received portions of the DOJ report after I had completed my video/image reviews and written this report. No changes in my analysis occurred based on DOJ's reported video analysis. In the areas where our observations overlap, I see no disagreement (DOJ Report – Brass p. 60). I found no analysis regarding the mechanics of Clark falling movement (e.g., arms in a triangular fashion).

3.5.4 Robinet BWC: I utilized the Kinovea© video analysis tool to conduct a frame by frame review of the initial contact with Clark in the backyard of 7572 29th Street. The video was not manipulated in any way other than inserting a millisecond timer. This video file presented 30 frames in 1:00s on the inserted timer. (New File: Kinovea Robinet.mkv). I used this method (Kinovea) prior to discovering the enhanced videos.

Time	
08:07	Mercadal muzzle blast. ***Each muzzle blast correlated with the weapons mounted light turning off and on.***
08:37	Mercadal muzzle blast.
08:64	Mercadal muzzle blast.
08:90	Mercadal muzzle blast.

09:14	Mercadal muzzle blast.
09:37	Mercadal muzzle blast.
09:60	Mercadal muzzle blast.
09:84	Mercadal muzzle blast.
10:07	Mercadal muzzle blast.
10:31	Mercadal muzzle blast. (Mercadal's first to last muzzle flash is 2.2s).
10:31-15:01	Video does not provide evidence of additional shots.
05:10:17-05:25:42	These frames show a white object mostly obscured by Clark's head and partially underneath his hand. As the video progresses and Clark is handcuffed, it becomes clear the object is a cellular phone. At 5:21:25 an officer reaches down and appears to move the phone. The hand and phone go out of view. When the phone returns into view it is oriented differently and appears to have been moved – albeit a short distance.

3.5.5 Other Sources:

Mercadal BWC: I utilized the Kinovea© video analysis tool to conduct a frame by frame review of the initial contact with Clark in the backyard of 7572 29th Street. The video was not manipulated in any way other than inserting a millisecond timer. This video file presented 30 frames in 1:00s on the inserted timer (New File: Kinovea_Mercadal.mkv). I was unable to verify shot times and did not glean additional information in comparison with the enhanced version.

STAR/Robinet BWC/Mercadal BWC Synchronized: I utilized the Kinovea© video analysis tool to conduct a frame by frame review of the initial contact with Clark in the backyard of 7572 29th Street. The millisecond timer begins at 00:00:00 when the first apparent shot is fired (muzzle blast) and ends when the last apparent shot is fired (based on muzzle blast and ricochet sparks). 30 frames equate to approximately 1:00 second on the timer. The BWC videos both show movement in every frame within the referenced clip (00:00s-04:56s). The STAR video frames do not appear to change at :10s, :26s, 3:73s, and 3:83s (New File: Composite_Video). I do not believe this is a reliable source as the STAR video shows muzzle blast from Mercadal's weapon after his 10 muzzle blasts are seen on Robinet's BWC.

- All three new Kinovea files are included in the "Clark_Work_Product" folder.

3.5.6 Shot Spotter Forensic Report: The shot spotter recorded the first shot at 21:26:48:925 and last shot at 21:26:53:428. (see Annex 7.1).

- Shot duration is ~4.5s
- The first 5 shots were fired in ~1.4 seconds (Robinet).
- Overlapping shots (6-17) were fired in ~1.6s.
- The last 3 shots were fired in ~.47 seconds (Mercadal).

3.5.7 Response Times Conclusion:

1. Time from when Clark first appears on the STAR video until a shot is fired: ~1.4s (Frame 1906 – 1864 = 43 frames x .033s) (STAR)

2. Time from the first shot until Clark is in the full prone (slight movement hand) is: ~2.9s (Frame 1906 – 1995 = 89 frames x .033s) (STAR)

3. Time from when Clark first begins to fall until he is on all fours: ~.6s (Frame 1939 – 1959 = 20 frames x .033s) (STAR).

4. Time from when Clark first begins to fall until he is in the full prone position (slight movement hand): ~1.8s (Frame 1939 – 1995 = 56 frames x .033s) (STAR).

5. Time from Clarks last movement (legs) until the last shot: ~.5s (Frame 2042 – 2028 = 14 frames x .033) (STAR).

6. Time from Clark's entering the full prone (slight movement hand) until Robinet's (apparent) last shot: ~.8s (Frame 2020 – 1995 = 25 frames x .033) (STAR).

7. Time from Clark's entering the full prone (slight movement hand) until Mercadal' s (apparent) last shot: ~1.5s (Frame 2042 – 1995 = 47 frames x .033) (STAR).

8. Time from Robinet's first to last (apparent) round: ~3.7s (Frame 2020 – 1906 = 114 x .033). According to the Shot Spotter Forensic Report, the first five rounds were fired in ~1.4s with a ~.8s delay (total 2.2s) before additional shots are fired by both officers.

9. Time from Mercadal's first to last apparent round: ~2.1s (Frame 2042 – 1976 = 66 frames x .033). (STAR - *Consistent with DOJ enhanced vide (muzzle blasts seen on Robinet's BWC).*

10. Time from the first shot to the last shot (all): ~4.5s (Frame #1907 – 2042 = 135 frames x .033). (STAR - *Consistent with Shot Spotter Forensic Report).*

- The DOJ enhanced video (BWC Videos Combined with Processed Audio) presents the duration of fire as ~4.7s. Robinet's first five shots are independent: ~1.6s and there is a .5s delay between the first and second series of shots.
    - According to Shot Spotter representative (Personal Conversation, December 6, 2018), the multiple sensor activations (more than 3) for this incident provide highly reliable data.[1]

4. Forensic Evidence

4.1 Round Counts

Robinet Round Count

Glock 19, 9mm, semi-automatic pistol, serial #YHK976: (10) rounds fired (Homicide Report p. 291). TLR-1 HL Stream light (Light determined from photos of Ofc. Robinet's Firearm).

Mercadal Round Count

Sig Sauer P226, .40 caliber, semi-automatic pistol, serial #UU749964. (10) rounds fired (Homicide Report p. 292). Blackhawk Night-Ops NTX (180 Lumens) (Light determined from photos Ofc. Mercadal Firearm)

4.2 Clark Autopsy

Stephon Clark's Blood Alcohol Report showed an Ethanol result of .08% from his femoral blood sample taken at autopsy. The toxicology report from the Sacramento County Crime Lab showed Clark's blood contained the presence of the following:

16ng/mL of Delta-9-THC (+-3ng/mL)
2.3 ng/mL of 11-Hydroxy-THC (+-.5ng/mL)
236ng/mL of 11-nor-9-Carboxy-THC (+-54 ng/mL)
60 ng/mL of Benzoylecgonine (Cocaine metabolite) (+-11ng/ mL)
120ng/mL of Codeine (+-16ng/mL)
82ng/mL (+- 16ng/mL) of Alprazolam (Xanax)
5.8ng/mL (+-.5ng/mL) of Etizolam

Gunshot Wounds (7)

[1] A shot spotter expert would be needed to testify to the validity of the data.

#1: Right side of neck *(through and through)*: Single gunshot wound that entered the right side of the neck *(approximately 3" below the right ear)*, traveling right to left, horizontally.

#2: Right upper shoulder: Single gunshot wound that entered the top of the shoulder, traveling right to left, in a downward manner.

#3: Right back shoulder *(nearly in-line with the armpit)*: Single gunshot wound that entered the right upper back *(shoulder)* area, traveling right to left, slightly back to front.

#4: Right armpit area: Single gunshot wound that entered the right side of the body *(at the armpit)*, traveling right to left, slightly back to front.

#5: Right side - below/behind #4 *(through and through)*: Single gunshot wound that entered the right side of the body (approximately 5" below the armpit), traveling right to left, slightly back to front.

#6: Right side - below/behind #5 *(between the waist and armpit level)*: Single gunshot wound that entered the right side *(slightly back)* area of the body *(approximately between the waist and armpit level)*, traveling right to left, slightly back to front.

#7: Left upper leg *(through and through)*: Single gunshot wound that entered the front, lower quadricep area *(approximately 5" above the knee)*, traveling front to back, in an upward manner, and exits the lower portion of the left buttocks.

An independent review was conducted by the San Diego Medical Examiner's Department. The report concluded, "...the Sacramento County Coroner's medicolegal death investigation of Stephan A. Clark was comprehensive, professional, well documented, and correct in its conclusions. No deficiencies are noted" (Consultation Report Clark 120518.pdf).

5. Suicidal Ideations[1]

On 3/17/2018, between 11:23 and 21:12 Clark and Salena M[redacted] engaged in a series of text messages arguing about their relationship and a recent domestic violence incident. At 21:03 hours (PST) Clark texted "You want me to kill myself?" and at 21:05 hours (PST) "I'm not playin, don't do this". (Pr# 989927-008; chat-

[1] My intent is not to clinically diagnose Clark's state of mind; rather it is to provide information which correlates with his behavior when confronted by police.

11.txt). Clark also sent a picture to M[redacted] with a handful of yellow pills (Clark phone summary). According to the website drugs.com, the yellow pills imprinted with R039 are identified as Alprazolam.

Clark also conducted several internet searches (3/17/18 - 3/18/18) on various ways to commit suicide. Searches included:

1. "How much bleach can I drink before I die"
2. "Easiest ways to kill yourself"
3. "What makes carbon monoxide"
4. "What pills can you die from"
5. "Oxycodone overdose: How much amount of oxycodone to OD"
6. "How many Xanax can kill you"

After searching about Xanax, Clark's phone sent text messages requesting "more" "Xans" to someone (Clark phone summary).

Amauria H[redacted] (ex-girlfriend of Clark): Said she watched an Instagram video of Clark smoking marijuana earlier that day (in a car). (Homicide Report p. 210-214).

Janelle T[redacted] (ex-girlfriend of Clark): Texted and conversed the night of Clark's death. T[redacted] indicates the conversation was not friendly and they had a bad history. (Homicide Report p. 215-217).

Rohit V[redacted] (described Clark as one of his best-friends). Dropped him off at his grandmother's house Saturday morning. Knew Clark was upset about something. Knew he was fighting with ex-girlfriend. (Homicide Report p. 216-219).

Clark's DV Incident with M[redacted]

Clark wrote an email to the Sacramento DA on 3/17/2018 showing concern about being arrested over a previous domestic violence incident between he and M[redacted] (3/16/2018). Based on the letter, Clark narrative indicates he is fearful of being arrested.

Suicide by Cop (SBC)

The following information are key points from research on the phenomenon of "suicide by cop" or when a "subject engages in behavior which poses an

apparent risk of serious injury or death, with the intent to precipitate the use of deadly force by law enforcement against the subject"[1]

- Researchers evaluated OIS cases (*n* = 707) from 90 American and Canadian police departments between 1998 and 2006. A total of 256 cases of SBC were identified.
- 81% were spontaneous due to intervention or circumstances.
- 87% involved suicidal communication while 13% (n = 34) did not.
- 95% were non-compliant with law enforcement.
- 90% aggressed against the police.
- 98% pointed or gestured with a weapon.
- 36% were under the influence of alcohol.
- 72% experienced relationship problems.
- 19% involved male subjects who feigned or simulated weapon possession.

6. Opinions

6.1. ***Opinion:*** ***Based on the totality of the circumstances, a reasonable officer would have developed reasonable suspicion/probable cause to detain/arrest Clark for vehicle vandalisms/burglaries, residential vandalism/burglary, prowling, and resisting, delaying or obstructing a peace officer. The subsequent foot pursuit of Clark into a backyard was in line with standard police practices and training.***

- Officers are taught they may develop probable cause based upon information from other law enforcement officers (Collective knowledge doctrine).[2]
  - The original 911 call indicated vehicles had been vandalized/burglarized. Officer's met with R[redacted] and confirmed the dispatch information.
  - The suspect was described by R[redacted] as 6' tall, wearing a black hoodie and black pants. The suspect was last seen fleeing into the backyard of nearby 7566 29th Street.
  - Clark was first located by STAR in the backyard of 7570 29th Street which is near the original location of the 911call. Clark was observed

[1] Mohandie, K., & Meloy, J. R. (2011). Suicide by Cop Among Female Subjects in Officer-Involved Shooting Cases. *Journal of Forensic Sciences,56*(3), 664-668. doi:10.1111/j.1556-4029.2010.01686.x

[2] Alameda County Point of View: http://le.alcoda.org/publications/point_of_view/files/SS_14_PC_Reliability.pdf; *California Peace Officer's Legal and Search & Seizure Filed Source Guide* (2012). LawTech Publishing.

breaking the rear window to the residence (burglary/vandalism). The information was reported via radio to officers Mercadal / Robinet.
    - Clark's movement was tracked and reported by STAR and he was the only person in the immediate area (other than vehicle). STAR stated that Clark matched a portion of the initial suspect description (black hooded sweatshirt).
        - Clark was seen jumping a fence into the backyard of 7572 29th Street and peering into another vehicle (reported by STAR).

- Mercadal described first seeing Clark wearing a black hooded sweatshirt which matches a portion of the original description. Clark fled from Officer Mercadal after receiving lawful commands to stop, a violation of PC148(a)(1). Clark should reasonably be aware of the police presence due to the helicopter (searchlight) and presence of fully uniformed officers.

- Based on the above information, officers would likely develop reasonable suspicion or probable cause that Clark was involved in the original vehicle vandalisms / burglaries. As the situation unfolded, the updates from STAR provided officers with probable cause that Clark had vandalized a residence and was a prowler. Lastly, Clark's flight from officer presented additional probable cause that Clark was resisting, delaying or obstructing their lawful commands (PC148, PC459, PC594, PC647(h)).

- Officer Mercadal & Robinet's hot pursuit of Clark into a fenced backyard was reasonable and lawful based on the totality of the circumstances.[1]
    - Perimeters are often preferred in many situations where resources are available and the circumstances permit. However, Clark's actions, inclusive of breaking the window of a neighbor's residence which provides reasonable suspicion/probable cause for vandalism or attempted burglary, elevated the need to stop his erratic and dangerous behaviors. Officers did not know Clark lived at the residence at 7572 29th Street. Officer Robinet indicated he was already concerned with what Clark "might do next" (Homicide Interview). Ultimately, officers engage in yard to yard searches under many

[1] Alameda County Point of View (2003/2018). *Police Trespassing/Exigent Circumstances*. Retrieved from: http://le.alcoda.org/publications/point_of_view/;

different circumstances and on regular occasions before and after perimeters are established.

- Ca. POST learning domain 21 (Patrol Techniques) which is taught to officers in the basic academy indicates foot pursuits are inherently dangerous and that engaging in them should be based on a risk analysis. Public safety considerations are part of the analysis.

6.2. <u>Opinion</u>: ***Officers Robinet and Mercadal reasonably perceived and had probable cause to believe Clark was an immediate deadly threat causing them to fear death or serious bodily injury[1]. Their act of using deadly force, based upon the totality of the circumstances and in response to Clark pointing what they perceived to be a weapon, while also posturing in a recognized shooting platform, is reasonable and in line with contemporary police practices and training.***

<u>**Graham Analysis[2]**</u>

- *Severity of the Crime:* perceived attempted homicide of a Peace Officer.
- *Level of Active Resistance:* Perceived to be deadly.
- *Potential for injury:* Perceived serious bodily injury (PC243(f)(4)) or death.

At issue is whether the officer's perceptions were reasonable[3]. There are several objective factors which support the officer's perspective that Clark had a handgun and was about to or was shooting at them. These include; (1) Clark's movements consistent with an Isosceles shooting stance, (2) a significant flash of light at Clark's location, (3)Clark's closing the distance with legs possibly oriented similar to a shooting stance, (4) Clark's fall with his hands together with cell phone while oriented in an Isosceles shooting stance, and (5) Statements by and behaviors of officers just after the shooting are in line with their reported perception (see items 1-5 below):

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[1] "A person has probable cause to believe that someone poses a threat of death or great bodily injury when facts known to the person would persuade someone of reasonable caution that the other person is going to cause death or great bodily injury to another". (CalCrim 507. Justifiable Homicide: By Public Officer).

[2] As perceived by the officers at the moment deadly force was used. Determining reasonableness requires an evaluation of whether the belief (i.e., fear for life) is adequately supported by objective fact (Graham v. Connor, 490 U.S. 386 (1989); California Penal Code Section 198).

[3] PC 198; Graham v. Connor 490 U.S. 386, 394 (1989)

1. Clark's movements: DOJ enhanced BWC frames provide indications Clark moved in a manner which is consistent with the Isosceles shooting stance reported by both officers (BWC Videos Combined and Stabilized with Processed Audio.mp4; DOJ Report-Brass p. 28).

- Below are DOJ enhanced screen shots from Robinet (14459 – 14461) and Mercadal's (14022-14024) BWCs. This series is proximal to Mercadal yelling "gun". Although blurred, the areas of contrast at Clark's chest (light gray writing) vary significantly and are in-line with an Isosceles shooting stance.

DOJ Enhanced (50 % zoom) Mercadal Frames 14022-14023

Clark's Hoodie (BWC Screen Capture)[1]

2. **Light Flash:** There is evidence of a significant light flash proximal to the shooting which could be the muzzle flash Mercadal reportedly perceived (Homicide Interview).

- A DOJ screen shot shows a significant flash of light which appears to be directly in front of Clark (cell phone light?) (Robinet 14447; 50% zoom).

[1] Intended only to show the large light-colored writing at the center of Clark's hoodie. Face covered out of respect for the deceased.

3. **<u>Closing the distance in a shooting stance:</u>** There is evidence that Clark closed the distance on the officers and continued to present in a shooting stance with his cellular phone. This point should be associated with the next section (4) discussing Clark's orientation when he fell (BWC Videos Combined and Stabilized with Processed Audio.mp4).

- In the below screen capture, the orientation of Clark's legs and the variation of the white stripes between frames 14120 to 14150 (Mercadal) <u>could</u> be indicative of a shooting stance (legs shoulder width apart with bended knees). These frames are proximal to Clark's falling to the ground after being shot. Therefore, the orientation of Clark's arms and hands (holding cell phone) as he fell after being shot are additive in nature concerning his presenting in a shooting stance (Isosceles) (see #4: orientation while falling). Ultimately, there is no conclusive frames showing how Clark's hands and arms are oriented during this time. However; these frames do objectively demonstrate Clark has moved forward toward the officers.[1]

[1] I initially believed Clark was moving away from the wall due to the leg orientation. Upon further review it appears he remains close to the wall of the house as the frames progress.

Frames 14120 & 14126

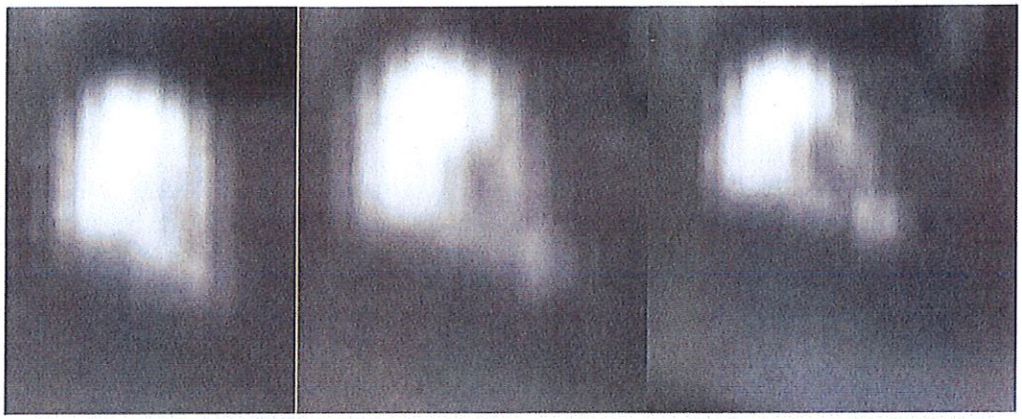
Intentionally left blank

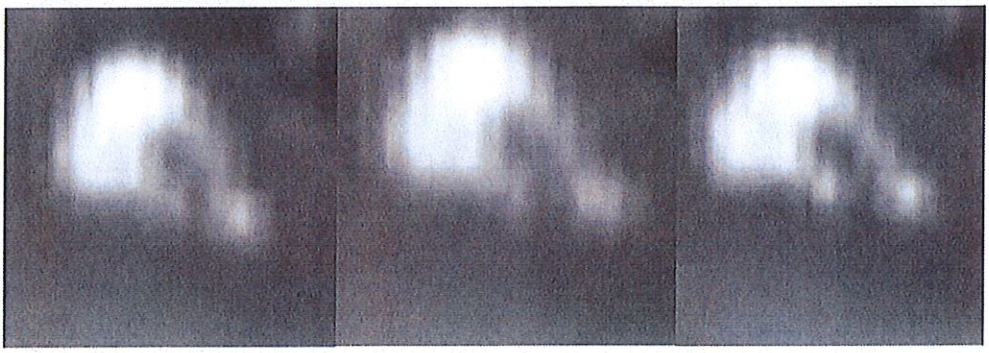
1 Frames 14144 - 14150

2

3

4. **Orientation while falling:** Just after the above video frames, Clark appears to fall forward with both hands together, positioned in-front of him in a manner consistent with the Isosceles shooting stance (STAR video: screen_20180318_212547_01.ts). Clark's arms do not appear visible down by his side or extended in front of him at any point while he is walking forward. However, as he falls (STAR video), it appears that both arms extend outward in a triangle. The left arm then moves outward and away from the right arm (holding phone) (See STAR frames; Still5Zoom – Still10Zoom in folder). This should be considered as an indication of Clark's hand and arm positioning prior to the below photos and as he approached the officers.
    - Robinet does not describe Clark moving forward, but indicates Clark was in an Isosceles shooting position when he saw him after retreating to cover (Homicide Interview).
    - Mercadal describes Clark as moving forward in an Isoceles shooting stance (Homicide Interview).





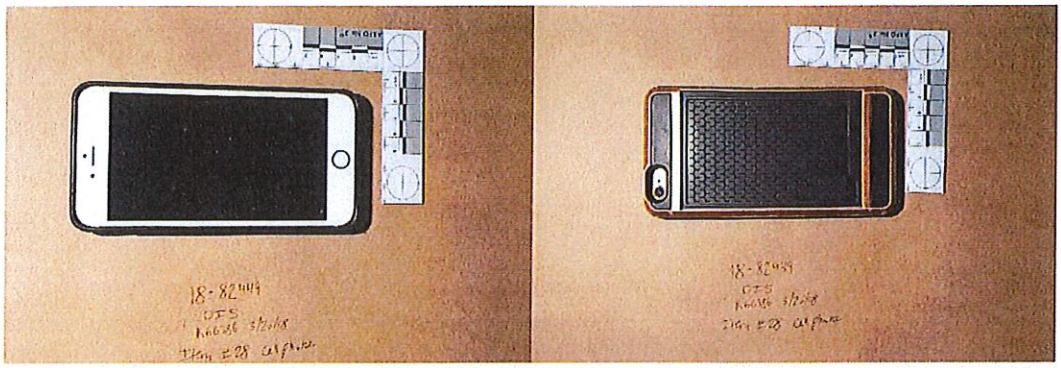
    - In considering Clark's arms not being visible prior to these frames: A FLIR expert would be required to opine, but it is reasonable that from the FLIR angle (facing Clark from the front at a downward angle), Clark's extended arms may not be visible if they were in front of his body. This

hypothesis is formed based upon other arm movements not visible at this zoom level when they are in front of the torso (officers).

- A cell phone is clearly visible on Robinet's BWC as he approaches Clark. The cell phone is underneath Clark's right hand and next to his head. The cell phone has a glass face with a white border on the front and a black back with some brown bordering (Evidence Item #28: Homicide report). The video evidence (STAR) indicates Clark had the phone in his hand as he fell in the shown fashion and then his hand extends up to his head and the final resting place as demonstrated on the BWC below.

Clark's phone as officers approached

Recovered Cell Phone



5. **<u>Statements by and behaviors of officers:</u>** The officers' behaviors and spontaneous statements are similar which lends credibility to their individual perceptions and investigatory statements.
   - Mercadal yells "show me your hands" and "gun" proximal to the initial series of frames with Clark present. <u>Both</u> Mercadal and Robinet move

quickly to cover (Mercadal first). Both officers appear to respond to the same threat perception (Mercadal & Robinet BWCs).

- Both officers look around the corner and one of the officer's again yells "show me your hands" and "gun, gun, gun" as Clark approaches. Mercadal takes cover a second time and Robinet begins firing – both appearing to react to a similarly perceived threat (Mercadal & Robinet BWCs).

- Seconds after the shooting the officers engage in spontaneous conversation indicating their perceptions (Robinet & Mercadal BWCs):
    - Mercadal asks Robinet if he is okay and the then states: "I don't think I'm hit or anything".
    - Mercadal asks, "Can you see it Jerrod" and Robinet responds, "I don't see it". These statements are in reference to Clark's suspected handgun.
    - After the shooting and while still holding Clark at gunpoint, Mercadal states, "he came up, and he kind of approached us hands out...".
    - After the shooting and prior to Clark being handcuffed, Robinet describes how Clark presented as if he had a weapon. Robinet's hands can be seen coming together (consistent with Isosceles shooting stance) as he explains Clark's behavior (Robinet BWC).
- Both officers are breathing heavily proximal to the shooting which is consistent with stimulant hormones released after an acute fear response (HPA axis). The duration of heavy breathing continues well after the shooting and while both officers had been mostly static for a significant time (Robinet & Mercadal BWCs).
- Both officers' interviews are consistent in describing Clark's presenting in an Isosceles shooting stance. Mercadal describes a bright metallic shiny object in Clark's hands and a muzzle flash. Robinet said he believed Clark had a metallic object in his hand
    - Officer Robinet said he was scared Clark was going to shoot both him and Mercadal (Homicide Interview).

- Officer Mercadal said he was scared and feared for his life (Homicide Interview).

Graham Analysis continued

Totality of Circumstances:

Officers responded to and engaged in a situation involving a vehicle burglary call where a subject had broken the windows to several vehicles, fled from the scene and into the backyard of a residence where he broke a residential back window. This type of behavior would cause elevated concern in a reasonable officer. Robinet indicates this by stating he was concerned what the suspect, "may do next" during his homicide interview.

- While on scene, STAR advised the officers that Clark was breaking the window of a residence with a tool bar or some type of object. STAR then advised Clark was running south and enters the yard of 7572 29th Street and looking in the window of another vehicle (STAR video).

- Clark fled from officers into a very dark environment after ignoring commands to stop and show his hands by fully uniformed police officers.

- STAR illuminates the backyard somewhat equivalent to daylight conditions up until the moment officers contact Clark and then re-illuminates just prior to the shots (see HF section below).

- In addition to the light flash previously discussed, other bright flashes of light appear between fence slats in the moments prior to the shooting which may have contributed to officers believing Clark was pointing a firearm or firing at them (BWC and scene video).

- Although unknown to the officers at the time, there is significant evidence Clark was suicidal and under the influence of both drugs and alcohol which may have influenced his behavior (see section #5).

- Clark's behavior in presenting an Isosceles shooting stance and closing the distance with officers is the essence of a tense, uncertain, and rapidly evolving situation which required a split-second decision.

  - Robinet described Clark as "having the drop on us" and was surprised Clark had not begun firing (Homicide Interview).

  - Mercadal believed he was being fired upon (Homicide Interview).

- Considering the officer's belief Clark was firing or about to fire on them and based upon my training and experience; retreating or observing from cover is not a viable option in this situation. Suspects can fire as rapidly as officers (~4 rounds a second) and move around cover quickly and easily.

- Officers are not required to cease or desist, nor shall they be deemed an aggressor or lose their rights to self-defense through reasonable force (PC 835a).

- While setting a perimeter may be the best tactical decision in many similar situations, Clark's known and reasonably suspected actions up to this point were erratic. His breaking of a residential window in this context elevated the need to stop his behaviors. Therefore, a two-officer team moving to apprehend Clark is reasonable under the circumstances.

6.3. ***<u>Opinion:</u> Several aspects of human capabilities and limitations as defined under the umbrella of Human Factors science apply to this incident. Ultimately, the application of scientific theory and associated empirical evidence to the number and duration of shots fired provides an***

understanding of those issues and to rounds entering Mr. Clark's side/back.

Decision-making and Response Time (See section #2):

- Human beings often make rapid judgements by matching patterns (system 1). This heuristic process is essential to everyday human function. Outcome behaviors from this process are often correct, but sometimes the pattern match is incorrect and leads to misperception. When little time is available to act, these misperceptions can lead to misaligned behaviors such as a mistake of fact shooting.
  - In context, a suspect in Isosceles shooting stance with a reflective object in hand is a recognizable pattern for a trained police officer. The pattern reasonably matches a threat to life. Any reasonable officer would immediately fear for their lives when confronted with similar behavior by a criminal suspect.
  - In response to strong stimulus-response-compatibility (Isosceles stance), both officers immediately ducked behind cover in avoidant behaviors to a similarly perceived threat. Two separate individuals whose judgements and behaviors are similar in response to the same stimulus adds credibility to the basis for the avoidant response (fear).

Response time to start firing

- Robinet appears to have fully rounded the corner and reasonably had Clark in view at 08:05:05s. He does not begin to fire until 08:07:11 (DOJ enhanced BWC video). This indicates Robinet had an opportunity to view Clark for ~2s before he fired the first round (BWC Videos Combined and Stabilized with Processed Audio; Section 3.5.7 of this report).
  - This is a significantly slower shooting response than the average of .83s firing from a high ready position (.44s to 1.45s).[1] This slowed response could be due to his attempts to confirm Clark's level of threat.
  - Mercadal fired ~2s after Robinet's first round (BWC Videos Combined with Processed Audio). The delay is mostly based on his initially moving to cover.

[1] Officers were in a controlled environment, focused upon the stimulus with an expectation for the start shooting response.

- By the time Mercadal moved out from cover, raised his weapon, and fired; Clark was on his hands and knees (STAR video). The video evidence is inconclusive as to when Mercadal reacquired a visual of Clark. However, time should be allotted to see Clark, raise the weapon and fire. Clark went from a standing to all fours in ~.6s while more-likely-than not presenting in a manner similar to an Isosceles shooting stance with the cell phone in his right hand. Again, raising to fire from a high ready has been recorded to take an average of .83s in laboratory experiments. This simply demonstrates how quickly the environment can change in split-seconds.
- Based on Mercadal's initial observations before, and his confirmation of those observations after he emerged from cover, it is likely his limited attentional resources would then be focused on raising his weapon and locating Clark (prior to firing) and less on analytically processing Clark's current behavior or what he had in his hands at that moment.

Duration of Fire (shot spotter):

- Both officers fired a total of 20 rounds in ~4.5 seconds.
  - Mercadal fired 10 rounds in ~2.1 seconds.
  - Robinet fired his first 5 rounds in ~1.4 seconds and 10 rounds in ~3.7s with a ~.8s delay after the first 5.

Response time to stop firing:

- Robinet stopped firing ~.8 seconds after Clark entered a full prone position, but before Clark ceases all movement (STAR).

- Mercadal stopped firing ~1.5 seconds after Clark entered a prone position and ~.5s after he ceased all movement (legs) (STAR).

  - In several laboratory studies in which officers had pre-existing knowledge of a stop shooting response, officers fired 0-4 rounds after the cessation of a light stimulus with some taking 1.5s to stop.
    - Laboratory conditions were controlled with one stimulus and one response. There was no physiological arousal or aspects of divided attention or decision making related to a real-world event. In all cases officers already knew they were to stop firing (expectancy decreases RT).

- Officers are taught to continue firing until the threat has ceased. In many cases, police train the threat has ended when movement has stopped or after a suspect has entered the prone position. However, when that perception is ultimately realized is variable and no hard and fast rule of science can control for every variable. Several aspects that should be considered as affecting perception & response time:
  - As weapons rise in front of the face, the arms, hands and weapon become obstructions to the field of view. This can impair reaction time to stop shooting.
  - It must be considered at which point an officer in this situation would notice a change downrange while focusing on aligning their weapon and firing (divided/selective attention/tunnel vision). From that point, there must be an allowance to process the information and send a stop signal for a repetitive motor response to cease.
  - In this case, issues with vision adaptation (e.g., night vision), debris causing reflection from lights (e.g., fog-like), physiological arousal, attention, and perception (e.g., tunnel vision) could all have an affect on the ability to perceive and respond to the threat ceasing (See vision section below).
  - Often, observers of participant performance do not believe an object, item, or person assumed to be within the participant's visual field should have been seen. This belief should be viewed considering the videos found in Section 2.4 of this report.

- It should be noted that neither Robinet or Mercadal fired until their magazines were empty which indicates a level of self-control and cognitive assessment. The round count showed Mercadal had 2 rounds in a 12-round magazine and Robinet had 6 rounds in a 17-round magazine.

- **Shot placement:** Research indicates a human body may fall from the standing to the prone in ~1.1 seconds. During that time officers may fire 5-6 rounds (.25s per round). The method in which a body falls to a prone position is unpredictable and can include turning, twisting, and bending at the waist. Officers are trained to "track" an object with their weapons as it moves, and

a body can fall through the gunfire - ensuring that rounds will enter a suspect at unexpected angles.[1]

- Clark moved from a standing position to a prone position in ~1.8s while shots were being fired. This is inclusive of a short period of crawling forward on his hands and knees.
  - The STAR video and final resting place demonstrates that Clark turned his right side to officers and fell forward on his hands and knees while Robinet and Mercadal fired.
  - In the case of the 1.8s start fall to full prone time: Applying a 4 round per second firing rate (with a round fired at the beginning of the fall), it would be expected for Clark to have been struck by 7 - 8 rounds if a single officer stopped firing immediately upon perceiving a prone position (1.8 / .25s = 7.2 rounds).

- As a force options instructor I have witnessed over 100 simulated shootings in a controlled environment. In every case, I "rewind the tape" to see the impact location of laser-based shots. Often the shots are in the side, back, or even the top of the head of the suspect based on their falling movements. Officers rarely stop firing immediately upon a body falling and often fail to see certain important aspects of an event that occur right in front of them. I have conducted several years of force on force training using weapons which fire plastic marking cartridges. Again, I have seen impact locations in the side and back based on the suspects falling movements.

- The Ca. POST ICI Officer Involved Shooting and Force Investigations Course presents a video recorded shooting scenario in which a subject enters a room and opens fire. Two officers return fire and the subject turns while falling to the ground. Most of the rounds (paint cartridge markings) are located on the suspects back.

- I have conducted over 50 in class simulations in which officers use deadly force against a subject exiting a vehicle. The subject, in daylight conditions, clearly points to and then grabs a visible pistol in the driver's door panel pocket. He then quickly reaches up and points it at the officers. I independently interview each officer and have found that most (if not all) accurately describe the shooting motions by the suspect but fail to accurately describe where the gun came from or what type of gun it

[1] This statement is not meant to indicate Clark was not struck with bullets after he was in a prone position.

was. Often the gun is simply described as a black rectangular object pointed at them. It is the context of the situation along with the recognized behaviors of the suspect that elicit a shooting response.

- **Vision:** The multiple and extreme changes in environmental lighting would very likely influence both officer's night vision in a negative way. Visual acuity and contrast sensitivity are essential to visual acuity and can affect response time negatively. Also, any obstructions to the field of view (arms/weapon/environmental) should be considered.

  - STARs high intensity search lamp shined directly at officers prior to entering the backyard of 7572 29th street.
  - A short time after, officers chased Clark from a dark environment to the backyard. STARs search lamp illuminates the area and then extinguished just as officers were contacting Clark. The change in area illumination was extreme (see photos).

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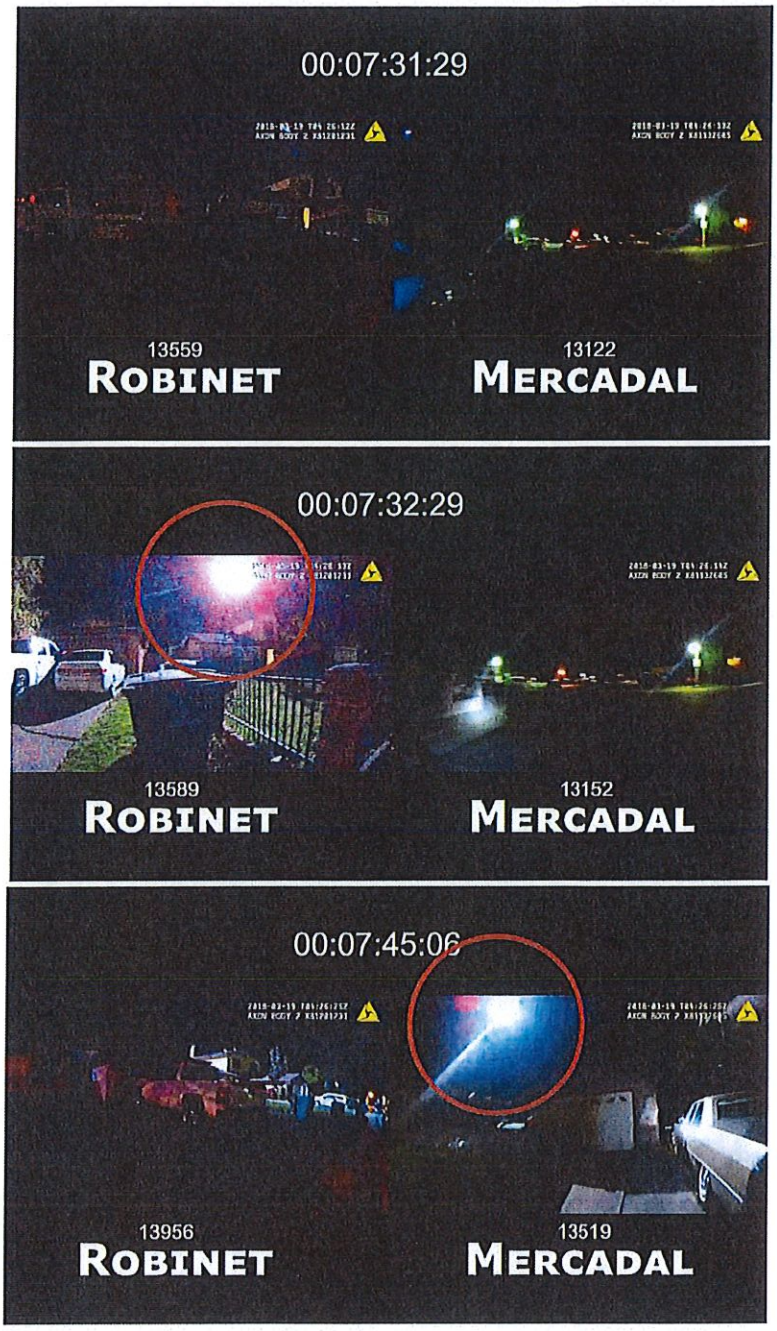
29th Street STAR Search Light (dark to light)



Entering backyard (dark to light)

First contact with Clark (light to dark)

Second contact of Clark (dark to light)

- Officer Robinet's handheld flashlight reflects off the side of the house directly in front of his position. This occurred just prior to shots being fired.

- Mercadal's weapons mounted light turned off and on between each shot.

- Smoke and debris from firearms discharges reflected light from the officer's sources of illumination.

- Clark's prone position was partially obscured due to tall grass.

Note 1: Although each case is unique, mistake of fact shootings in which a subject presents an object in hand while also mimicking a shooting stance have previously occurred around the nation with these recent incidents in California:

- San Diego: A subject presented a vape smoking device at officers in a two handed shooting stance (http://www.trbas.com/media/media/acrobat/2017-01/92306758-10155900.pdf).
- Butte County: A subject presented a pipe at officers in a two handed shooting stance

(https://www.scribd.com/document/393722100/Hendrix-GD-OIS-Preliminary-Finding-Press-Release#from_embed).

Note 2: The United States Court of Appeals, 4th district provides some guidance for evaluating reasonableness in mistake of fact shootings:

> *(Officer) Russell ultimately was mistaken as to the nature and extent of the threat posed by Anderson, which resulted in a tragic consequence to Anderson. Nevertheless, as we stated in Elliott V Leavitt (4th Cir. 1996) 99 F.3d 640, 644, 'the Fourth Amendment does not require omniscience .... Officers need not be absolutely sure ... of the nature of the threat or the suspect's intent to cause them harm --the Constitution does not require that certitude precede the act of self-protection.' ('Also irrelevant is the fact that Crawford was actually unarmed. Anderson did not and could not have known this. The sad truth is that Crawford's actions alone could cause a reasonable officer to fear imminent and serious physical harm.') Anderson's actions unwittingly caused Russell to reasonably fear imminent and serious physical harm.*

The aforementioned findings and opinions are based on my initial review of the listed documents as provided to me at this time. I will alter, amend, enhance, or delete my findings and opinions as necessary following my review of any additional discovery in this case.

Signed David M. Blake Date: February 5th, 2019

David M. Blake, M.Sc.

7. Exhibits

7.1. Shot Spotter Data

Shot	Discharge Time	Latitude	Longitude
1	21:26:48.925	38.482356	-121.472845
2	21:26:49.249	38.482350	-121.472850
3	21:26:49.582	38.482356	-121.472845
4	21:26:49.940	38.482356	-121.472845
5	21:26:50.316	38.482356	-121.472845
6	21:26:51.113	38.482342	-121.472859
7	21:26:51.203	38.482355	-121.472847
8	21:26:51.459	38.482359	-121.472839
9	21:26:51.506	38.482370	-121.472873
10	21:26:51.748	38.482360	-121.472846
11	21:26:51.803	38.482356	-121.472845
12	21:26:52.011	38.482356	-121.472845
13	21:26:52.176	38.482356	-121.472845
14	21:26:52.252	38.482356	-121.472845
15	21:26:52.485	38.482356	-121.472845
16	21:26:52.672	38.482381	-121.472876
17	21:26:52.715	38.482335	-121.472852
18	21:26:52.959	38.482356	-121.472845
19	21:26:53.195	38.482356	-121.472845
20	21:26:53.428	38.482356	-121.472845

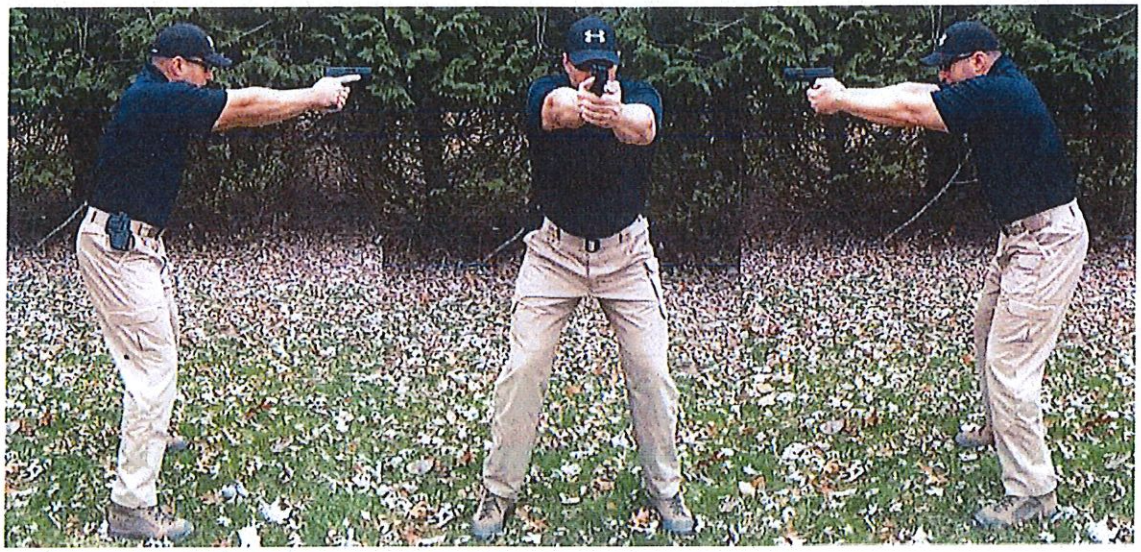
Robinet 1st 5 Rounds

2 Rounds fired almost simultaneously after delay.

Mercadal's last 3 rounds

Table 1 – Shot timeline

7.2. Example of Isosceles Shooting Position[1]



[1] DeCicco, K. (2016, May 3). The 3 shooting stances: Which one's right for you? (PoliceOne.com). Retrieved on December 4th, 2018 from https://www.policeone.com/police-products/firearms/training/articles/7981637-The-3-shooting-stances-Which-ones-right-for-you/

1

Attorney General Becerra Releases Report on Independent Investigation into the Death of Stephon Clark, Finds No Criminal Charges Can Be Sustained

Like 5 Tweet Share

Tuesday, March 5, 2019

Contact: (916) 210-6000, agpressoffice@doj.ca.gov

SACRAMENTO – California Attorney General Xavier Becerra today announced the results of an independent investigation into the shooting death of Stephon Alonzo Clark, finding after thorough consideration of all relevant evidence that no criminal charges against the officers involved in the shooting can be sustained. The investigation began at the request of Sacramento Chief of Police Daniel Hahn on March 26, 2018.

"This loss of life is a tragedy, and it is the kind of tragedy we have endured far too many times across our state and nation," **said Attorney General Becerra.** "After extensively reviewing the record, we found that the evidence did not support filing criminal charges against the officers involved in the shooting. We approached our independent investigation with an open mind, and our decision-making was driven by one factor alone: the evidence. The death of Stephon Alonzo Clark weighs heavily on our community and on our hearts—and it is why we must continue our work with law enforcement agencies in the state to build on best practices and strengthen trust between peace officers and the communities they are sworn to protect."

It is important to note that the scope of this investigation was confined solely to an examination of whether the facts of this case were sufficient to establish, beyond a reasonable doubt, the commission of a criminal offense. The criminal investigation and this report do not evaluate or address any issues relating to potential civil liability, or law enforcement policies or procedures.

The California Department of Justice conducted an extensive investigation into the evidence and facts surrounding the case, as well as a review of information made available by other law enforcement agencies. In addition to independent oversight and review by the California Department of Justice, this matter has also been investigated by both the Sacramento Police Department and the Sacramento District Attorney's Office. The California Department of Justice reviewed all reports and digital evidence related to the shooting, including reports from the Sacramento Police Department, the Sacramento County Sheriff's Department, the Sacramento County Coroner, the Sacramento District Attorney Crime Lab, and the San Diego County Medical Examiner's Office, which provided an independent review of the autopsy.

As part of the California Department of Justice's ongoing work, Attorney General Becerra released the first of two reports on the Sacramento Police Department's use of force-related policies, training, and practices to help identify possible ways to achieve safer outcomes for community members and officers alike. Additionally, last year, the California Department of Justice signed a memorandum of understanding with the San Francisco Police Department to evaluate and report on the Police Department's ongoing reform efforts. In January 2019, the California Department of Justice also entered into an agreement with the Stockton Unified School District and its police department to address system-wide violations of civil and constitutional rights of African-American and Latino students and students with disabilities.

The complete report on the shooting death of Stephon Clark is available here.

###

https://oag.ca.gov/conflict-interest

Report of Attorney General Regarding Criminal Investigation into the Death of Stephon Clark

Introduction

On March 18, 2018, Stephon Clark was shot and killed by Sacramento Police Department officers during an encounter in the vicinity of 29th Street and Ellwood Avenue, in the city of Sacramento. On March 26, 2018, upon the request of Sacramento Chief of Police Daniel Hahn, the California Attorney General agreed to conduct an independent investigation and review of the facts and circumstances surrounding the shooting of Mr. Clark by Sacramento Police Officers Terrence Mercadal and Jared Robinet. As part of that independent review, the Attorney General considered whether the conduct of the officers, under the circumstances, warranted any criminal charges being filed.

This report describes the scope of the investigation that was conducted, provides a summary of the relevant facts and a description of the evidence supporting those facts, sets forth the relevant legal standard, and explains the decision reached regarding whether to pursue criminal charges. The inquiry that is the basis for this report was a narrow one, confined solely to an examination of whether the facts of this case are sufficient to establish, beyond a reasonable doubt, the commission of a criminal offense. The criminal investigation and this report do not evaluate or address law enforcement policies or procedures, nor any issues relating to potential civil liability.

In addition to our office's investigation and review, this matter has also been investigated and reviewed by both the Sacramento Police Department and the Sacramento County District Attorney's Office. The review of evidence and determinations regarding how to proceed based upon that evidence have been independently conducted. The Department of Justice has not discussed or had any input regarding potential charging decisions with the District Attorney's office, and vice versa. However, our investigative efforts have been collaborative. The Sacramento Police Department has been transparent and cooperative in providing access to the evidence it collected, and allowing our agents to participate in various investigative efforts. The Department of Justice has provided the same access to the Sacramento Police Department. This collaboration was done to ensure that both our office and the District Attorney's office had all available information, so that both offices would be in the best possible position to render a fully informed, independent decision.

After a thorough consideration of all relevant evidence and information, the Attorney General concludes that no criminal charges against the officers can be sustained.

Items Considered

Through our investigation and review, the Attorney General's Office examined all reports and digital evidence related to the shooting, including the reports from the Sacramento Police Department (SPD), the Sacramento County Sheriff's Department, the Sacramento County Coroner, the Sacramento District Attorney Crime Lab, the San Diego County Medical

Examiner's Office, and California Department of Justice (DOJ) investigators. The materials reviewed included:

Materials from the SPD

The Attorney General reviewed the entirety of the reports and documents produced or gathered by the Sacramento Police Department, which included interviews with witnesses, on-scene reports, crime scene investigation reports, and forensic lab reports.

The Attorney General also reviewed the digital files collected by the SPD, which included body worn camera recordings, recordings of interviews, and other various reports, photos, and documents.

Materials from the Sacramento County Sheriffs Department

In addition, the Attorney General examined digital information from the Sacramento County Sheriffs Department, including STAR (Sheriff's Tactical Air Resource) helicopter footage and a report from the deputy sheriff who served as an observer in the helicopter.

Materials from Sacramento County Coroner

The Attorney General also received and reviewed the Sacramento County Coroner autopsy report of Stephon Clark, and a consulting pathologist report prepared by Dr. Gregory D. Reiber, M.D.

Additional Information Collected by California Department of Justice (DOJ)

In addition to participating in and reviewing the investigation conducted by the Sacramento Police Department, the Attorney General's office conducted additional investigatory work including additional witness interviews, interviews with SPD of 8 on-scene officers, and witness interviews with family members, and review of cell phone content, all of which was summarized in investigative reports. The DOJ also requested and received an additional coroner's review from the San Diego County Medical Examiner's Office of the Sacramento County Coroner's report of the Stephon Clark autopsy.

Summary of Evidence[1]

On March 18, 2018, Sacramento police officers were dispatched to the area of 29th Street and Ellwood Avenue just before 9:15 p.m., after a neighbor called 911 to report that the windows of three vehicles on the street had been broken into. The neighbor stated that he confronted the male subject, after hearing multiple sounds of a car window being broken. He said he then saw the subject standing right next to one of the damaged vehicles, which belonged to the neighbor. The witness told the dispatcher that the subject fled by hopping over a fence into the sideyard of a nearby residence.

A few minutes later, Officers Mercadal and Robinet responded to the scene and spoke briefly with the neighbor, who confirmed that he thought the subject was still in the yard into which he had seen the subject flee. The neighbor did not know what the subject used to break the vehicle windows but did confirm that the subject appeared to be a male, wearing a hoodie jacket or shirt.

The officers went to the residence pointed out by the neighbor and received permission from the resident to search the backyard. Both officers searched the backyard and were unable to locate the subject. While the officers were searching the backyard, Sacramento County Sheriff's Department helicopter, STAR, responded to the area to assist with locating the subject. Approximately seven minutes later, after the officers had completed their search of the yard, STAR radioed the officers that a male subject wearing a hoodie, later identified as Stephon Clark, was attempting to break a back window of a residence two houses further south from the yard the subject first entered. STAR audio reported seeing the subject at 7570 29th Street, looking into a window, picking up something resembling a tool bar, subsequently breaking the back window, and then running. STAR audio then reported the subject in the backyard at 7572 29th Street, and looking into another vehicle that was parked between the fence and the front yard before heading further south into the backyard at 7572 29th Street, which was later found to be the home of Clark's grandparents. Clark can be seen on the STAR video recording walking towards the front of the driveway and looking into a car window. After STAR alerted Mercadal and Robinet, their body cameras show them running towards 7572 29th Street. Robinet overshot the driveway, but Mercadal slowed and spotted Clark towards the back of the driveway.

Footage filmed by STAR reveals the following crucial sequence of events at 7572 29th Street. Mercadal can be seen looking down the driveway, and Clark can be seen running towards the back and around the back corner of the house and out of Mercadal's line of vision. Mercadal, who had drawn his weapon as he approached the side yard, pursued Clark and ran past the back

[1] The officers' body worn cameras (BWC) were operable throughout the encounter, and they captured both video and audio of the events. In addition, the Sacramento County Sheriff's Department helicopter, STAR, responded to the incident, and made video and audio recordings utilizing STAR's on-board video and audio recording system. In addition, BWC evidence captured by other officers who responded to the scene was reviewed. The events captured on the video portion of the BWCs are at some points grainy and details appear, at some points, less clear. However, together the combined electronic evidence provides a basis for reaching conclusions about much of what appears to have occurred that evening. This combined electronic evidence provides the primary basis for the facts set forth in this report, unless otherwise noted.

corner of the house, and then can be seen immediately ducking back around the corner of the house. By this time, Robinet had also reached the corner of the house, with his weapon drawn, also overshooting the corner of the house and similarly ducking back behind the corner. Clark is next seen walking out from under a covered patio in the backyard and moving towards the officers, with his body close to the back of the house. As the officers peer around the corner of the house, Clark is closer and coming towards them, and the officers almost immediately open fire.

Mercadal's body camera audio recording and footage of the same sequence reveals the following. When Mercadal first spotted Clark he yelled, "Hey. Show me your hands. Stop. Stop." And, when he ran past the back corner of the house and made visual contact with Clark, he again yelled "show me your hands" and "gun" as he jumped back behind the corner, out of Clark's line of sight. Robinet had by this time joined Mercadal at the back of the house. On both officers' body cameras, Clark can be seen standing behind a picnic table and facing the officers. The images of Clark at this point are not clear. His hands are not visibly raised above his head. For a brief instant, the body camera footage shows a flash of light. The audio recording from both officers' body cameras detected a voice saying something immediately prior to the officers looking around the corner of the house the second time. While not of great clarity, the voice sounds like it says "fuck you." In their subsequent statements, neither officer indicated they heard Clark say anything. When Mercadal again peers around the corner of the house, his body camera shows that Clark has come around and advanced past the picnic table towards the officers. The body cameras recorded Mercadal yelling, "show me your hands" and "gun, gun, gun" and captured the sound of the officers opening fire. The officers stopped firing after Clark fell to the ground. They continued to yell "show me your hands" after they stopped shooting as Clark lay on the ground.

The officers' body camera recordings additionally establish that, after they stopped firing, the officers requested emergency personnel and maintained a position behind the corner. The officers are heard saying that they should not approach because neither could see one or both of Clark's hands. The body camera recordings capture the officers asking each other if they had been "hit" and discussing that Clark had come at them, and then each of the officers discusses performing a tactical reload of his weapon, and each performs a reload while the other keeps a gun drawn on Clark. There are additional discussions regarding the position Clark was in as he approached them. At one point, Robinet says, "He was still pointing." Later, Mercadal states, "he's still down, he's not moving, we can't see the gun." When Officer Nicholas Tayler arrives on the scene to provide backup and support, he asks "You have the gun?" and Robinet says "We haven't secured it. We are not moving in until we have more." Mercadal says, "We don't have it, do you see it Jared?" Robinet responds, "No, I don't see it." At one point, Officer Cristina Trujillo, who also arrives on the scene, yells toward Clark, "We need to know if you are okay. We need to get you medics, but we cannot go over to help you unless we know you don't have your weapon." Mercadal says "He came up and then he kind of approached us with his hands out and then fell down." Robinet then says "Yeah he was, he was," as his body camera shows Robinet placing both of his arms in a shooting position. When Sgt. John Morris arrives, he says "What did he have on him?" Robinet responds, "Like this" as his body camera appears to show him extending his arms to resemble a shooting position. Robinet continues, "something in his hands, it looked like a gun from our perspective." The body camera recordings also contain

discussions with backup officers regarding the need for a "body bunker" (i.e., a ballistic shield) before they can safely approach Clark.

The audio and video recordings document that eventually officers approached Clark to take him into custody and render medical aid. As officers approached, Robinet can be heard stating "Oh fuck." The record does not establish why Robinet made this statement. The body camera footage shows that a cell phone is partially visible near Clark's hand as the officers draw near to him. Efforts to resuscitate Clark were unsuccessful, and he was pronounced dead at the scene by paramedics. No gun was found on or around Clark.

The various audio and video recordings establish that the elapsed time between when STAR video first captures Clark jumping over the fence into the yard at 7572 29th Street to the time shots were fired was approximately 90 seconds. The elapsed time between the first time Officer Mercadal commanded Clark to stop and show his hands to the time Mercadel first saw Clark in the backyard was approximately 11 seconds. The elapsed time between Mercadal ducking behind the corner of the house and Mercadal and Robinet looking back around the corner and seeing Clark approaching them was approximately five seconds. The elapsed time the officers fired their weapons was also approximately five seconds.

Investigation at the scene established that the distance from the back corner of the house to the area behind the picnic table where Mercadal first saw Clark was about 31 feet. Clark was approximately 16 feet away from the officers when he was shot. There was an open pathway out of the back yard along the far side of the house closest to the picnic table. There was also a sliding glass door adjacent to the picnic table. There was no other point of entry into the residence along the back of the house as Clark moved toward the officers before he was shot. Each officer fired a total of 10 rounds.

Once the shooting scene was secured, Mercadal and Robinet were released from further duties at the crime scene and their body worn cameras were muted. Several officers approached Robinet and Mercadal while at the scene. These conversations were not fully captured because the officers muted their microphones at various points. SPD detectives and DOJ agents later questioned each of these officers about these conversations. All of the officers reported that they only spoke with Mercadal or Robinet about their overall well-being.

Detectives from SPD began the investigation into the shooting as soon as the scene was secured. Special Agents from DOJ joined the investigation on March 26, 2018. DOJ agents reviewed all previous reports prepared by SPD, and the agents participated in subsequent investigation and interviews with SPD detectives.

Detectives interviewed Mercadal, Robinet, and civilian witnesses, and gathered and reviewed all body camera contents, video contents, and all radio traffic. Detectives also canvassed the neighborhood, obtaining statements from witnesses of the car break-ins, the resident whose house was vandalized, and others including neighbors who were present when the shooting occurred. Detectives and DOJ Special Agents conducted a number of additional canvasses for witnesses. DOJ Special Agents also reviewed all related body camera content, video content, and radio traffic.

Statements of Officers Mercadal and Robinet

Officers Mercadal and Robinet both provided statements to detectives in the early morning hours after the incident. The officers were interviewed individually, and in the presence of counsel. Prior to the interviews, Officer Mercadal was permitted to review his own body camera footage and the body camera footage from Officer Robinet. Officer Robinet was permitted to review his own body camera footage and the body camera footage from Officer Mercadal. Both interviews were recorded and those recordings were reviewed and made part of the investigative file.[2] Both officers recalled meeting with the 911 caller. They also recalled searching the backyard of the first house the subject jumped into after being confronted. Robinet recalled the STAR broadcast indicating that the subject used some sort of bar to break the window at the house next to 7572 29th Street. Mercadal did not recall STAR mentioning the glass being broken, but he did recall the subject being seen in one backyard and then looking at a car in the side yard of 7572 29th Street.

Mercadal stated that, as he pursued Clark into the backyard of 7572 29th Street, when he rounded the back corner of the house and saw Clark, Clark's hands were outstretched in front of his body in a position he characterized as a "shooting" position. Mercadal stated,

> When I come around the corner – the corner of the house – I – I left cover and I look and I see that same subject with his hoodie and sweatshirt pulled up and his arms pointed out extended like this. [Mercadal demonstrates what appears to be a shooting position.] At which time I looked and based on the light coming off of my - my tactical light it appeared I thought that he had already shot at me because I saw what I believed to be a metallic reflection or muzzle flash – something coming at me. So I – I was scared. I thought that he had shot at me.

Describing his second look around the corner of the house, Mercadal said,

> And I poked my head back out around the corner way further than I should've put it out there and I see that the subject is advancing towards us. [Again, Mercadal can be seen extending both of his arms in a shooting position.] And I see that same bright metallic shining of the light in his hands and I thought he had – was approaching and shooting at us . . . I remember kneeling down on my left knee and returning fire because I believed we were being fired upon.

Mercadal also commented on the "huge gap the subject had made." He noted how dark it was and said he never got a good look at Clark's face. He said he never heard Clark say anything.

In his statement, Robinet indicated that he first saw Clark when he initially ran past the back corner of the house. Robinet stated, "As soon as I turned the corner I saw him punched out like that . . . that's a common firing position." He further described, "I could see that there was

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[2] During their interviews, both officers said they recalled that prior to confronting the suspect, he had been described in dispatch calls as a "male black" wearing black clothing, or a black sweatshirt. While the color of his clothing was described, our review of the evidence does not indicate that Clark's ethnicity was described in any dispatcher broadcast. It should be noted that by the time the officers provided statements, they were aware of Clark's ethnicity.

something in the suspect's hands. I wasn't able to make it out. I saw something reflection of what I thought was a metal object in his hand from the reflection of our – out lights." Robinet also said when he looked again, he "[s]aw the suspect still standing in that position. Still punched out at us. I honestly was really surprised that I hadn't heard gunshots yet." Robinet went on to state, "I really felt like that was a gun. His position . . . was something I recognized as a firing position." Robinet states that both times he saw him, Clark appeared to be in a shooting posture. Robinet did not hear Clark say anything and he (Robinet) did not give any commands. He remembers seeing the cell phone as he approached Clark as he lay on the ground.

Forensic Analysis

Detectives performed a forensic examination of the shooting scene. They recovered all of the expended casings and some bullets. The officers' guns and ammunition magazines were also gathered and examined. Each officer fired 10 rounds, though neither had fired all the ammunition in his weapon. Crime scene investigators also examined the damaged cars and the residence next door to 7572 29th Street, where the sliding glass door was broken. A brick was located in one of the damaged vehicles. Detectives also located a cinder block with glass fragments matching the broken sliding glass door outside the residence next door to 7572 29th Street. DNA results linked Clark to the damaged vehicles and the cinder block located at the broken sliding glass door.

Autopsy Report

The Sacramento County Coroner issued an autopsy report listing Clark's death as being caused by the shots fired by the officers. The autopsy revealed that Clark suffered seven distinct gunshot wounds, with wound entries in the front left thigh, the right side of the neck, the right side of the arm, the right side of the chest, and three entries in the back. The results from tests performed on blood samples taken at the autopsy were positive for ethyl alcohol, cocaine metabolite, and opiates.[3] At the request of the Attorney General, the San Diego County Medical Examiner reviewed the autopsy report and supporting documentation provided by the Sacramento County Coroner's Office. The San Diego County Medical Examiner concluded that the Sacramento County Coroner's investigation "was comprehensive, professional, well documented, and correct in its conclusions. No deficiencies are noted."

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[3] Stephon Clark's family obtained an independent autopsy from Dr. Bennet Omalu that highlighted the bullet wound entries that entered Clark's back. It is impossible to know from an examination of the wounds alone whether the frontal or rear entries occurred first. That would have to be determined from all the circumstances, including the body worn camera evidence and, significantly, the STAR video footage. This footage shows the first shots were fired when Clark was approaching and facing the officers, not retreating from them. We do not know if the family's independent pathologist had the benefit of the video footage of the incident, or whether the family's pathologist prepared a written report in addition to the letter he released dated May 2, 2018. DOJ investigators asked the Clark family's attorney for a copy of Dr. Omalu's written autopsy report, but it was not provided.

Clark's Activities Leading up to the Incident

Detectives and Special Agents investigated Clark's movements and interactions during the days immediately prior to the encounter with Sacramento Police in search of evidence that might corroborate Clark's commission of the actions documented on the night of March 18, 2018. Clark's phone was forensically examined and the contents revealed communications between Clark and friends and family via phone calls and text messages, as well as internet searches, which provided investigators with some insight into Clark's whereabouts and activities and possible state of mind prior to the shooting. We did not rely on this evidence in determining whether criminal charges against the officers are warranted because it did not directly bear on the central question of the officers' state of mind since they did not know about it.

Officers' Personnel Files

The Attorney General's office was granted access by the Sacramento Police Department to personnel records for both Officers Mercadal and Robinet pursuant to Penal Code Section 832.7(a). In our review of those files, we discovered no relevant information.

Legal Analysis

When the Attorney General's Office evaluates a case for potential criminal charging, it examines all of the facts and evidence available, and it determines, under the applicable law, whether criminal charges can be proven beyond a reasonable doubt to a jury. The reasonable doubt standard of proof is the highest known in the law, and a jury will be instructed in every case that a juror is to find the defendant not guilty if she has a reasonable doubt as to the proof of any element required for conviction. In cases involving officers discharging their weapons and killing a person, we evaluate the evidence to determine whether homicide related charges are warranted, including murder or manslaughter.

California law allows peace officers to use "reasonable force" to effectuate the arrest of a subject, to prevent escape, or to overcome resistance. (Pen. Code § 835a; see also Pen. Code § 196; CALCRIM No. 507.) Section 835a provides:

> Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape or to overcome resistance. [¶] 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; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance.

Thus, under Penal Code Section 835a, an 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; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance."

In general, for a homicide to be justified, the person who has committed the homicide must have reasonably believed that she or someone else was in imminent danger of being killed or suffering great bodily injury. (CALCRIM No. 505). More specifically, when an officer uses deadly force to counter a perceived attack, the officer must have probable cause to believe that

deadly force is necessary, must also actually believe that deadly force is necessary, and must believe that he or someone else is in imminent danger of death or great bodily injury, under the circumstances. (CALCRIM No. 507.) A police officer is entitled to use reasonable self-defense. It is the reasonable apprehension that one's life is in danger that entitles the use of defense, not necessarily actual danger. (*People v. Jackson* (1965) 233 Cal.App.2d 639, 642, citing *People v. Toledo* (1948) 85 Cal.App.2d 577, 580.) Importantly, it is the prosecution's burden to prove beyond a reasonable doubt that the killing was not justified under all the circumstances. (CALCRIM No. 507.)

Here, the essential question is whether there is a good faith reason to believe, based on all the evidence, that a reasonable jury would discredit the officers' statements that they thought Clark was armed and they feared for their lives, and would instead find beyond a reasonable doubt that the officers acted in a criminally culpable manner. In other words, is there evidence from which a reasonable jury might convict either or both officers of murder or manslaughter? If there is not, we will not bring charges.

Up to the point that the officers were advised that the subject in the hoodie was in the side yard of 7572 29th Street, they had little solid information about what the subject used to break the vehicle windows or the glass of the adjacent residence.[4] When Mercadal actually saw Clark at the side yard, he commanded him to stop and show his hands.[5] Rather than stop, Clark ran away, disappearing deeper into the yard. Consistent with Penal Code section 835a, they pursued Clark.

Our review of the STAR and body camera evidence strongly corroborates the officers' statements that Clark was approaching them when he was shot. Nothing on the video footage indicates that Clark was attempting to surrender. Based on the officers' body camera footage, when the officers ran into the backyard following Clark, they were confronted, upon rounding the corner, with Clark facing them. While not completely clear, the footage is not inconsistent with and does not contradict Officer Mercadal's statement in his interviews that he observed Clark standing with his arms outstretched in what he described as a shooting stance, holding something that was metallic, and from which it looked like light was coming. Robinet described seeing Clark in a similar position. The officers did not fire immediately, but took cover and renewed the command for Clark to show his hands. The footage establishes that Clark advanced toward the officers with his hands still not in the air and not responding to commands to surrender. Under these rapidly evolving circumstances, officers might reasonably perceive that the use of lethal force was necessary to protect themselves or others.

The officers' actions following the shooting tend to support the credibility of their beliefs that Clark was armed. Immediately following Clark falling to the ground, the officers are heard calling to him to show his hands, and they remained behind the corner of the house, rather than approaching Clark, because they cannot see one or both of his hands. In the same vein, the officers each maintained armed surveillance of Clark, while the other officer performed a reload

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[4] The STAR helicopter mentioned some sort of bar to break the house glass, but the objects used to break the windows had not been determined at the time of the police pursuit.

[5] Based on review of Officer Mercadal's body camera, the officer did not advise that he was a police officer; but given that their two patrol units had arrived on the street, and the STAR helicopter was flying above, using its flood light to illuminate the area below, it was reasonable to expect that the command to stop and show hands was coming from an officer.

of his firearm, which would be consistent with a belief that they might need to be ready to respond to any new gunfire. Also, when two officers arrived as backup, Mercadal and Robinet cautioned approaching Clark without some sort of shield or method of protection, further evidencing their actual belief that Clark was armed. They discussed whether or not they were able to see the gun.

The law permits an officer to use the force necessary to neutralize the perceived danger. Both Mercadal and Robinet fired 10 rounds. All of the rounds were fired within an approximate five-second window. In that time-frame, Clark was initially stepping towards the officers, and then he fell to the ground. Here, the STAR video footage shows that the officers stopped firing almost immediately after Clark fell to the ground. Given the rapid sequence of events, the number of rounds does not provide a basis for concluding that the officers' actions were criminal. Similarly, Clark's wounds to the side and back do not suggest any excessive action by the officers, since the STAR video depicts Clark falling forward and twisting to the right, after he is hit.

Of great significance in our evaluation is that we uncovered no evidence in the body camera or STAR recordings, the autopsy, witness interviews, or the crime scene investigation that pointed towards a conclusion that Clark was not approaching the officers when he was shot, or that he was attempting to surrender in any way, or that he was not holding an object—albeit, a cell phone—in his hands.

Conclusion

In sum, we found the most critical evidence to be the following: (1) the officers encountered a rapidly developing situation in which they were pursuing a suspect—Stephon Clark—who had broken the rear sliding glass door of the neighboring residence, and who refused an officer's multiple commands to stop and show his hands; (2) Clark had an object in his hands which we now know to have been a cell phone, and during the encounter the officers repeated spontaneous shouts of "gun"; and (3) at the time of the shooting, Clark had moved from behind the picnic table where he was first seen and advanced to a point within 16 feet from the officers, as established by the STAR video, the body camera footage, and the crime scene measurements.

Under all of these circumstances, and given the applicable law, we conclude that there is a lack of evidence to support criminal charges. Therefore, the Attorney General respectfully declines to file criminal charges in this case.

ECO: First Aid/CPR Update Course
Presenter: Sacramento Police Department

First Aid/CPR Update Course

I. **Class Overview/Administrative Issues**
   A. Administrative issues/registration/safety policy
   B. Instructor introductions
   C. Course description
      1. Time allocations
      2. Course structure
         a. Course requirements for successful completion
            1) Skills demonstrations
            2) Written examination of cognitive skills
               a) Pre-test/post-test written examination

II. **Students Testing of Basic Life Support Skills and Retention of Training Received Prior to April 1, 2017**
   A. Course Pre-requisite
      1. All previously trained students
      2. Completed Basic Course, Learning Domain #34 – First Aid and CPR
      3. And/or recently completed required Continuing Professional Training of First Aid/CPR course
   B. Written Assessment of Basic Life Support (BLS)
   C. Practical Application Assessment will be conducted by oral quizzes and skills observations
   D. Note: BLS cognitive knowledge and manipulative skills will be tested to determine if the students retained the required BLS training. This testing will evaluate all statutory training required prior to EMSA Title 22 standards effective April 1, 2017. Student's deficiencies will be re-trained during portions of the total course. Only identified needs will be addressed during the classroom portion of the training course. The following issues will be assessed and addressed if identified by the testing process:
      1. Identification of peace officers' response as EMS first responders
      2. Infectious disease control and chain of transmission
      3. Personal Protective Equipment
      4. Legal Issues
         a. Identifying conditions under which a peace officer is protected from liability
         b. Agency-established standards

5. Primary victim assessment
6. Secondary victim assessment
7. Obtain a patient history
8. Prioritizing when assessing multiple victims
9. Victim movement
10. Cardiopulmonary Resuscitation (CPR) for:
    a. Adults
    b. Children
    c. Infants
11. Victim airway opening or maintenance
    a. Conscious
    b. Unconscious
12. Rescue breathing
    a. Mouth-to-mouth
    b. Pocket masks
    c. Bag valve mask
13. Bleeding Control Techniques
    a. Direct pressure
    b. Tourniquets, improvised
14. Head, neck, and back Injuries
15. Open and closed injuries to:
    a. Chest
    b. Abdomen
16. Skeletal, bone, and joint injuries
17. Spinal column injuries
18. Fractures/dislocations
19. Splinting techniques
20. First Aid measurements for:
    a. Thermal burns
    b. Chemical burns
    c. Electrical burns
    d. Radiation burns
21. Recognize indicators and first aid measures for victims experiencing:
    a. Cardiac emergency

b. Respiratory emergency
c. Seizure
d. Stroke
e. Diabetic emergencies
f. Poisoning
g. Hypothermia and frostbite
h. Heat-related emergencies
i. Stings and bites

22. Emergency childbirth

III. Updated training will be provided according to the new EMSA regulations, Title 22, Section 100023 established April 1, 2015

IV. Role of Public Safety First Aid Provider Within the EMS System

A. Peace officer responsibilities
   1. Integration with EMS personnel to include active shooter incidents
   2. Scene safety
   3. Address law enforcement threat, then render aid
   4. Activate EMS as needed/render appropriate care
   5. Identification of local EMS and trauma systems

B. Minimum equipment and first aid kits
   1. Department standards
   2. Personal protective equipment
   3. Dressing/bandaging materials for effective control of bleeding

V. Patient Assessment

A. Primary Patient Assessment
   1. Scene safety/PPE
   2. Check responsiveness/tap and shout
   3. Unresponsive
   4. Activate EMS
   5. Check breathing/pulse (No more than 10 seconds)
   6. Responsive
   7. Ensure ABCs adequate/check Levels of Consciousness (LOC)
   8. Determine chief complaint

9. Move toward secondary survey/treatment as needed

B. Secondary patient assessment (conscious patient/safe scene)
   1. Vital signs/general appearance/skin color, temperature, moisture
   2. Level of Consciousness - AVPU acronym
      a. Alert
      b. Verbal
      c. Painful
      d. Unresponsive
   3. Head to toe "hands-on" assessment
   4. Patient history - S A M P L E acronym
      a. Signs/symptoms
      b. Allergies
      c. Medications
      d. Last oral intake
      e. Event leading up to present illness/injury

C. Obtain Patient History

D. Multiple-Victim Assessment – Tactical Casualty Care
   1. Discuss mass causality incidents
   2. Declaration of such by first responders
   3. Necessary when number of victims overwhelms resources
   4. Determine treatment priorities (AKA triage)
   5. Determine what resources should be given to which patient
   6. R P M acronym
      a. Check R respiration > 30<8... immediate care
      b. Check P pulse, capillary refill >2 seconds...immediate care
      c. Check M mentation, doesn't follow simple commands....immediate care
   7. Determine which patients are in most immediate danger and seem salvageable

VI. AED use for Heart Attack/Sudden Cardiac Arrest

A. Follow current American Heart Association (AHA) Guidelines

B. Rescue breathing
   1. Mouth-to-mouth
   2. Mouth-to-mask

3. Bag Valve Mask (BVM)

C. AED
   1. Basic AED operation
   2. Using the AED
   3. Troubleshooting and other considerations

D. Care for Heart Attack
   1. Activate EMS
   2. Obtain A.E.D. for early defibrillation
   3. Position of comfort/assist with nitro as prescribed
   4. Treat for shock

E. Sudden Cardiac Arrest
   1. Signs/symptoms
   2. Activate EMS
   3. Obtain A.E.D. for early defibrillation
   4. Begin CPR
   5. Support chain of survival

F. CPR (Cardiopulmonary Resuscitation) Coordinated with AED
   1. Adult rescue breathing/CPR
      a. Rescue breathing, 1 breath each 5 seconds (with CPR mask)
      b. CPR 30 compression, 2 breaths (one- and two-rescuer)
      c. Depth 2-2.4 inches
      d. Rate 100-120 compressions/minute (heel of two hands)
   2. Child Rescue Breathing/CPR
      a. Rescue breathing, 1 breath each 3 seconds (with CPR mask)
      b. CPR 30 compressions, 2 breaths (one rescuer)
      c. CPR 15 compressions, 2 breaths (two rescuer)
      d. Depth about 2 inches (heel of one or two hands)
      e. Rate 100-120 compressions/minute
   3. Infant Rescue Breathing /CPR
      a. Rescue breathing 1 "puff" each 3 seconds (with CPR mask)
      b. CPR 30 compressions 2 "puffs" of air (one rescuer)
      c. Tips of two fingers with below nipple line
      d. Depth about ½ to 1 inch
      e. CPR 15 compressions 2 "puffs" of air (two rescuer)

G. Recovery Position

VII. Medical Emergencies

A. Respiratory Emergencies
   1. Breathing difficulties
   2. COPD patients
      a. Asthma, acute loss of airway
      b. Assist with prescribed inhaler
      c. Monitor ABCs treat for shock

B. Allergic Reaction (Anaphylaxis)
   1. Assist with prescribed auto-inject epinephrine
   2. Monitor ABCs, treat for shock

C. Altered Mental Status - Identify Signs and Symptoms of Psychological Emergencies
   1. Crying/extreme withdrawal from outside contact
   2. Agitated or aggressive behavior
   3. Unusual outbursts or disoriented statements
   4. Behavior inconsistent with normal behavior/demeanor
   5. Paranoia
   6. Delusions/hallucinations

D. Diabetic Emergencies
   1. Insulin shock vs. diabetic coma
   2. Signs/symptoms
   3. Give the victim oral glucose substances
   4. Monitor ABCs, treat for shock

E. Alcohol and Drug Emergencies
   1. Assisted naloxone
   2. Administration vs. assisted
      a. Administration can only be authorized by LEMSA
      b. See additional information in Section XII
   3. Accessing EMS
   4. LEMSA authority and directions

F. Facial Injuries
   1. Objects in the eye
   2. Impaled objects

a. Immobilize with bulky dressing
b. Cover both eyes

3. Lacerations/abrasions of eye
    a. Cover eye
    b. Minimize eye movement
4. Chemical in the eye
    a. Flush with water 15-20 minutes
    b. Seek medical evaluation
5. Nosebleeds
    a. Pressure to bridge of nose/lean patient forward/manage airway
6. Dental emergencies
    a. Avulsed or displaced tooth
    b. Place in sterile water, milk, or victim's saliva/transport with victim

VIII. Environmental Emergencies

A. Drowning
    1. Move victim safely onto land
    2. Assess victim
    3. Treat with rescue breathing/CPR as needed

B. Animal/human bites
    1. Control bleeding
    2. Cleanse wound
    3. Clean dressing

C. Venomous snake bites
    1. Calm victim
    2. Immobilize injury site
    3. Keep lower than heart
    4. Seek medical care

D. Insect Bites and Stings (Bee, etc.)
    1. Concern for anaphylaxis
    2. Loss of airway
    3. Assist with prescribed auto-inject epinephrine

E. Poisoning
    1. Recognition of exposure to CBRN agents
    2. Scene safety - assessing patient

3. Determine source of poison
4. Poison control system notification and advice

IX. Patient Movement

A. Emergency Movement
B. Move Only When Necessary (Imminent Danger, Treatment Assessment, etc.)
C. Spinal Immobilization Techniques
    1. C-collar is now contraindicated in 2015 guidelines
D. General Guidelines
    1. Plan ahead
    2. Reassure victim
    3. Victim stability
E. Lifts and Carries, Including:
    1. Shoulder drag
    2. Soft litters
    3. Manual extractions
    4. Fore/aft carry – AKA trunk-leg carry
    5. Side-by-side carries – AKA two-handed seat
    6. Shoulder belt
F. Additional considerations discussed in active shooter situations

X. Tactical and Rescue First Aid Principles Applied to Violent Circumstances

A. Principles of Tactical Emergency Casualty Care
B. Determining Treatment Priorities

XI. Trauma Emergencies

A. Amputations
    1. Concern for bleeding control (tourniquet)
    2. Pack amputated part in clean dressing and keep cool
    3. Transport amputated part with victim
B. Chest Injuries – Closed-Chest Injury
    1. Assessment
        a. May have fractures
        b. Flail segment

c. Compromised breathing

2. Treatment
    a. Place victim on injured side, or provide support to flail segment
    b. Monitor ABCs
    c. Treat for shock

C. Chest Trauma – Open or Penetrating Chest Injury
    1. Assessment
        a. Open or penetrating chest injuries
        b. May be "sucking chest wound"
    2. Treatment
        a. Application of chest seal(s) over puncture/penetration
            1) Visualize wound site
            2) Clean area
            3) Apply seal
            4) Check respirations
    3. Place on injured side
    4. Monitor ABCs
    5. Treat for shock

D. Abdominal Injuries
    1. Closed - signs/symptoms, concern for internal bleeding, organ damage
    2. Open - control bleeding with pressure
    3. Eviscerations
        a. Exposed abdominal contents/organs
        b. Apply moist sterile dressing
        c. Cover with airtight bandage
    4. Monitor ABCs
    5. Treat for shock

E. Bleeding Control
    1. Direct pressure over injury to soft tissue (use PPE)
    2. Pressure dressing and bandage
    3. Tourniquet device
        a. Including different commercially available or improvised devices
    4. Hemostatic dressing (wound packing)
        a. Approved dressing

b. Different types of dressings

5. Chest seals and dressing

F. CPR (See Section VI, above)

1. BLS CPR continues to provide effective rescue breathing and compressions
2. EMSA 2105 added applying Automated External Defibrillator (AED) operation
3. Goal to deliver high-quality CPR

XII. Local Emergency Medical Service Authority

A. State of California EMSA vs. Local EMSA (AKA LEMSA)

B. Authority of State to Establish Statewide Minimums

C. Authority of LEMSA

1. CA LEMSA areas of responsibility and authority
2. Authorized to set local optional skills standards and authorize peace officers

D. Title 22, Section 100019 – Optional skills requested by agency head

E. Medical Director of the Local EMS Agency (LEMSA)

1. Sets training standards
2. Approves applications

F. Optional Skills include:

1. Administration of epinephrine by auto-injector
2. Supplemental oxygen therapy
3. Administration of atropine and pralidoxime chloride
4. Administration of naloxone
5. Use of oropharyngeal and nasopharyngeal airways

XIII. Exercise Tests and Learning Activities

A. Students will demonstrate competency, as directed by the instructors, in the following Skills Expertise Test Form, which minimally meets current American Heart Association standards:

1. Assesses victim
2. Activates emergency response system
3. Checks for pulse
4. Delivery of high-quality CPR
5. Provides effective breaths

6. Automated External Defibrillator (AED) operation

B. Students will participate in learning activities, as directed by the instructor, which minimally include:
    1. Primary victim assessment
    2. Techniques for controlling bleeding
    3. Treatment for shock
    4. Use of Personal Protective Equipment (PPE)
    5. Victim emergency movement

XIV. Course Closing

A. Complete Final Questions-and-Answers Discussion
B. Administer Post-test
C. Collect Course Evaluation Forms
D. Distribute Certificates of Completion

This Expand Course Outline document is founded on California Emergency Medical Services Authority (EMSA) revised California Code of Regulations, Division 9, Title 22, Chapter 1.5 First Aid Standards for Public Safety Personnel effective April 1, 2015: CA POST Bulletin 2015-31; the referenced "Required Minimum Content for POST-certified First Aid/CPR Update #21798; the POST Basic Course Training and Testing Specifications for Learning Domain #34 – First Aid and CPR dated February 1, 2017; plus reference materials contained in the unpublished DRAFT Basic Course Workbook Series, Student Materials, Learning Domain 34, First Aid, CPR, and AED, Version 6.0, Revised February 2017.

The combined materials was created by Training Alliance for Public Safety, Inc. (TAPS). Copyrights established by TAPS are released to graduates of the First Aid/CPR Instructor Transition Course (1179-21799).

Crisis Intervention Behav Health Training SB11

I. INTRODUCTION/ORIENTATION

A. Registration and orientation
B. Course Objectives
C. Overview
D. Safety
E. Testing

II. STIGMA (A/B/I) IV-Tactical (d)

A. Provide context for stigma and the role it plays in mental illness, intellectual disabilities, and substance use disorders;

1. The meaning of stigma – a mark of disgrace or shame associated with a particular circumstance, quality, or person
2. The consequences of stigmatization – social isolation, fear, violence, mistrust, prejudice and discrimination, barriers to communication
3. People are not at fault for these disorders. Experienced on a continuum from low severity to high severity. Not always in crisis.

B. Compare and contrast the way different cultures treat mental illness, intellectual disabilities, and substance use disorders in the areas of;

1. Stigmatization
2. The social impact on families and individuals
3. Barriers to seeking help and participating in treatment

Learning Activity

III. MENTAL ILLNESS/INTELLECTUAL DISABILITIES/SUBSTANCE USE DISORDERS – CAUSE / NATURE / INDICATORS (C/D/G) IV-Tactical (a)

Note: Information utilized for this learning objective will be derived from the Diagnostic and Statistics Manual of Mental Disorders, 4th Edition (DSM-IV).

A. Mental Illness

1. Describe the cause and nature
2. Identify Indicators
3. Discuss and develop appropriate language and rapport building strategies

B. Intellectual Disabilities

1. Describe the cause and nature
2. Identify indicators
3. Discuss and develop appropriate language and rapport building strategies

C. Substance Use Disorders

1. Identify indicators
2. Discuss and develop appropriate language and rapport building strategies

Learning Activity

IV. TACTICAL COMMUNICATION; OFFICER SAFETY, DE-ESCALATION, AND CONFLICT RESOLUTION
(E/F) IV Tactical (a/b/d/e/f/g/h)

A. Tactical Response – Officer Safety/Public Safety/Safety of Person in Crisis

1. Assess individual's mental, physical, and emotional state
2. Stabilize and secure the scene
3. Minimize factors that create exigency or unnecessary excitation
4. Gather intelligence and information (sources)
5. Establish a plan (teamwork)
6. Gather resources
7. Be prepared for potential violence

B. De-escalation and Conflict Resolution

1. Building rapport and communication

    a. Approach and introduction
    b. Physical elements
    c. Language
    d. Active listening
    e. Managing dialogue
    f. Empathy/Respect

2. Questioning techniques

    a. Learning and fact finding (open/probing questions)
    b. Managing/coaching (leading/rhetorical questions)
    c. Relationship building (ask for opinion/feedback)
    d. De-fusing (questions to determine something you can give them a choice or control over)
    e. Complex vs. simple questions

3. Persuasive skills to elicit cooperation

    a. Persuasion is not manipulation

b. Person must be responsive to persuasion
c. Reciprocity is compelling
d. Be persistent
e. Compliment/Encourage (truthfully)
f. Clarify your expectations
g. Describe a positive future
h. Tell the truth
i. Build rapport
j. Stay calm and confident

4. De-escalation and re-escalation; utilizing time and patience

Learning Activities

V. RESOURCES **(H)**

Prior to course, instructor is required to develop a list of local resources and contacts for individuals and families with mental illness, intellectual disabilities, and substance use disorders to provide to students. Additional resources may be added at student's suggestion.

A. Community Resources

1. Hospitals
2. Clinics and treatment facilities
3. Service organizations
4. Support programs
5. Living facilities

B. Community partnerships and problem solving

1. Build networks and collaborations
2. Identify resources and service capability
3. Involve agencies/organizations in problem solving efforts
4. Develop contacts with local advocates

C. Other Resources

1. Advocacy organizations
2. Hotlines
3. Informational Websites
4. Government agencies

Optional: Video

Play Scenario 6 *Resources* from the CA Commission on POST Mental Health Update video

VI. REVIEW AND EVALUATIONS

Crisis Intervention Training

Expanded Course Outline

(Variable 8 and 24 hour formats)

24 hour format

Purpose:

The purpose of the this 24 hour training course is to provide public safety personnel with the knowledge and skill to identify signs and symptoms of mental illness, skills to assess and manage an individual's risk for suicide, effective communication strategies, distinguish the fundamental difference between a suicide and "Suicide by Cop", identify and apply key components of the 5150 process, including procedures after a commitment, as well as relevant case law to write a police report, develop a better understanding of the officer's role, examine officer safety and tactical considerations to improve the effectiveness of field contacts with mentally ill persons, to understand the importance of self-care and identifying signs and symptoms of Post-Traumatic Stress Disorder (PTSD). Personnel will identify roadblocks to self-care to provide support to peers and effective treatment options. Students will also develop an understanding of treatment options for referral to assist mental health consumers and their families in seeking appropriate treatment.

Personnel completing this course may be assigned to work with Sacramento County Mental Health workers in a co-response situation.

Objectives:

Upon completion of the training the participants will be able to:
(a) Identify signs and symptoms of mental illness.
(b) Apply appropriate terminology as it relates to the various categories of mental illness.
(c) Recognize individual's that exhibit mentally impaired behavior through the evaluation and examination of case studies.
(d) Assess whether the behavior is criminal or mentally ill and what steps to take.
(e) Evaluate an individual's risk for suicide.
(f) Understand the dynamics associated with a suicide and "Suicide by Cop".
(g) Identify the various types of psychiatric medications and their usages.
(h) Identify effective communication and interaction techniques that result in a beneficial outcome.
(i) Apply relevant case law to build and articulate a 5150 case in a police report.
(j) Evaluate and assess officer safety considerations.
(k) Identify signs and symptoms of Post-Traumatic Stress Disorder (PTSD).
(1) Develop effective coping strategies to promote and sustain self-care.

Outline:

Day 1

I. Introduction to CIT

a. Why are you here?
b. Course expectations
c. Learning objectives

II. Statistical Information and Case Studies

a. Statistical information and case studies
    i. Glenn v. Washington County
    ii. Deorle v. Rutherford
    iii. Jeremiah Chass (Sonoma County)
b. Officer Safety/stress/wellness

III. Mental Illness

a. Depression
    i. Description and Overview
    ii. Major/minor depression
    iii. Types of Mood Disorders
    iv. Treatment Options
    v. Risk Factors for Law Enforcement Field Contacts
b. Schizophrenia
    i. Description and Overview
    ii. Positive Symptoms
    iii. Negative Symptoms
    iv. Treatments
    v. Epidemiology and Prevalence
    vi. Risk Factors for Law Enforcement Field Contacts
c. Bi-Polar Disorder
    i. Description and Overview
    ii. Manic Symptoms
    iii. Depressive Symptoms
    iv. Treatment Options
    v. Medication Compliance
    vi. Risk Factors for Law Enforcement Field Contacts
d. Personality Disorders
    i. Types
        1. Borderline
        2. Anti-social Personality
        3. Narcissist
    ii. Treatment Options
    iii. Risk Factors for Law Enforcement Field Contacts
e. Psychiatric Medications
    i. Anti-Depressant Medications
    ii. Anti-Psychotic Medications
    iii. Anti-Anxiety Medications
    iv. Mood Stabilizing Medications
f. Co-occurring Disorders
    i. Dual Diagnosis
        1. Multiple illnesses, or with substance abuse
    ii. Substance Abuse
        1. Effects of alcohol on psychiatric medications
g. Developmental disabilities
    i. Autism
    ii. Intellectual disability
    iii. Epilepsy
    iv. Cerebral Palsy

h. Cognitive Disabilities
    i. Alzheimer's
    ii. Dementia
    iii. Aged

IV. Class discussion and conclusion
a. Difficult experiences with the mental health system
    i. Potential solutions
    ii. Contacts for resolving issues
b. Identify and resolve requests for additional information

Day 2

V. Officer Safety/ Law Enforcement Stress
a. Tactical Considerations before arrival
    i. Location
    ii. Weapons
    iii. Distance
b. Rapid Assessment techniques
    i. Non-Compliance
    ii. Red flags
c. Tactical Considerations upon arrival and during contact
    i. Distance
    ii. Command structure
    iii. Responsibility
d. General and specific strategies
    i. Hallucinations
    ii. Paranoia
    iii. Overcoming resistance to accept help
e. Review of videos and class discussion on tactic used or not used
    i. Scenario based videos
f. Critical incidents
    i. Perceived threat/ trauma
        1. Your body's reaction
        2. The meaning you attribute to an event
        3. What else is happening in your life
    ii. Types of critical incidents
        1. List of typical stressful events
    iii. Your Body's reaction to stress
        1. Autonomic Nervous system
        2. Normal physical and psychological responses
    iv. Coping mechanisms
        1. Maladaptive
            a. Hyper-activity
            b. Counter phobic behavior
            c. Impulsive and reckless behavior w/o thought
        2. Appropriate
            a. Exercise
            b. Counseling
            c. Peer Support
            d. Medication

e. Family/spiritual contact

g. PTSD
   i. An example of a mental illness
      1. Video of officer involved shooting
      2. The brain, emotion and stress

VI. De-Escalation Techniques

a. T.A.C.T
   i. Tone (Your actions/demeanor)
   ii. Atmosphere (consider your surroundings)
   iii. Communication (Can you see/hear me, can you comply)
   iv. Time (Do not rush. Slow interaction down)

b. Critical Incident negotiations and tactics
   i. Behavioral Change Stairway Model
      1. Active listening skills
      2. Empathy
      3. Rapport
      4. Influence
      5. Behavior Change

c. Recognizing "normal" abnormal behaviors
   i. Reduce distractions
   ii. Communicate with family members

d. Diffuse- don't force compliance unless necessary
   i. Give choices to minimize the feeling of loss of control
   ii. Rapid assessment
   iii. Have alternate force options available

e. Tactical retreat is an option

f. Tactical Considerations During Contact:
   i. Maintain your distance
   ii. Use appropriate demeanor and body stance
   iii. If possible, be non-threatening, yet firm
   iv. Listen and observe -limit your talking until it's appropriate
   v. Show respect and empathy
   vi. Convey genuine concern
   vii. Pay attention to objects the subject is fixated on and see if they can be used to your advantage
   viii. Avoid reacting to verbal attacks
   ix. No time for contempt of cop
   x. Slow things down- use time as your ally
   xi. Never laugh at or ridicule the subject

VII. Suicide by Cop

a. Suicide by Cop
   i. Suicide method involving deliberate act to provoke police shooting
      1. Victim-precipitated Homicide
   ii. Definitions
      1. Terminology
      2. Incident dynamics
      3. Demographics
   iii. Statistics
   iv. Incident Dynamics

1. Fleeing felons
2. Opportunists
3. Prior suicidal intent with SBC plan

v. Effects on involved parties
1. On peace officer, family, department
2. Decedent's family, friends
3. Community

vi. Prevention

vii. Officer Safety

VIII. PTSD

a. Prevalence within the general population and law enforcement

b. Discussion of the newest update to the PTSD diagnosis. Each symptom will be discussed and the instructor will point out how it presents in law enforcement members.

c. Treatment – a discussion of the most widely accepted PTSD treatment practices.
i. Medications
ii. Therapy
1. Cognitive Behavioral
2. Exposure therapy
3. Eye Movement Desensitization and Reprocessing (EMDR)

d. Anxiety disorder
1. Response to critical incident/threat to safety
2. Symptoms usually begin soon after the traumatic event, but they may not appear until months or years later.
a. Lasts longer than 4 weeks
b. Causes great distress
c. Interfere with work or home life

e. PTSD = Failure of Recovery

f. Many people with PTSD get better over time, but for some, it is a chronic condition that does not improve.

IX. Officer Self Care

This block of instruction will include a discussion about the difference between stress and distress, common pitfalls for responders and ways to remain psychologically healthy.

i. Stress vs. distress

ii. Definitions and examples

iii. Stress categories
1. Acute
2. Chronic
3. Cumulative

iv. Roadblocks to treatment
1. Myth of Uniqueness
2. Curse of Omnipotence
3. Incident Envy

v. Effects of stress on families
1. Deferred aggression
2. Working too many hours
3. Relationship issues

vi. Strategies to stay psychologically healthy

Day 3

X. Suicide Assessment & Managing Incidents

a. Understand "suicidal desire" and how that affects lethality
   i. Ideation
   ii. Psychological Pain
   iii. Hopelessness
   iv. Helplessness
   v. Perceived Burden on others
   vi. Feeling trapped
   vii. Feeling alone
b. Evaluate specific factors of "suicidal capability" in terms of immediate lethality
   i. Suicide attempt history
   ii. Exposure of another's suicide
   iii. History of violence to others
   iv. Means available
   v. Currently intoxicated/using drugs
   vi. Increased anxiety
   vii. Recent acts/threats of aggression
   viii. Sleep reduction
   ix. Out of touch with reality
   x. Recent dramatic mood change
c. Evaluate effectively "suicidal intent."
   i. Attempt in progress
   ii. Plan for Suicide
   iii. Preparatory behavior
   iv. Expressed intent to die
d. Recognize buffers against suicide and learn how to utilize them for suicide intervention
   i. immediate supports
   ii. social supports
   iii. future plans
   iv. engagement with helper
   v. ambivalence for living
   vi. core values
   vii. sense of purpose

XI. Domestic Terrorism and Mental Illness

a. Paranoia toward government
   i. Belief of Conspiracy
   ii. Violent act seen as only way
   iii. Exploited by terrorist organizations
b. Sources of "confirming" documentation
   i. Internet
   ii. Extremist groups
   iii. Religiosity in psychotic episodes
c. Statistics
   i. Fusion Center- 79% of mass shootings since 2011 attributable to history of mental illness
d. Case examples

i. Adam Lanza- Newtown school shooting
ii. James Holmes- Aurora, Colorado theater Shooting
    1. Prior Tarasoft warning from Psychiatrist
    2. Claim of psychotic episode during shooting
iii. Aaron Alexis- Navy Shipyard Shooting
    1. Hearing voices, prior violent outbursts
iv. Seung-Hui Cho – Virginia Tech Shooting

XII. Communication and Active Listening

a. Why it's important
    i. Gather information to best approach the subject
    ii. Feeling "heard" may make the subject more receptive to treatment
b. Active Listening techniques
    i. Encouraging
    ii. Restating
    iii. Reflecting
    iv. Summarizing
c. Nonverbal Behaviors

XIII. Commitment process and LPS

i. The Lanterman-Petris-Short ACT (LPS) of 1969
ii. Who has 5150 authority
    1. Detention authority vs. Confinement
iii. Criteria for 72-bour hold
    1. Danger to self
    2. Danger to others
    3. Gravely disability
iv. Field Assessment for the peace officer
v. Transfers from one facility to another

XIV. Writing Better 5150s

a. "To end the inappropriate, indefinite, and involuntary commitment of mentally disordered persons ... "5001 (a)
    i. Probable Cause standard
    ii. Imminent danger due to mental condition
b. Patient's rights
    i. Advisement
        1. 72 hours
c. Proper Documentation on the 5150 form
        1. Space limitations and information needed for treatment

XV. National Alliance on Mental Illness (NAMI) Informational Session/Panel discussion

a. Discussion with mental health consumers
    i. Encounters with Law Enforcement from their perspective
b. Discussion with family members of mental health consumers
    i. Strategies to support family members
    ii. Referral ideas for difficult cases (adult children, etc.)

XVI. Treatment Options in Sac County

a. Outpatient

i. County Provided Services
ii. Contracted Services
iii. Private Service

b. Locked facilities
i. Emergency rooms
ii. SCMCH
iii. Alta Vista Regional Center

c. Mental Health Court
i. Voluntary program

d. Community Agencies
i. NAMI
ii. Telephone lines
iii. Respite care

XVII. Veteran Issues

a. Common issues affecting returning veterans
i. PTSD
ii. Traumatic Brain Injury

b. VA services and referrals
i. Peer Support
ii. Counseling

c. Techniques to build rapport
i. Giving choices
ii. Sense of control
1. Maintain officer safety

XVIII. Community Resources

a. Invited treatment providers
i. Display of pamphlets and cards
ii. Opportunity for students to discuss services with provider representatives

XIX. Conclusion and evaluation

Law Enforcement Tactical Life Saver Course

International School of Tactical Medicine

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Expanded Course Outline

Section 1. Introduction to Tactical Life Saver

A. Purpose & Concepts

1. Purpose of the Tactical Life Saver Course
2. Tactical Life Saver skills
3. Scope of practice
4. Scene safety and situational awareness
5. Point of wounding care
6. Tactical field care
7. Injuries common to law enforcement
8. Self assessment for wounds
9. Personal medical kit components
10. Lessons learned

Section 2. Tactical Casualty Care

A. Assessment and Intervention

1. Situation assessment
2. Patient prioritization
3. Cover & concealment
4. Victim extrication
5. The point of relative safety
6. Airway management
7. C-Spine considerations
8. Field assessment & hemorrhage control
9. Shock recognition & management
10. Provisions for evacuation & transport

Section 3. Penetrating Trauma

A. Kinematics of Wounding

1. Bullet types
2. Temporary & permanent cavity
3. High and low velocity injuries
4. Shotgun injuries
5. Brain injuries
6. Spine injuries
7. Chest injuries
8. Abdomen injuries
9. Extremity injuries
10. Gunshot wound myths

Section 4. Bleeding Control & Tourniquets

A. Product identification and design

1. First generation tourniquets
2. Second generation tourniquets
3. Third generation tourniquets
4. Pressure bar tourniquets
5. Mechanical advantage tourniquets
6. Emergency bandage designs
7. Hemostatic agent design
8. Hemostatic agent variations
9. Chest Seal variants
10. Bleeding disorders

Section 5. Rescue & Extrication Techniques

A. Casualty handling methods

1. Types of litters
2. Improvised litters
3. Capabilities and limitations
4. Manual carries
5. Casualty positioning
6. One man
7. Two man
8. Pistol belt drag
9. Shoulder carry
10. Special evacuation techniques

Section 6. TLS Tools of the Trade

A. Components of a Casualty Response Kit

1. Carry method
2. Bandages
3. Chest Seals
4. Compression dressings
5. Tourniquets
6. Burn dressings
7. Hemostatic agents
8. Illumination tools
9. Airway adjuncts
10. Optional equipment

Section 7. **Airway and Bleeding Control Workshop**

A Concepts & Principals of Airway & Hemorrhage Control

1. Oxygen Administration
2. Bag valve mask techniques
3. Nasopharyngeal Airway
4. Chest Seal application
5. Hemorrhage control techniques
6 Hemostatic agents
7. Tourniquet application
8. Pressure bandage
9. Elastic tourniquets
10. Monitoring techniques

Section 8. **TLS Scenarios**

Section 9. **Written Exam**
25 questions multiple choice

Assessment and Treatment Guidelines

Tactical Casualty Care during law-enforcement special operations is performed in three phases.

The first is: **Situational Awareness and Scene Safety;**
The second is: **Assessment, Evaluation and Field Care.**
The third is: **Extraction, Evacuation and Transport.**

In the first phase, you are about to enter a tactical environment and a possible crime scene. Your safety is paramount and the possibility still exists that you or other officers at some point may come under hostile fire. The tactical medic must at all time be fully aware of the surroundings and any potential threats. The likelihood of having to draw your weapon and engage a suspect with deadly force is possible but extremely unlikely.

In the second phase, you and your victim/s are considered relatively safe, and you will be able to provide emergency medical care based on your scope of practice, level of training and equipment carried with you. Begin to formulate extraction decisions as you evaluate and treat the victim. Inform your tactical team leader of your clinical findings and when you plan to extract the victim.

In the third and final phase, the victim/s are extracted from the scene and evacuated to the location of the appropriate method of transportation for delivery to a medical treatment facility capable of treating the injury. Transporting the victim to the nearest hospital may or may not be in best interest of emergency care. Trauma is a surgical disease and is treated in the operating room not in the emergency department. Make every attempt to transport the patient with penetrating trauma to an appropriate hospital with trauma services. Try and achieve the platinum half hour.

1. SITUATIONAL AWARENESS and SCENE SAFETY

- Determine if your surrounding are free of immediate life threatening concerns.
- Do not attempt to provide first aid if your own life is in imminent danger.
- If a spine Injury is suspected, do not move the victim unless to preserve life. In law enforcement tactical situations, penetrating trauma is by far the greatest fear. Penetrating trauma is the most likely threat to the victim's life by causing massive hemorrhage.
- In a tactical situation, if you find a victim with no signs of life (no pulse, not breathing) Do not attempt to secure or restore the airway. Do not continue first aid measures.
- Universal Precautions for body substance isolation and medic safety using personal protective equipment is essential.

A. Situational awareness before providing medical treatment.

B. Determine if the victim has signs of life.

C. Provide necessary emergency medical care.

1. Defend yourself and your patient if necessary.

2. Use appropriate hard cover or concealment if possible.

3. Consider self-aid to stop hemorrhage, if possible. If the victim is unable to move and you are unable to move the victim to hard cover and the victim remains under the threat of direct fire, tell the victim to try not to move and "play dead". This may confuse and misdirect the shooters field of fire.

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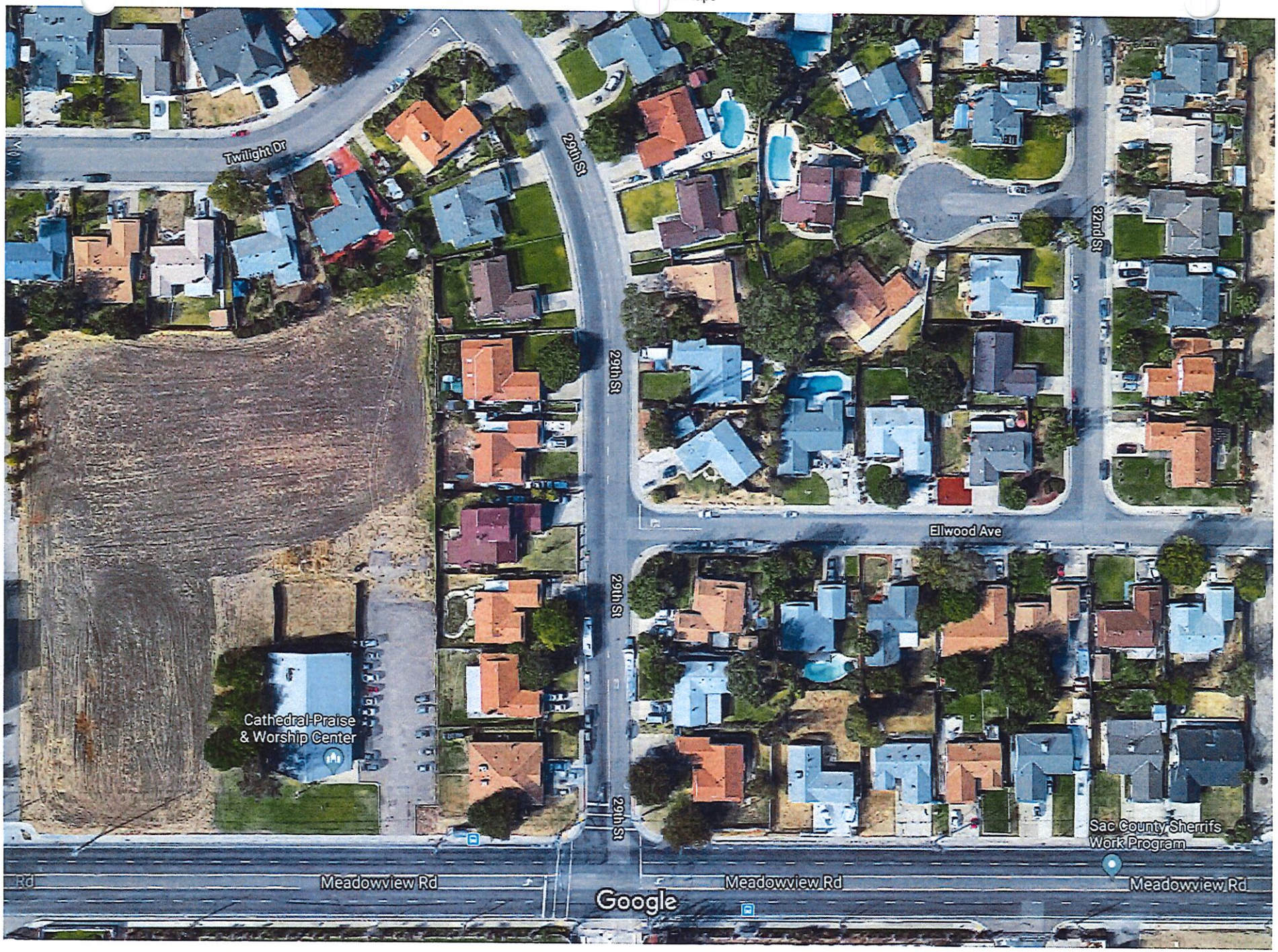
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& Worship Center
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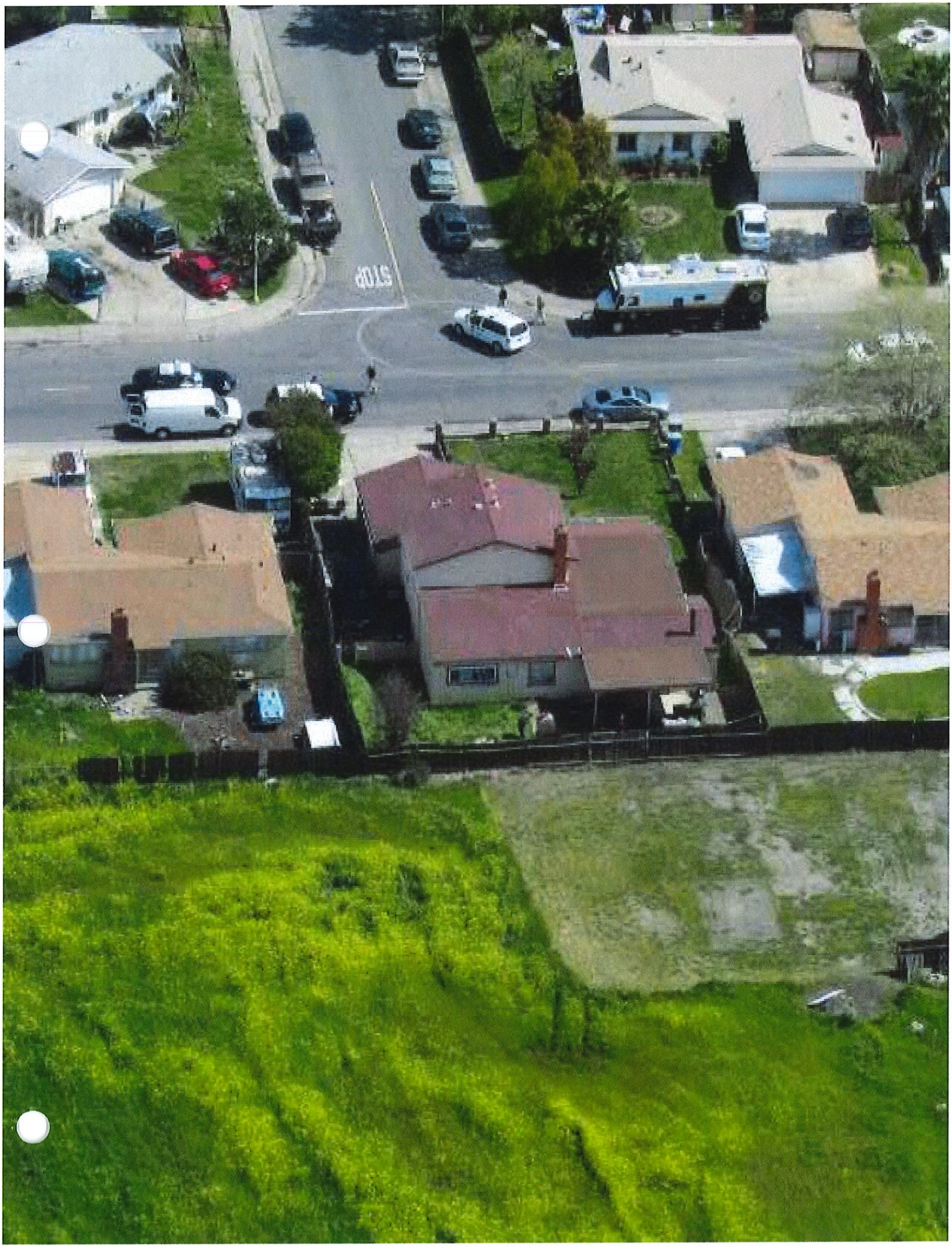
STOP

Officer
Terrence B. Mercadal

Badge #0752 ABRA # 4347

Sacramento Police Department

Internal Affairs

Officer Disciplinary History

Police Officer Terrence Brandon Mercadal [0752/4347]

Part I - Personal Information

Name: Police Officer Terrence Brandon Mercadal
ABRA Number: 4347 Badge No: 0752 Hire Dt: 10/24/2015

Office: OOO
Division: Patrol
Section: District 4

Part II - Discipline History

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Sacramento Police Department

Internal Affairs

Officer Resume

Police Officer Terrence Brandon Mercadal [0752/4347]

Part I - Personal Information

Name: Police Officer Terrence Brandon Mercadal
ABRA Number: 4347 Badge No: 0752 Hire Dt: 10/24/2015

Office: OOO
Division: Patrol
Section: District 4

Part II - Incidents

Departmental IA #: IAD2019-095 Case #: 18-82449

Received date: Mar 5, 2019 Occurred date: Mar 18, 2018

Classification: Non-Criminal
Allegation(s):

Neglect of Duty < Open allegation >
Improper Tactics < Open allegation >

Disciplinary action(s)
<None>

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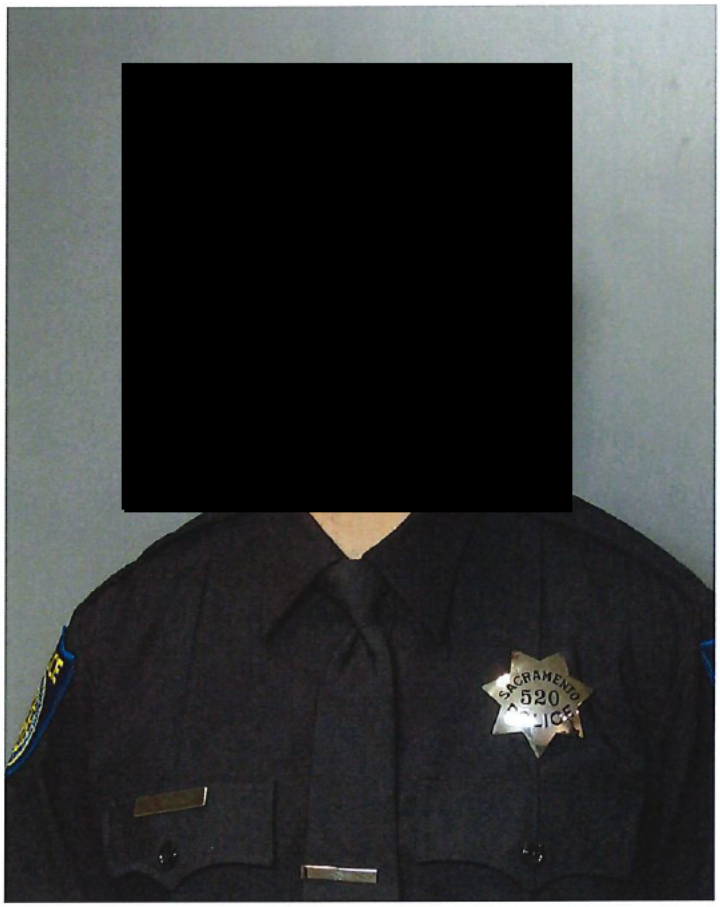

Officer
Jared E. Robinet

Badge #0520 ABRA # 4134

Sacramento Police Department

Internal Affairs

Officer Disciplinary History

Police Officer Jared E Robinet [0520/4134]

Part I - Personal Information

Name: Police Officer Jared E Robinet
ABRA Number: 4134 Badge No: 0520 Hire Dt: 01/06/2014

Office: OOO
Division: Patrol
Section: District 5

Part II - Discipline History

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Sacramento Police Department

Internal Affairs

Officer Resume

Police Officer Jared E Robinet [0520/4134]

Part I - Personal Information

Name: Police Officer Jared E Robinet
ABRA Number: 4134 Badge No: 0520 Hire Dt: 01/06/2014

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